



Twin Falls City Council Agenda

Monday, August 18, 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 August 11, Minutes.
By: Rachael Long, Administrative Assistant
 - b) **ACTION ITEM:** Request to approve Accounts Payable for August 07-13, 2025.
By: Amy Luna, Amy Luna, Deputy City Clerk
 - c) **ACTION ITEM:** Request to approve August 13, 2025, Travel Requests.
By: Amy Luna, Amy Luna, Deputy City Clerk
 - d) **ACTION ITEM:** Request to approve 2025 June Wells Fargo Credit Card Summary.
By: Amy Luna, Deputy City Clerk
 - e) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of the People for Pets event.
By: Wendy Davis, Parks and Recreation Director
 - f) **ACTION ITEM:** Request to approve Finding of Facts and Conclusions of Law for the following: PZ25-0015 – Annexation - PZ25-0090 - Final Plat - Sundance Subdivision No. 4
By:
- 4) Items of Consideration
 - a) **ACTION ITEM:** A request to authorize the use of \$159,637.84 of cash reserves from the respective funds as needed to fund the City of Twin Falls Health Plan Trust.
By: Breanna Howard, CFO
 - b) **ACTION ITEM:** Request to adopt ordinance #O-2025-013 for Annexation on property located at 4100 N 2700 E.
By: Jonathan Spendlove, Planning and Zoning Director
- 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 are regulations pertaining to “Sign Regulation”. c/o City of Twin Falls(PZ24-0121).
By: Jonathan Spendlove & William Klaver
 - b) **ACTION ITEM:** Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to “Zoning Actions” and “Appendix: Definitions”. c/o City of Twin Falls (PZ24-0121).
By: Jonathan Spendlove & William Klaver
- 8) Adjournment
- 9) Executive Session
 - a) **ACTION ITEM:** Request to adjourn to Executive Session pursuant to Idaho Code § 74-206(1)(b) To consider the evaluation, dismissal or discipline of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public-school student.
By: Amy Luna, Deputy City Clerk

Any person(s) 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, 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 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 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.
 - 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 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, 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



Twin Falls City Council Minutes

Monday, August 11, 2025, 5:00 PM

Council Chambers
203 Main Avenue East, Twin Falls, Idaho

1) Call Meeting to Order/Confirmation of Quorum

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

Absent:

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Gretchen Scott, City Attorney Bruce Castleton, Deputy City Clerk Amy Luna, Administrative Assistant Rachael Long, Assistant to the City Manager Mandi Thompson, Planning and Zoning Director Jonathan Spendlove, City Planner William Klaver, Chief of Police Matt Hicks, Fire Chief Mitchell Brooks, Economic Director Shawn Barigar, City Financial Officer Breanna Howard, Public Works Director Josh Baird, Parks and Recreation Director Wendi Davis, Assistant HR Director Lauren Nickolisen, Public Information Coordinator Joshua Palmer, Network Administrator Dee Davidson

Mayor Pierce called the meeting to order at 5:00 PM. A quorum was present.

2) Pledge of Allegiance

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

3) Consent Calendar

MOTION: Council Member Hawkins moved to approve the Consent Calendar as presented. **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- a) Request to approve City Council 2025 August 4 Minutes
- b) Request to approve Accounts Payable for July 31- Aug 6, 2025.
- c) Request for approval of a Final Plat for the Sundance Subdivision No. 4, consisting of 53 lots on approximately 16.72 acres located at 2971 E 3600 N, care of EHM Engineers, Inc., on behalf of Gerald Martens, Sundance Partners, LLC. (PZ25-0090)
- d) Consideration of a request to accept public right-of-way.
- e) Request to accept the Improvement Agreement for the purpose of developing Cattail Subdivision public infrastructure for a future subdivision.

4) Items of Consideration

- a) Request to award the 2025 CIPP Sewer Rehabilitation Project to Vortex Services LLC, of Helena, MT, in the amount of \$912,500.00 and authorize use of the total budget of \$1.1 million for potential change orders and contingencies.

Staff Engineer Stowe requested to award the 2025 CIPP Sewer Rehabilitation Project to Vortex Services LLC, of Helena, MT, in the amount of \$912,500.00 and authorize use of the total budget of \$1.1 million for potential change orders and contingencies.

Discussion ensued on the following:

Council Member Reid asked how it is holding up in the areas we have already done.

MOTION: Vice Mayor Brown moved to approve the request to award the 2025 CIPP Sewer Rehabilitation Project to Vortex Services LLC, of Helena, MT, in the amount of \$912,500.00

and authorize use of the total budget of \$1.1 million for potential change orders and contingencies. **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- b) Consideration of a contract with Starr Corporation for the CM/GC services on the Police Evidence Storage and Training facility.

Assistant to the City Manager, Thompson requested the consideration of a contract with Starr Corporation for the CM/GC services on the Police Evidence Storage and Training facility.

Discussion ensued on the following: None

Council Member Cutler is removing himself from voting on this one since he has family members on this contract.

MOTION: Council Member Stone moved to approve the request of a contract with Starr Corporation for the CM/GC services on Police Evidence Storage and Training facility. **Council Member Reid** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0, 1 Abstained.

- c) Council review of FY 2026 Budget Recap with focus on Council Capital.
City Manager Rothweiler presented the Council review of the FY 2026 Budget Recap with a focus on Council Capital.

Discussion ensued on the following:

Council Member Stone asked why the dollar amount is different from the council capital spreadsheet?

Mayor Pierce asked how many pickle ball courts we have.

Council member Vollmer asked if the lights would go up at this stage.

Council member Reid mentioned that he was out there this summer and the skate park is a very dark area.

Council member Stone asked about slide 10 and asked about the area in Coeur D'Alene and its tax bracket.

Council member Cutler brought up the need to decide on the MPOG before moving forward.

Council member Reid mentioned he thinks we should get rid of the MPOG and find a different route to do it in the future.

Mayor Pierce asked for clarification on how much money they must allocate for council capital.

Council member Stone asked Reid if we could take certain amounts of money for MPOG.

Vice Mayor Brown wants to table MPOG.

Mayor Pierce asked Wendi for some clarification on the Light amount for Harmon Park. The 385k is for lighting only.

Council member Cutler said he would like to approve the Resource officer and the senior citizen center.

Vice Mayor Brown said he is good at all the small items and the big discussion will be the big-ticket items.

Mayor Pierce said we are at 387K right now without any of the three big items.

Vice Mayor Brown said he would like to move the dog park to a different time.

Council member Vollmer said she feels the skate park lighting is the most important out of the big three items.

City Manager Rothweiler suggested to the Council picking a project that can be completed so that we do not create false expectations to the public.

Council member Cutler mentioned that we do not want to jump around in Harmon Park because if we start with the project, we will need to commit to redoing the entire Harmon

Park.

Council member Stone asked about the tennis and pickle ball courts if the resurface is just a phase or if it completes that area.

Council member Cutler asked about the lighting and is there a recommendation from staff on which light is more important for safety?

City Manager Rothweiler said that if they do not allocate all the money tonight, it will sit in contingency and can be used another time in the year.

Vice Mayor Brown does not approve of the three big items. He does not feel we should move forward on the Harmon Park.

MOTION: Council Member Stone moved to approve the request to approve all the current items under the supported project column in the amount of \$776,335, leaving off Harmon skate park infrastructure and Baxter dog park. **Council Member Reid** seconded the motion. The roll call vote showed all members present voted, 3 to 4, motion failed.

MOTION: Council Member Cutler moved to approve the request for the supported projects for a total of \$982,960 as listed in column D. **Vice Mayor Brown** seconded the motion. The roll call vote showed all members present voted, 3 to 4, motion failed.

MOTION: Vice Mayor Brown moved to approve the request for the supported projects in the dollar amount of \$387,960 in column D. **Council Member Cutler** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

Council Stone asked if we could table the last three items and decide later or if we need to approve them tonight.

City Manager Rothweiler said he would like them to decide tonight so they can move forward with the rest of the budget.

MOTION: Council Member Reid moved to approve the request for the Harmon Skate Park infrastructure and Harmon West tennis pickle ball courts minus the lighting, with a total of \$351,500. **Council Member Stone** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 5 to 2.

5) General Public Input

6) Advisory Board Report/Announcements

Council Member Reid brought up the Air Show this weekend, and please come out and support.

Council Member Hawkins mentioned the National night out and they did a great job with a great turn out.

City Manager Rothweiler mentioned that we will not be meeting on Sept 2, and we will have the State of the City Address on Sept 3.

7) Public Hearings

- a) Request to City Council on the appropriate zoning district for a proposed Annexation on property generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East). c/o Champ LLC (PZ25-0015)

Senior Planner Klaver requested to City Council on the appropriate zoning district for a proposed Annexation on property generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East). c/o Champ LLC (PZ25-0015)

Public Hearing Opened: 6:44 pm

Public Hearing Closed: 6:45 pm

Discussion ensued on the following:

Gerald Marten spoke about this property that they do not have an exact company wanting the property that he wants to get annexed before they decide on the development, but that the railroad is what will determine who comes in and then deciding on the Champlin and Kimberly RD intersection on how that would work for Safety.

Council Member Stone asked what the annexation is exactly.

MOTION: Council Member Stone moved to approve the request to City Council on the appropriate zoning district for a proposed Annexation on property generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East). c/o Champ LLC (PZ25-0015). **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- b) 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).

Planning and Zoning Director Spendlove requested 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).

Public Hearing Opened: 7:53 pm

Public Hearing Closed: 7:57 pm

Frances Alves spoke in favor of the ADU and that she does not feel that they should have removed the ADU when that owner moves.

Rosanna Campbell spoke in favor the ADU to help some of our homeless in the area. She is from the Region IV homeless coalition.

Discussion ensued on the following:

Mayor Pierce asked what the community market it.

Council member Stone asked about the recreation centers, asked what the special use is and that he would like to see no drive-through in Canyon rim overlay areas.

Mayor Pierce asked what they see most in storage sheds or shops. What is the number of occupants for this?

Mayor Pierce asked about the owner's occupancy and that there was a public comment about this.

Mayor Pierce said that they should not limit the number of cars at home for in-residence business, that we should have it at 6.

Mayor Pierce asked if we have stealth towers in Twin as of now.

Council member Cutler asked about the parking zone in the CSI area.

Council member Vollmer asked if we have a smell from cremations right now. Is that where the comment came from the commission?

Council member Reid he agrees in removing home-owner occupancy with ADU, and he would like to change drive-through to zone permits instead of special use permits.

Council member Stone would like to change that drive through to add anything north of the poleline.

Vice Mayor Brown has made a comment about the drive-through businesses already and that we should not regulate them.

Deputy City Manager Humble said we would be opening ourselves up to lawsuits with the drive-through.

MOTION: Council Member Reid moved to approve the 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). **Vice Mayor Brown** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

8) Adjournment

The meeting adjourned at 08:06 PM

Rachael Long, Administrative Assistant

****If you wish to have a full accounting of this meeting, please listen to the recording that is located on our website. **** [Tfid.org](https://www.tfid.org)



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 for People for Pets	\$25.00	1
2	Fee Waiver Pending for Parks Fees	\$0.00	0

Total Due *

\$25.00

Special Event Departments *

Which departments should be asked to review this application?

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 | |
| Annual Pooch Splash | | |

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**Provide a description of tents or structures.**

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

Canopies

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 *

Debbie

Last Name *

Blackwood

Onsite Contact

First Name *

Mallory

Last Name *

Cox

Event Information

Event Name *

Event Location (Park or Facility Requested)

Dierkes Lake

Is this event indoors or outdoors? *

- ☐ Indoors
- ☒ Outdoors

Event Reoccurrence

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

Event Description *

Off leash dog event to get together with the community and allow participating dogs to socialize together while raising money. Raffle prizes, vendors, and food are all available with proceeds going directly to the medical fund which helps care for homeless and abandoned pets.

EJ comment - Applicant is requesting a fee waiver. Documentation attached for WD consideration. Updated map with event layout also attached.

EJ comment - Insurance pending, applicant must submit insurance before council consideration

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 *

Dierkes.pdf	1.27MB
Dierkes.pdf	1.44MB
Letter to City; Fee Waiver Request.pdf	39.01KB

Set-up Time Start *

09/13/2024 09:00:00 AM

Set-up Time End *

09/13/2025 11:00:00 AM

Event Time Start *

09/13/2025 11:00:00 AM

Event Time End *

09/13/2025 02:00:00 PM

Take Down Time Start *

09/13/2025 02:00:00 PM

Take Down Time End *

09/13/2025 03:00:00 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.

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.

- 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.

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

Certificate.pdf

24.71KB

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 *

Date *

Mallory Cox

Mallory Cox

12/19/2024

Dierkes Lake Park



North Shelter



South Shelter



Restrooms



Playground



Volleyball

Dieckes
Lake Park

North
Shelter

South
Shelter

-  Restrooms
-  Playground
-  Volleyball

December 26, 2024

Wendy Davis and Elois Joseph
Parks and Recreation
136 Maxwell Ave
Twin Falls, ID 83301

To Whom It May Concern,

People for Pets, Magic Valley Humane Society, in partnership with the City of Twin Falls as the contracted provider of animal sheltering services, is hosting our 14th Annual Pooch Splash fundraiser on September 13, 2024, from 9 AM to 3 PM at Dierkes Lake. This event directly supports our shared mission of caring for homeless animals in Twin Falls County.

To maximize the impact of this important fundraising event, we respectfully request a waiver of entrance fees for attendees during the event hours. We project approximately 50 vehicles will attend, resulting in a total of \$200 in waived fees. We will have staff/volunteers stationed at the entrances to Dierkes Lake and Shoshone Falls to verify attendance using vouchers or event tickets.

The Pooch Splash is vital to our ability to provide essential services to the community's animals. We are grateful for your continued support and consideration of this request.

Sincerely,
Mallory Cox
Kennel Manager/ Lead Behaviorist
People for Pets, MVHS Inc.



PEOPFOR-02

BYORK

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/18/2024

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 License # 26480 HUB International Mountain States Limited 157 River Vista Place PO Box 5099 Twin Falls, ID 83303-5099	CONTACT NAME: Bailey York PHONE (A/C, No, Ext): (208) 737-6440 FAX (A/C, No): (866) 912-7584 E-MAIL ADDRESS: bailey.york@hubinternational.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Owners Insurance Company	32700
	INSURER B : Auto-Owners Insurance Company	18988
	INSURER C : Idaho State Insurance Fund	36129
	INSURER D :	
	INSURER E :	
	INSURER F :	

INSURED
People For Pets - Magic
Valley Humane Society
PO Box 1163
Twin Falls, ID 83303

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 ☒ Owner's & Contractor GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		57492944	11/23/2024	11/23/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 HIRED NON OWNED \$ 1,000,000
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			51-492944-00	11/23/2024	11/23/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☐ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			51-492944-01	11/23/2024	11/23/2025	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
C	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A	590112	10/1/2024	10/1/2025	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

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

CERTIFICATE HOLDER

CANCELLATION

City of Twin Falls
203 Main Ave East
Twin Falls, ID 83301

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



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:

Annexation
Application

Champ LLC
Applicant(s)

)
) FINDINGS OF FACT,
)
) CONCLUSIONS OF LAW,
)
) AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on August 11, 2025, for public hearing pursuant to public notice as required by law for Annexation with a zoning designation of C-1 and M-2, for 227.5 (+/-) acres located at the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East) and the City Council having heard testimony from interested parties being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has applied for Annexation with a zoning designation of C-1 and M-2, for 227.5 (+/-) acres located at the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East).
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: July 24, 2025.
3. The property in question is zoned County Jurisdiction pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Mixed Use in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, Residential; to the south, Agricultural; to the east, Commercial/Industrial; to the west, C-1 and M-2.

Based on the foregoing Findings of Fact, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The application for Annexation with a zoning designation of C-1 and M-2, for 227.5 (+/-) acres located at the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East) is consistent with the purpose of the C-1 and M-2 Zone and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed annexation is consistent with the provisions of the Comprehensive Plan and Zoning Ordinance of the City of Twin Falls, and in particular Sections 10-1-4, 10-1-5, 10-15-1(A) & (B) of the Twin Falls City Code.

3. The proposed use is proper use in the C-1 and M-2 Zone, subject to the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

4. Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity. Annexation of this property is not a guarantee city utilities are available. A will-serve letter will be issued upon review and approval for a final plat and/or a phase of a final plat.

5. The application for Annexation with a zoning designation of C-1 and M-2, for 227.5 (+/-) acres located at the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East) should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

1. The application for Annexation with a zoning designation of C-1 and M-2, for 227.5 (+/-) acres located at the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East) is hereby granted as presented.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls and to the conditions which are attached as "Exhibit No. A" and incorporated by reference as though fully set forth herein.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"Exhibit No. A"

1. Prior to City Council approving the Annexation Ordinance, applicant shall dedicate Right-of-Way along the Champlin Rd South frontage to the City of Twin Falls. The dedication and reconstruction dimensions are to be determined by the City Engineer.
2. Developer constructing Champlin Rd South at the time development occurs. Phasing of roadway construction to be determined by City Engineer.
3. Collector Right-of-Way to be dedicated to the City of Twin Falls and constructed by the developer, in accordance with the provided exhibit. The dedication dimensions and phasing of roadway construction to be determined by City Engineer.

APPLICATION # PZ25-0015



BEFORE THE CITY COUNCIL OF THE CITY OF TWIN FALLS

In Re:	)	
<u>Final Plat</u>	)	
Application	)	FINDINGS OF FACT,
	)	
<u>Sundance Subdivision No. 4</u>	)	CONCLUSIONS OF LAW,
Applicant(s).	)	
	)	AND DECISION

This matter having come before the City Council of the City of Twin Falls, Idaho on August 11, 2025, for consideration of the final plat of the Sundance Subdivision No. 4, approximately 16.72 (+/-) acres located at 2971 E 3600 N, and the City Council having heard testimony from interested parties, having received written Findings from the Planning and Zoning Commission and being fully advised in the matter, now makes the following

FINDINGS OF FACT

1. Applicant has requested approval of the final plat of the Sundance Subdivision No. 4, approximately 16.72 (+/-) acres located at 2971 E 3600 N.
2. The property in question is zoned R-2 pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as Town Neighborhood in the duly adopted Comprehensive Plan of the City of Twin Falls.
3. The existing neighboring land uses in the immediate area of this property are: to the north, R-1/R-4; to the south, R-2; to the east, R-1 Var; to the west, R-2 PUD.
4. The City Engineering Office has reviewed the final plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the City Council hereby makes the following

CONCLUSIONS OF LAW

1. The final plat of the Sundance Subdivision No. 4, approximately 16.72 (+/-) acres located at 2971 E 3600 N is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The final plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H)(2)(a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H)(2)(d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the City Council's attention, per Twin Falls City Code §10-12- 2.3(H)(2)(e).

7. The final plat is in conformance with the Preliminary Plat. Based on the foregoing Conclusions of Law, the Twin Falls City Council hereby enters the following

DECISION

The request for approval of the final plat of the Sundance Subdivision No. 4, approximately 16.72 (+/-) acres located at 2971 E 3600 N is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

MAYOR - TWIN FALLS CITY COUNCIL

DATE

"EXHIBIT NO. A"

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 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 July 10, 2025.

APPLICATION# PZ25-0090



Date: Monday, August 18, 2025
To: Honorable Mayor and City Council
From: Breanna Howard, CFO

ACTION ITEM

Request:

A request to authorize the use of \$159,637.84 of cash reserves from the respective funds as needed to fund the City of Twin Falls Health Plan Trust.

Time Estimate:

5-10 minutes with additional time for Council questions.

Background:

In July 2025, the City Council approved \$1,234,820 from cash reserves to meet State of Idaho reserve requirements for establishing the City of Twin Falls Health Plan Trust, effective October 1, 2025.

Following a recent discussion with the City's actuary, it was determined that an additional \$159,637.84 is needed to meet the statutory reserve threshold. This adjustment is due to a variance between the actuary's reserve calculation (based on fees and risk factors) and the figures used in the original estimate from the medical insurance carrier's final proposal.

Staff recommends approval to allocate the additional funds, bringing the total reserve funding to \$1,394,457.84, to ensure compliance with Idaho Code § 41-4004(1)(f) and to maintain the planned start date of October 1, 2025 for the self-funded health insurance trust.

Approval Process:

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

Budget Impact:

Cash reserves of \$159,637.84 from respective funds as needed that have not been budgeted are being requested to fund the City of Twin Falls Health Plan Trust. There are sufficient reserve funds available to fund this request.

Regulatory Impact:

There is no regulatory impact.

History:

NA

Analysis:

NA

Conclusion:

Staff recommends the Council approve the request to authorize the use of \$159,637.84 from cash reserves from respective funds as needed to fund the City of Twin Falls Health Insurance Trust.

Attachments:

None



Date: Monday, August 18, 2025
To: Honorable Mayor and City Council
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Request to adopt ordinance #O-2025-013 for Annexation on property located at 4100 N 2700 E.

Time Estimate:

Approximately five (5) minutes for presentation and questions.

Background:

On June 10, 2025, the Planning and Zoning Commission sent a positive recommendation to the City Council for this property to be C-1 and R-2, if annexation was approved by the City Council.

On July 21, 2025, City Council heard, deliberated and approved the Annexation of the property located at 4100 N 2700 E, as requested by the applicant.

Approval Process:

Idaho Code requires that an ordinance be read on three separate days prior to its passage. Two of the readings can be satisfied by reading the title only. Further, Idaho Code allows the reading rules to be dispensed if "one half (1/2) plus one (1) of the members of the full council" authorize the action. Should the council wish to approve the ordinance this evening a motion to dispense with the rules would have to be approved by five or more council members, prior to a vote on the passage of the ordinance.

Suggested motion language if dispensing the rules: *I move that we dispense with the reading rules and place Ordinance 2025-013_ on third and final reading by title only.*

If five or more council members approve dispensing with the rules, then the title must be read, followed by a motion on approval of Ordinance 2025-013: *I move that we approve Ordinance 2025-013 as presented*

Budget Impact:

N/A

Regulatory Impact:

The passing of this ordinance will change the zoning district of the property and new rules will apply to this property in regards to land use and other development criteria.

History:

N/A

Analysis:

N/A

Conclusion:

As directed by Council, staff has prepared an ordinance to finalize the Zoning District Change and Zoning Map Amendment process.

Attachments:

1. PZ25-0004 O-2025-013 - Annex

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWIN
FALLS, IDAHO, **ANNEXING** CERTAIN REAL PROPERTY BELOW
DESCRIBED, PROVIDING THE ZONING CLASSIFICATION
THEREFORE, AND ORDERING THE NECESSARY AREA OF IMPACT AND
ZONING DISTRICTS MAP AMENDMENT

WHEREAS, South Canyon Farms, LLC has made application for annexation of
property located at 4110 N 2700 E; and,

WHEREAS, the City Planning & Zoning Commission for the City of Twin Falls,
Idaho, held a Public Hearing as required by law on the 10th of June 2025, to
consider the Zoning Designation and necessary Area of Impact and Zoning
District Maps amendment upon annexation of the real property below
described; and,

WHEREAS, the City Planning & Zoning Commission has made recommendations
known to the City Council for Twin Falls, Idaho; and,

WHEREAS, the City Council for the City of Twin Falls, Idaho, held a Public
Hearing as required by law on the 21st day of July, 2025, to consider the
Zoning Designation and necessary Area of Impact and Zoning Districts Map
amendment upon annexation of the real property below described.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF TWIN FALLS, IDAHO:

SECTION 1. The following described real property be and the same is hereby
annexed into and declared to be a part of the City of Twin Falls, Idaho:

"Exhibit A"- Legal Description - Annexation

"Exhibit B" - Annexation Map

"Exhibit C" - Legal Description - C-1 Zone

"Exhibit D" - Legal Description - R-2 Zone

"Exhibit E" - Zone Boundary Map

AND all public streets, highways, alley and public rights-of-way adjacent and within this description.

SECTION 2. The real property described in Section 1 hereof be and the same is hereby zoned C-1 and R-2.

SECTION 3. Public services may not be available at the time of development of this property, depending upon the speed of development of this and other developments, and the ability of the City to obtain additional water and/or sewer capacity. The annexation of this property shall not constitute a commitment by the City to provide water and/or wastewater services.

SECTION 4. The Area of Impact and Zoning Districts Map for the City of Twin Falls, Idaho, be and the same is hereby amended to reflect the newly incorporated real property as hereby zoned.

SECTION 5. The City Clerk immediately upon the passage and publication of this Ordinance is required by law certify a copy of the same and deliver said certified copy to the County Recorder's office for indexing and recording.

PASSED BY THE CITY COUNCIL _____, 20____

SIGNED BY THE MAYOR _____, 20____

Mayor

ATTEST:

Deputy City Clerk

PUBLISH: Thursday, _____, 20____

Exhibit 'A'
Legal Description
of Annexation Boundary

Being a portion of Government Lot 3, Government Lot 4 and a portion of the East Half of the Southwest Quarter of Section 31, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Commencing at the Southwest Corner of said Section 31; Thence, along the West Boundary of said Government Lot 4, North 00°00'56" West 396.47 feet to the REAL POINT OF BEGINNING;

Thence, continuing along said West Boundary and the West Boundary of said Government Lot 3, North 00°00'56" West 1413.63 feet;

Thence, along the Boundary of that certain Parcel of Land described in Deed recorded July 12, 2021 as Instrument No. 2021-016696 in the office of the County Recorder of Twin Falls County, South 89°46'22" East 349.86 feet;

Thence, continuing along said Boundary, North 00°13'38" East 291.34 feet;

Thence, continuing along said Boundary, North 89°58'29" East 994.67 feet to the Northeast Corner thereof;

Thence, continuing along said Boundary, South 00°07'43" West 973.38 feet;

Thence, continuing along said Boundary, South 88°30'51" West 415.99 feet;

Thence, continuing along said Boundary and its Southerly prolongation, South 00°18'00" West 1388.86 feet to a point on the South Boundary of said East Half of the Southwest Quarter of Section 31; Thence, along said South Boundary and the South Boundary of said Government

Lot 4, North 73°29'52" West 742.23 feet; Thence, leaving said South Boundary, North 00°01'06" West 240.88 feet;

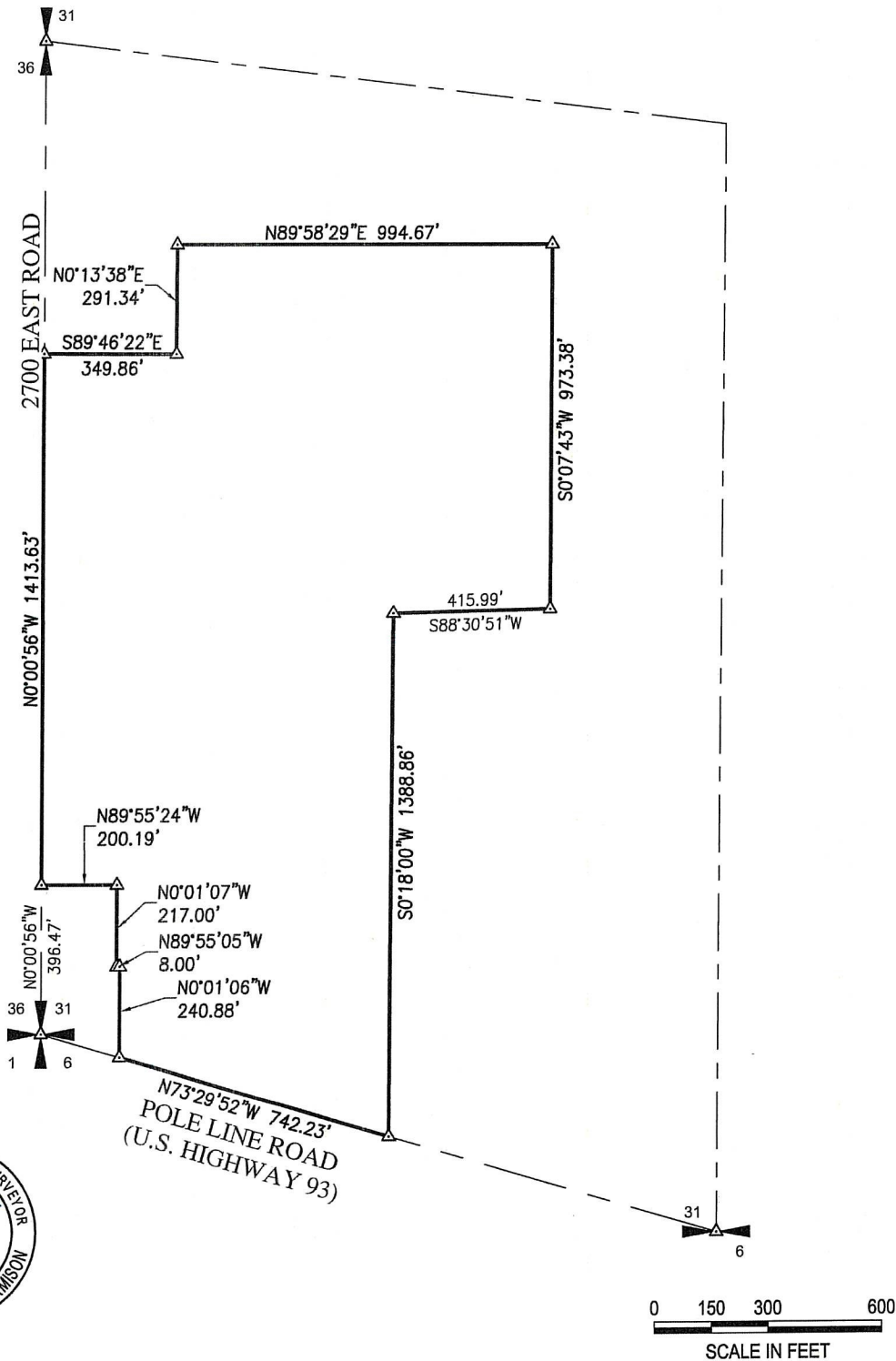
Thence, North 89°55'05" West 8.00 feet;

Thence, North 00°01'07" West 217.00 feet; Thence, North 89°55'24" West 200.19 feet to said REAL POINT OF BEGINNING.

Containing approximately 52.55 acres.

End of Description

Located In
A Portion of
Gov't Lots 3 & 4 and E² SW⁴, Section 31
Township 9 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2025



1

SHEET No.	242-23
JOB NUMBER	242-23
APPROVED	
DRAWN	
CHECKED	
DATE	APR 2025
SCALE	AS SHOWN

EXHIBIT 'B' ANNEXATION TWIN FALLS COUNTY, IDAHO

EHM Engineers, Inc.
BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE
Engineers / Surveyors / Planners
621 North College Road, Suite 100 Twin Falls, Idaho 83301
p (208)-734-4888 fax (208)-734-6049 web: ehminc.com

Exhibit 'C'
Legal Description
of C-1 Zone

Being a portion of Government Lot 4 and a portion of the East Half of the Southwest Quarter of Section 31, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Commencing at the Southwest Corner of said Section 31; Thence, along the West Boundary of said Government Lot 4, North 00°00'56" West 396.47 feet to the REAL POINT OF BEGINNING;
Thence, continuing along said West Boundary, North 00°00'56" West 719.60 feet;
Thence, leaving said West Boundary, North 89°59'04" East 927.46 feet to a point on the East Boundary of that certain Parcel of Land described in Deed recorded July 12, 2021 as Instrument No. 2021-016696 in the office of the County Recorder of Twin Falls County;
Thence, along said East Boundary and its Southerly prolongation, South 00°18'00" West 1388.86 feet to a point on the South Boundary of said East Half of the Southwest Quarter of Section 31 Thence, along said South Boundary and the South Boundary of said Government Lot 4, North 73°29'52" West 742.23 feet; Thence, leaving said South Boundary, North 00°01'06" West 240.88 feet;
Thence, North 89°55'05" West 8.00 feet;
Thence, North 00°01'07" West 217.00 feet; Thence, North 89°55'24" West 200.19 feet to said REAL POINT OF BEGINNING.

Containing approximately 24.57 acres.

End of Description

Exhibit 'D'
Legal Description
of R-2 Zone

Being a portion of Government Lots 3 and 4 and a portion of the East Half of the Southwest Quarter of Section 31, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Commencing at the Southwest Corner of said Section 31; Thence, along the West Boundary of said Government Lot 4, North 00°00'56" West 1116.07 feet to the REAL POINT OF BEGINNING;

Thence, continuing along said West Boundary and the West Boundary of said Government Lot 3, North 00°00'56" West 694.03 feet;

Thence, along the North Boundary of that certain Parcel of Land described in Deed recorded July 12, 2021 as Instrument No. 2021-016696 in the office of the County Recorder of Twin Falls County, South 89°46'22" East 349.86 feet; Thence, continuing along said North Boundary, North 00°13'38" East 291.34 feet;

Thence, continuing along said North Boundary, North 89°58'29" East 994.67 feet to the Northeast Corner thereof;

Thence, along the East Boundary of said Parcel of Land, South 00°07'43" West 973.38 feet;

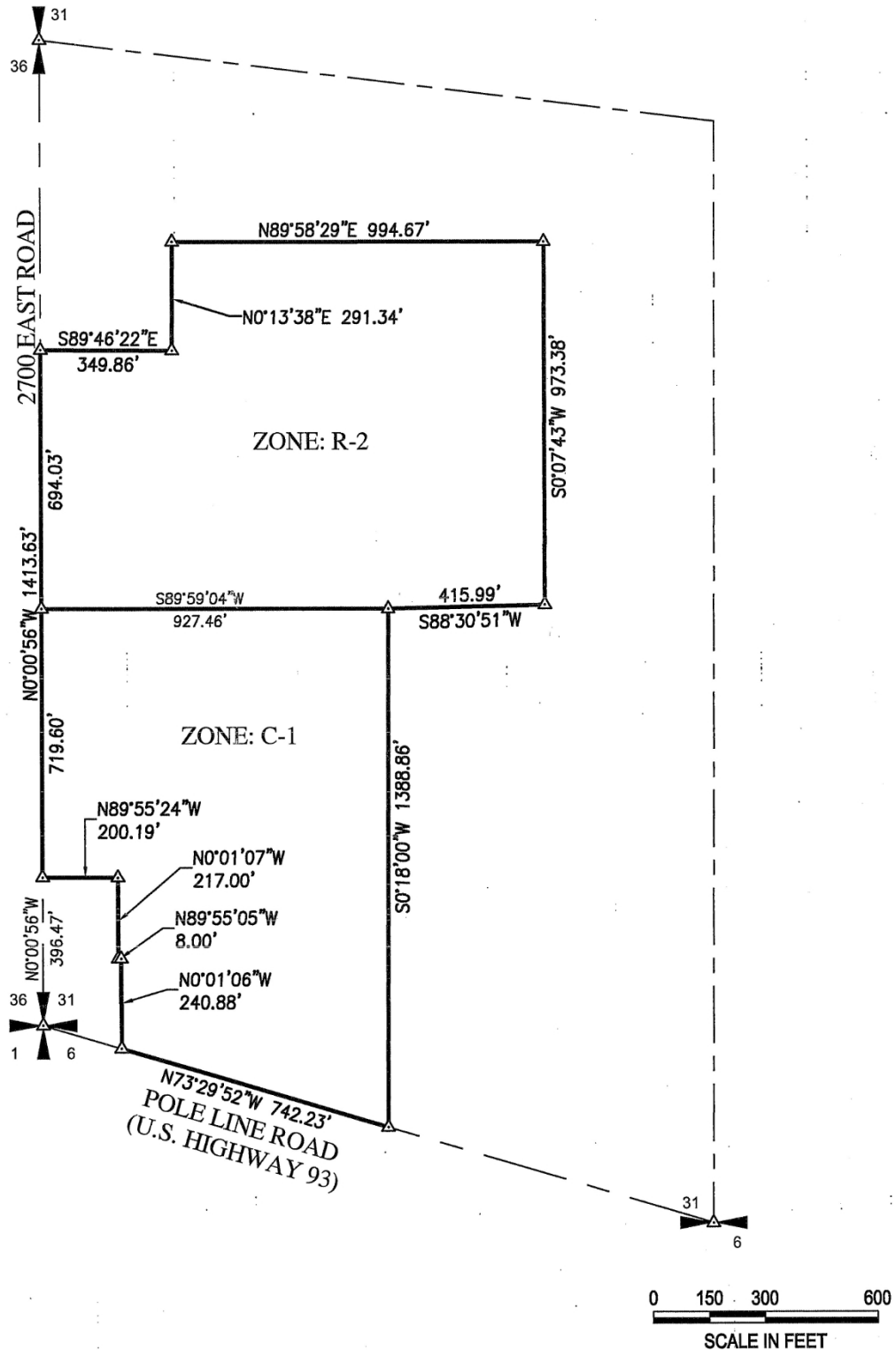
Thence, continuing along said East Boundary, South 88°30'51" West 415.99 feet;

Thence, leaving said East Boundary, South 89°59'04" West 927.46 feet to said REAL POINT OF BEGINNING.

Containing approximately 27.98 acres.

End of Description

Located In
A Portion of
Gov't Lots 3 & 4 and E² SW⁴, Section 31
Township 9 South, Range 17 East
Boise Meridian
Twin Falls County, Idaho
2025



1

JOB NUMBER:	244-23
DESIGN:	
DRAWN:	CSH
DATE:	JULY 2023
SCALE:	SIX INCH
EXHIBIT:	B2

EXHIBIT 'E'
ZONE BOUNDARIES
TWIN FALLS COUNTY, IDAHO



EHM Engineers, Inc.
BUILDING THE FUTURE ON A FOUNDATION OF EXCELLENCE

Engineers / Surveyors / Planners
621 North College Road, Suite 100 Twin Falls, Idaho 83301
p (208)-734-4888 fax (208)-734-6049 web: ehminc.com



Date: Monday, August 18, 2025
To: Honorable Mayor and City Council
From: Jonathan Spendlove & William Klaver

ACTION ITEM

Request:

Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Sign Regulation". 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 "Sign Regulations". This chapter is a major departure from the current code in response to the United States Supreme Court decision of *Reed v Gilbert* in 2015. This decision ultimately stated Cities could not regulate signs based on what the sign stated, but it could continue to regulate timing, place, and manner of which signs could be installed.

The Magic Valley Builders Association and Magic Valley Realtors have brought concerns on the application of the signs regarding the types they would utilize. Staff has met with both groups together and individually over the past 7 years, most recently being in April and May of 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.

10-14-7: ACTION BY COUNCIL:

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 Sign Regulations 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 Planning and Zoning Commission forwarded a positive recommendation to the City Council, by a vote of 5-1, after holding a public hearing on July 8, 2025.

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 Sign Regulations chapter of Title 10 as presented;*
2. *Move to approve with conditions the proposed zoning text amendment to the Sign Regulations chapter of Title 10; or*

3. *Move to table the item to a date certain of _____*

Attachments:

1. PZ24-0121 Proposed Sign Regulations 5.23.2025
2. PZ24-0121 Current Sign Regulations
3. PZ24-0121 Public Comments Regarding Proposed Sign Code Regulations 7.2.25
4. PZ24-0121 C Hughes (8-7-25)
5. PZ24-0121 Multiple (8-11-25)
6. PZ24-0121 F Alves (8-11-25)
7. July 8, 2025 Planning and Zoning Commission Minutes

10-9-1: Purpose and Intent

Consistent with the standards set forth in section 10-1-5 of this title, the intent of the standards set forth in this chapter are as follows:

- A. To facilitate the design of signs that attract and invite rather than demand the public's attention, and to curb the proliferation of signs.
- B. To facilitate the use of signs that enhance the visual environment of the City.
- C. To promote the enhancement of business and residential properties and neighborhoods by fostering the erection of signs complementary to the buildings and uses to which they relate and which are harmonious with their surroundings.
- D. To conform to current sign code standards and requirements established by the United States Constitution and the Supreme Court.
- E. To protect the public interest and safety.

10-9-2: Applicability

The terms and conditions of this chapter shall apply to signs located within the corporate boundaries of the City of Twin Falls.

10-9-3: General Provisions

A. General Requirements

1. Compliance with Zoning Ordinance, Building Code, National Electrical Code, and Other Ordinances: All sign structures shall comply with the City's zoning ordinance (this title), the building code, the national electrical code, and other City ordinances, as they currently exist or may be amended. The sign permit application must include a statement signed by the applicant which states compliance with these requirements. If the standards as described herein are more restrictive, then the provisions herein shall apply.
2. Interpretation and Administration: The Planning & Zoning Administrator shall be responsible for interpreting and administering this chapter.
3. Contractor Required for Installation: No person shall install, erect, or maintain any sign that requires a building permit, for electrical or structure, unless such person is a registered contractor as required by the State of Idaho. Such persons shall provide a contractor registration number to the City prior to issuance of a sign permit.
4. Visibility: Signs shall not be placed within visibility triangles per City Code 9-9-16 (or as amended). Additionally, signs located within eight feet (8') of the curb or future curb line shall not have any elements located between three and one-half (3 ½) feet and eight (8) feet above the elevation of existing or future top of curb, as determined by the City Engineer.
5. Signs Projecting into Public Right-of-Way: No sign shall project beyond the property line, unless otherwise allowed herein. No sign foundations shall encroach into public right of way. No sign shall project closer than two feet (2') to a vertical line projected from the face of a curb, or if no curb exists, the face of the future curb as determined by the City Engineer based on the master street plan. The owner of a sign projecting over a public way shall relocate the sign immediately upon written notification by the City, at the owners expense.

6. Accumulation of Water: All signs shall be constructed so as to prevent the accumulation of water within the sign.
7. Multiple Signs on a Property or Building: The permitting of a sign on a property or building shall not preclude the permitting of other types of signs on a property or building, unless the signs are expressly prohibited herein, or the total amount of sign allowance as regulated by this chapter has been exceeded.
8. Structural Support: Signs that project from the face of a building, and that require structural support, shall be designed such that the structural support is integral to the overall architecture of the sign and building.
9. Addresses: Each building shall display an address number which is not less than four inches (4") in height with a minimum stroke width of one-half inch (1/2") and plainly visible from the street. Address numbers shall be allowed in addition to the signs allowed herein. The address number displayed shall correspond to the address issued by the City. Address numbers shall contrast with their background and shall be in numerals or alphabet letters. These standards are intended to be minimum requirements. The fire chief, or his designee, may require a building to exceed these requirements if it is determined an address number meeting these minimum standards cannot be safely identified from the street.
10. Nonconforming Uses: New signs on a nonconforming use may be allowed providing they meet the sign regulations of the zoning district where the non-conforming use is located.
11. If any sign is determined to present an immediate danger to public health, safety, or welfare, the City may remove it immediately. Within ten (10) days of the removal of the sign, the City shall make every effort to notify the owner of the sign and/or the owner of the property on which the sign was located, of the reasons for removal of the sign.

B. Permits Required

1. Permit Required: No sign, other than those exceptions listed in section 10-9-10(B) of this chapter, shall be erected, placed, attached, altered, displayed, or secured to the ground, any building, or any structure, until a permit for such sign has been issued by the City.

An application for a sign permit may be obtained from the City's Building Safety Department. A permit will be issued if a proposed sign conforms to all City ordinances. Upon request by the City, a site plan shall be provided showing the location of all signs on the property and/or adjacent properties. Incorrect information shall be grounds for revocation of a permit.

- a. Standard Sign Permit Review Time: The City Official shall act on an application for a sign permit within fifteen (15) business days of the City's receipt of the application. The City's action may include approval, approval with conditions, denial, or a request for additional information.
2. Permit Expiration: If the work authorized by a permit issued under this chapter has not been commenced within one hundred eighty (180) days after the date of issuance, the permit shall become null and void.
3. Fees: A sign permit fee, as established by resolution of the City council, shall be paid upon application of a sign permit.

C. Illumination Standards

1. Illuminated Signs: The light from an allowed illuminated sign shall be arranged, directed and of such intensity that it does not create a nuisance on adjacent property, create a hazard to motor vehicles, or disrupt official traffic control devices.
2. Lighting Elements: All lighting elements of exterior signs shall be a minimum of nine feet (9') above the ground unless adequately protected to prevent injury if broken.
3. Time Limitation: Illuminated signs within Residential, CMT and PRO Zoning Districts shall be turned off between the hours of 10:00 PM and 6:00 AM.

D. Placement and Clearance Standards:

1. Unless otherwise allowed herein, no person shall post, attach, or maintain any sign upon or within the following locations or scenarios:
 - i. Any City owned property, without the written permission of the City Manager, or their designee;
 - ii. Any utility easement. Should a property owner be able to demonstrate there is no other viable location for a sign other than a utility easement, a sign may be located within the utility easement subject to written approval from the applicable easement beneficiaries and subject to the providing of a letter to the City releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement;
 - iii. Any tree, light pole, or any utility pole or structure;
 - iv. Any fence, railing or wall, unless otherwise specified herein; or
 - v. Any sidewalk within the right-of-way or a sidewalk easement, curb, gutter, or street, except for house numbers or fire lane designation.
 - vi. Any fire escape, or to the supporting members of any fire escape, nor shall it be guyed to or supported by any part of the fire escape.
 - vii. Within two feet (2') of any utility line or any streetlight.
 - viii. No sign shall be so erected as to block, partially block, or interfere in any way with a required entrance/exit from any building, nor with any window.
 - ix. No sign shall block, interfere, or otherwise hinder pedestrian or vehicular traffic on a public sidewalk, a public thoroughfare, a fire lane easement, or a driveway required to access parking.
2. Maximum Projection
 1. An attached sign that is oriented perpendicularly to the building façade may extend no more than four feet (4'), and shall not project closer than two feet (2') to the face of the curb.
 2. Signs that project from the façade of the building shall be a minimum of nine feet (9') above the grade of the sidewalk.

E. Measurement Determinations

1. Sign Face Area
 - a. The sign face area of a sign shall be measured as the area enclosed by straight lines drawn to the extremities of the letters, numbers, recognizable symbols, trademarks, or brands. (See **Figure XX** Sign Measurements)
 - b. Special Situations:

- i. Where a sign is composed of letters, pictures, symbols, or logos attached directly to a facade, window, door or marquee, and the letters, pictures, symbols, or logos are not enclosed by a border or trimming, the sign face area shall be the area within the smallest square or rectangle, the sides of which touch the extreme points of any letters, pictures, symbols, or logos.
- ii. Where two sign face areas are placed back-to-back on a single sign structure, and the faces are at no point more than four feet apart, the area of the sign shall be counted as the area of one of the faces.
- iii. Where four sign face areas are arranged in a square, rectangle or diamond, the area of the sign shall be the area of the two largest faces. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square or rectangle, the sides of which touch the extreme point or edges of the projected image of the sign and multiplying that area by two. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign. See Figure XX below.

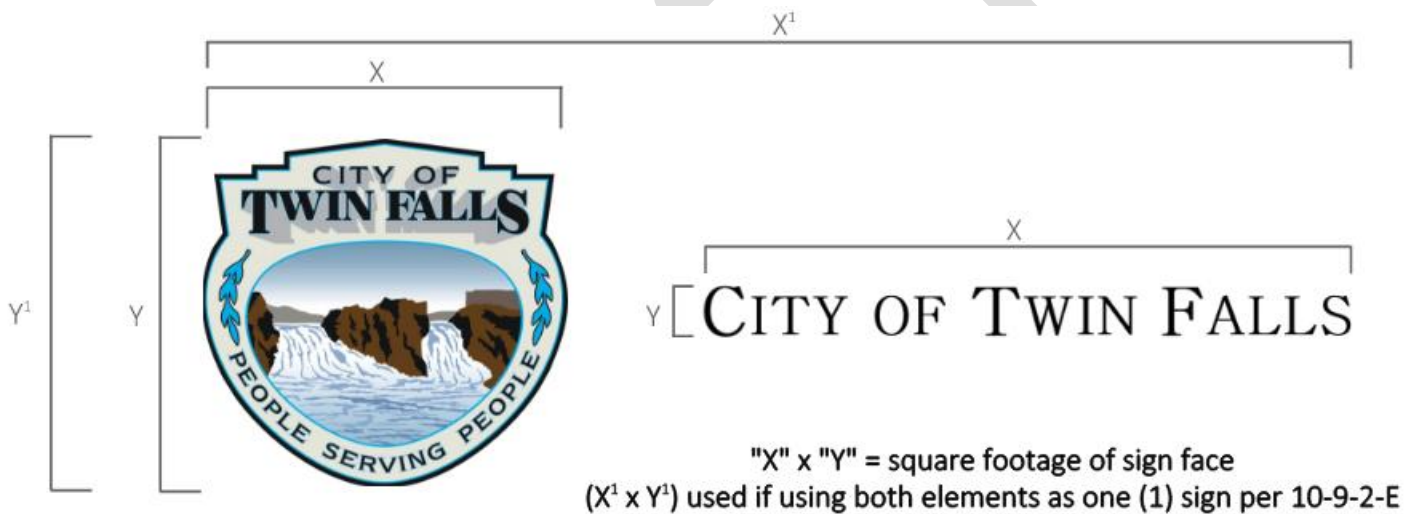


Figure 1: Sign Measurement

2. Number of Signs

- a. In general, the number of signs shall be the number of noncontiguous sign face areas. Multiple noncontiguous sign face areas may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign face area as described in Section 10.9.2-E.1 above.
- b. Special Situations
 - i. Where two sign face areas are placed back-to-back and are a part of the same sign structure that is no wider/deeper than three feet (3'), it shall be counted as one sign.
- c. If a sign has four sign face areas arranged in a square, rectangle, or diamond, it shall be counted as two signs.

3. Sign Height

- a. The height of all signs shall be measured from the top of the curb, or future curb adjacent to the sign location, up to the highest point of the top edge of the sign.
- b. The vertical support structures of signs shall be included in the measurement of the height of the sign.

10-9-4: Sign Coordination Plan

- A. A sign coordination plan is required prior to the permitting of some signs specified within this chapter to determine overall sign locations on a property, the relationship of the signs to surrounding existing, proposed, and future improvements, and to determine consistency and uniformity among buildings and signs within a multi-tenant zone or residential development. The sign coordination plan shall be submitted to the planning and zoning department.
- B. A sign coordination plan shall contain the following information:
 1. Elevations of the signs illustrating the materials of construction, colors, lighting, font of letters, and dimensions of the signs. If the sign is to be attached to a building, the elevation shall be a composite of the sign and the building.
 2. Elevations depicting the size of the signs in relation to the size of the buildings within the development.
 3. A plan drawn to preliminary plat or site plan specifications of the site illustrating the location of existing and proposed signs on the property and, if required by City staff, on adjacent properties.
 4. Other information to illustrate the consistency and uniformity of the signs.
 5. For multi-tenant signs, the sign coordination plan shall identify a multi-tenant zone. Only those properties and businesses included within the multi-tenant zone shall be included on the multi-tenant signs erected within the multi-tenant zone.
- C. For nonresidential and multi-dwelling developments, the sign coordination plan shall be submitted to the City for review with a site plan of the property. For single-dwelling and two-dwelling developments, the sign coordination plan shall be submitted to the City for review with a preliminary, or final plat, of the property.
- D. Sign Coordination Plans are considered an administrative decision and shall follow the process for administrative decisions outlined within this title. **See Chapter XX.**

10-9-5: Exempt Signs

- A. The following signs are exempt from the permitting requirements of this Code provided they still meet all other applicable Code requirements, and provided further they are not placed or constructed to create an immediate threat to the health, safety, or welfare of the general public:
 1. Address numbering for properties or buildings provided they meet Fire and building codes.
 2. Signs required by any local, state, or federal law or regulation; when less than three square feet.
 3. Holiday lights and decorations.

4. Signs authorized by statute, or ordinance, when erected on public property by governmental agencies that have jurisdiction.
5. Legal notices or official instruments required by law.
6. Signs incorporated into machinery, material, or equipment by a manufacturer.
7. Signs carried by a person not exceeding six (6) square feet.
8. Temporary signs as permitted by this Chapter.
9. Any form which displays the Standards or Colors for a country, state, county, city, other political subdivision, military or religious entity.
10. Signs Inside Buildings: Signs inside buildings which are not visible from the public right-of-way.
11. Traffic Control Signs: Traffic control signs conforming to the "Manual of Uniform Traffic Control Devices" that are installed or approved by the City, or other governmental entities with jurisdiction of the right-of-way.

10-9-6: Prohibited Signs

A. The following signs are expressly prohibited:

1. Commercial Billboard Signs: A commercial billboard sign is a large permanent sign, generally supported by a metal or wood frame, used for the display of posters, printed, painted, or electronic advertisements that generally direct attention to goods, merchandise, entertainment, or services conducted, sold, or offered at a location other than the premises on which the sign is located.
2. Off-Premises Signs, unless otherwise permitted by this chapter.
3. Obscene Signs: An obscene sign is a sign that contains offensive language, is hate based, is discriminatory or on which the dominant theme of material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.
4. Merchandise Displays: No person shall suspend or place, items from any building, or pole, structure, sidewalk, parkway, driveway, parking area, or fuel pump island any goods, wares, merchandise or other advertising object or structure for the purpose of advertising such items, other than a sign as defined, regulated and prescribed by this chapter. This prohibition does not apply to the outside display or storage of merchandise as allowed in this title.
5. Mobile Signs: A sign on a vehicle/trailer with wheels, displaying on or off premises messages cannot be used for the sole purpose of advertising. It is the responsibility of the property owners to provide proof that the vehicle has a legitimate business purpose other than acting as a sign.
6. Any sign constructed without a permit, unless otherwise exempted.
7. Any sign erected in, or over public right of way, or other public property, unless the same is erected with permission of the City, or other public agency having jurisdiction, for public purposes.
 - a. Signs constructed of glass or other materials which may shatter upon impact are prohibited over public right of way.
8. Any lighted sign erected or displayed within one hundred fifty feet (150') of a residentially zoned property, unless the lighting is shielded from view of the residential property and indirect light does not exceed one-half (1/2) lumen measured from any property line of the residential property, unless allowed within this chapter; and
9. Other Prohibited Sign Features:

- a. Signs which move and/or are animated by means of flashing, traveling or blinking lights, or other means not providing constant illumination, unless specifically allowed within this chapter;
 - b. Appendages to primary signs which have flashing, blinking, or traveling lights;
 - c. Any sign which emits audible sound, odor, smoke or other visible matter/substance;
 - d. Any sign located on a property where the contents of that sign do not pertain to a person, activity, idea, business, or product being sold, promoted, or expressed on the premises where the sign is located, unless specifically allowed within this chapter;
10. Any sign advertising illegal activity, or advertising an establishment that sells a controlled substance or drug paraphernalia as defined in Idaho Statute 37-2701.
11. Any other sign not referenced within, or governed by this chapter, is considered prohibited, unless otherwise determined through the Administrative Determination process.

10-9-7: Permanent Signs

A. General Provisions

- 1. Free standing signs in residential zones shall be built in the monument style.
 - a. Monument style signs shall be solid from ground to top of the sign (insert picture examples here).

B. Permanent Sign Classifications and Types

- 1. The following permanent sign classifications are adopted by the City of Twin Falls to regulate signage within the jurisdiction of the city limits.
 - a. Permanent Commercial- a sign classification that is constructed or used for one-hundred and eighty (180) days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce or non-ideological message.
 - b. Permanent Non-Commercial- a sign classification that is constructed or used for one hundred and eighty (180) days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.
- 2. The following types of signs are allowed as designated in this Article.
 - a. Attached, i.e., a “building sign” or a sign that is attached to a structure that is occupiable by or useable.
 - b. Free Standing, i.e., a “ground sign” that is independent of another structure

C. Permanent Sign Allowances

Table: Permanent Sign Dimension Allowance				
	Permanent Commercial		Permanent Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Residential Districts: RR, TN1, TN2, TN3				
Total SF	Permanent Commercial Signage is not allowed in any Residential District		60 SF	60 SF
Max Individual Sign SF			40 SF	40 SF
Max Height			8 FT	Footnote 1
Front Setback			10 FT	N/A
Natural Zones: AG, OS				
Total SF	60 SF	60 SF	60 SF	60 SF
Max Individual Sign SF	45 SF	45 SF	45 SF	45 SF
Max Height	8 FT	Footnote 1	8 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
Mixed Use Districts: MU, CMT, PRO				
Total SF	60 SF	60 SF	60 SF	60 SF
Max Individual Sign SF	60 SF	60 SF	60 SF	60 SF
Max Height	8 Ft	Footnote 1	8 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
Commercial Districts: COM, CC				
Total SF	See Footnote 2&3	See Footnote 2	See Footnote 2	See Footnote 2
Max Individual Sign SF	Footnote 4 & 5	Footnote 4 & 5	Footnote 3 & 4	Footnote 3 & 4
Max Height	35 FT	Footnote 1	25 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
Industrial Districts: IND 1 & 2, Airport				
Total SF	See Footnote 2&3	See Footnote 2	See Footnote 2	See Footnote 2
Max Individual Sign SF	Footnote 4 & 5	Footnote 4 & 5	Footnote 3 & 4	Footnote 3 & 4
Max Height	35 FT	Footnote 1	25 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A

- 1 Attached Signs may protrude above the roofline, cornice line, parapet, or the highest point of a façade a distance equal to 10% of the height of the building façade they are installed.
- 2 1 SF per linear-foot of street frontage not to exceed 350 SF.
- 3 [See Additional Freestanding regulations in 10-9-8](#)
- 4 Single-occupancy Building: 15% of the façade not to exceed 200 SF
- 5 Multi-occupancy building: 15% of the lease space/unit façade not to exceed 200 SF in the aggregate whichever is less. All occupants or units shall have a right to a minimum of 6 SF of signage.

10-9-8: Temporary Signs

A. General Provisions

1. Temporary signs may not require a permit from the City, if they satisfy the restrictions imposed by this section and other relevant parts of this Code.
 - a. If a permit is required, a fee, adopted by the City Council, shall be applied to the permit.
2. Illumination:
 - a. Temporary signs shall not be internally or externally illuminated.
3. Location:
 - a. No temporary sign shall be placed within, extend into, or project over any public right-of-way.
 - i. Temporary signs may be displayed on a closed public right of way if in conjunction with an event which has been vetted and approved through the Special Event approval process.
 - ii. Temporary signs may be displayed on the adjacent sidewalk of a “festival street” as designated by the City Council with the following requirements:
 1. Maximum size of 9 sq ft
 2. Maximum height of 4 ft
 - b. A property owner may grant another entity permission to place one (1) off premise temporary sign on the property owners’ grounds. The total amount of signage shall not exceed the limits allowed in 10-9-8 per the zoning district of the property where the temporary sign is placed.
 - c. No portion of a temporary sign shall be placed, extend into, or otherwise obstruct the sight triangle of intersections or driveways as defined in 9-9-16 of this Title, or as amended.
4. Maintenance: Temporary signs shall be kept neat, clean and in good repair. Signs which are abandoned, neglected, or dilapidated as defined in 10-9-13 of this Title shall be immediately repaired or removed.
5. Placement:
 - a. Temporary signs shall not be attached to public property; examples include but are not limited to benches, street light poles, and trees.
 - b. Temporary signs shall not obstruct or obscure primary signs on adjacent premises as viewed from the public way.
 - c. Temporary signs shall not be attached to a fence or other signs.
 - d. Temporary signs shall have a minimum of one (1) foot spacing between each sign. As measured from the outermost extent of the material displaying the sign.

B. Temporary Sign Definition

- a. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, metal, or other like materials, and that appears to be intended, or is determined by the administrator to be displayed for a limited period of time (rather than permanently attached to the ground or a structure).
- b. Examples include but are not limited to the following depictions:

{Insert a page of examples}

C. Temporary Sign Allowances

Table: Temporary Sign Dimension Allowance		
	Free Standing	Attached
Residential Districts: RR, TN1, TN2, TN3		
Total SF	32 Sq Ft (see Footnote 3)	
Max Individual Sign SF	16 Ft	16 Ft
Max Height	10 Ft	Footnote 1
Front Setback	Footnote 2	N/A
Natural Zones: AG, OS		
Total SF	48 Sq Ft (see Footnote 3)	
Max Individual Sign SF	32 Sq Ft	32 Sq Ft
Max Height	10 Ft	Footnote 1
Front Setback	Footnote 2	N/A
Mixed Use Districts: MU, CMT		
Total SF	32 Sq Ft (see Footnote 3)	
Max Individual Sign SF	32 Sq Ft	32 Sq Ft
Max Height	10 Ft	Footnote 1
Front Setback	Footnote 2	N/A
Commercial Districts: Com, CC		
Total SF	1 Sq Ft per linear foot of Public Street Frontage, or Primary entrance building façade, up to 100 Sq ft. (see Footnote 3)	
Max Individual Sign SF	100 Sq Ft	100 Sq Ft
Max Height	15 Ft	Footnote 1
Front Setback	Footnote 2	N/A
Industrial Districts: IND 1 & 2, Airport		
Total SF	1 Sq Ft per linear Foot of Public Street Frontage, or Primary entrance building façade, up to 150 Sq ft. (see Footnote 3)	
Max Individual Sign SF	100 Sq Ft	100 Sq Ft
Max Height	15 Ft	Footnote 1
Front Setback	Footnote 2	N/A
1	In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of the building wall/façade upon which the sign is installed, whichever is lower.	
2	Set back from property line shall be 3 feet, or equal to the height of the sign, whichever is greater.	
3	Any 2 adjoining properties may combine the total allowable square footage, and maximum individual sign size, thereby doubling the total for each category. Placement of these signs shall be on the property line of the adjoining properties.	

10-9-9: Digital and Electronic Signs

- A. Definition: A "Digital sign" is a sign containing a display that can be changed by electrical, electronic and/or a computerized process that provides general public service information such as but not limited to time, date, temperature, weather, or messages of interest to the public. A digital sign may also provide commercial messages relating to the use of the property on which the sign is located.
- B. Digital Signs Permissible: Digital signs are permissible subject to the following conditions:
1. Time: A sign permit shall not be issued to erect or place a digital sign on a property until a site plan and/or final plat has been approved by the City for development of the property and after issuance of a building permit for a building on the property.
 2. Place:
 - a. Digital signs are only allowed in conjunction with another allowed attached or freestanding signs and will be included in the total square feet allowed for one sign and overall signage.
 - b. Digital signs are allowed only in conjunction with a nonresidential use.
 - c. Digital signs shall not project into the right of way.
 3. The Administrator, or designee, must make all of the following findings in permitting such a sign:
 - a. The location and placement of the sign will not endanger motorists or pedestrians and does not cause undue distraction to traffic on the adjacent street or impede views at street or railroad intersections.
 - b. The sign will not cover or blanket any prominent view of a structure or facade of historical or architectural significance.
 - c. The sign will not obstruct views of users of adjacent buildings to side yards, front yards or to open space.
 - d. The sign will not distract, intrude upon or negatively impact the visual quality of a public open space such as a public recreation facility, square, plaza, courtyard and the like.
 - e. The sign is compatible with building heights of the existing neighborhood and does not impose a foreign or inharmonious element to an existing skyline.
 - f. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect or spill onto adjacent business or residential areas.
 4. Manner:
 - a. The maximum area of a digital sign is fifty (50) square feet of the total square footage of the sign in which it is located. If however, the property where the digital sign is to be located, has a single, contiguous street frontage equal to or greater than four hundred (400) linear feet, total square footage shall not exceed eighty (80) square feet.
 - b. The lighting on digital signs shall not exceed the following light measurements, as made using a one degree (1°) photographic exposure meter (spot meter) and measured one hundred feet (100') from the sign at a position five feet (5') to six feet (6') above ground level perpendicular from the face of the sign

- i. Daylight: The average exposure value (EV) shall not exceed fourteen (14) EV during the sign's normal running cycle, and shall never peak higher than fifteen (15) EV.
- ii. Night: The average exposure value (EV) shall not exceed twelve (12) EV during the sign's normal running cycle, and shall never peak higher than thirteen and one-half (13.5) EV.
- c. Flashing (the same copy flashing on and off repeatedly) is prohibited.
- d. Word messages shall not have a change frequency less than one second per frame.
- e. Animated graphics allowed so long as they are not used in conjunction with on/off flashing.
- f. Sequential message or message sequencing, meaning messages shown over a series of images or visuals, is prohibited.

10-9-10: Additional Permanent Freestanding Sign Regulations

- A. Definition: A "freestanding sign" is a sign that is erected on its own vertical framework consisting of one or more uprights support elements.
- B. Time: A permit shall not be issued to erect or place a freestanding sign on a property until a site plan and/or final plat has been approved by the City for development of the property.
- C. Place:
 - 1. Distance between Freestanding Signs:
 - a. All freestanding signs shall be a minimum of 100 ft from any other freestanding sign.
 - b. Directional signs are excluded from this distance requirement.
 - 2. When a property does not have street frontage, the Administrator shall determine a street frontage equivalent based on the circumstances of the project including but not limited to private access/driveways, orientation of the building, and primary building entrance location.
- D. Manner:
 - 1. Vertical Support Structure: Any freestanding sign exceeding six feet 6' in height shall provide a minimum twenty-four inch (24") wide vertical support structure. The minimum width may be calculated as a total of multiple support structures. However, no single support structure shall be less than twelve inches (12") in width.

Unique or innovative sign designs not meeting the Vertical Support Structure, may be reviewed and approved by the Planning & Zoning Commission as a consideration item.

- 2. Freestanding signs which direct traffic internally (internal directional signage), are allowed within the development and must meet all of the following criteria:
 - a. Signs shall not exceed five (5) square feet
 - b. Shall not exceed fifteen feet (15') in height
 - c. Shall not be intended to be viewed from public right-of-way.
 - d. If no emblem, brand, or commercially identifiable design is on the sign it shall not count towards the total square footage of a property's allowed signage.
- 3. Freestanding signs which direct traffic from the Public right-of-way must meet all of the following criteria:
 - a. Signs shall not exceed three (3) square feet

- b. Shall not exceed three feet (3') in height, measured from the nearest top of curb in the right of way.
- c. Shall be counted towards the total square footage of a property's allowed signage.
- d. Shall not be counted towards number of freestanding signs on the property.
- e. Shall be a minimum of seven feet (7') from face of curb or two feet (2') from back of side walk, whichever is greater, but in no case can any portion be located in the right of way.

E. Freestanding Signs In Commercial Corridors:

- 1. The following standards shall apply to freestanding signs on properties located in a commercial district adjacent to: 1) Blue Lakes Boulevard North, from Falls Ave. north to the Perrine Bridge 2) Kimberly Road East, from Blue Lakes Blvd. to Eastland Dr. 3) Addison Avenue West, and 4) Pole Line Road from Canyon Crest Drive to Bridgeview Boulevard. A business that fronts directly onto one of these roads, or that is located within a larger common development that fronts directly onto one of these roads, is considered to be located within the commercial corridor.
- 2. Maximum individual sign size shall not exceed 250 square feet.
- 3. Maximum height is 40 ft.

F. Freestanding Signs In Multi-Tenant Developments (multi-tenant signage)

- a. The following standards shall apply to freestanding signs which are part of a multi-tenant development:
 - 1. Time: A sign permit shall not be issued to erect or place a multi-tenant sign on a property or development until a sign coordination plan, as defined in [section 10-9-XX](#) of this chapter, has been approved.
 - 2. Place:
 - a. Multi-tenant signs are allowed only in nonresidential zoning districts within multi-tenant development consisting of multiple businesses/tenants with the same subdivision name or multiple properties which were depicted on the same preliminary plat or site plan;
 - b. Minimum setback is ten feet (10') from the street, measured from the face of the curb or edge of pavement. In no case shall a multi-tenant sign encroach into public right of way.
 - c. A multi-tenant sign shall not be located closer than one hundred feet (100') to another multi-tenant or freestanding sign.
 - i. Directional signs excluded.
 - 3. Manner:
 - a. Prior to City consideration of a multi-tenant zone, all property owners located within a proposed multi-tenant zone must submit notarized letters to the City authorizing the creation of the multi-tenant zone. Properties shall only be included in one multi-tenant zone.
 - b. The maximum area of a multi-tenant sign shall be 250 square feet.
 - i. For multi-tenant zones that exceed 350 feet of street frontage, the maximum area of an individual multi-tenant sign shall be 300 square feet.

- c. The maximum height of a multi-tenant sign is thirty five feet (35').

10-9-11: Removal / Impoundment of Prohibited Signs

- A. All signs listed in section 10-9-10 of this chapter, and any other prohibited or noncompliant signs, shall be considered a public nuisance and are prohibited by this chapter.
- B. If a sign is placed within the public right of way or on City owned property in violation of this chapter, the sign may be immediately removed and impounded by order of the Administrator.
- C. Upon identification of any prohibited sign, the City shall provide written notification of the violation to the owner of the property which the prohibited sign is located and the permittee of the sign.
 - a. The notification shall clearly identify the prohibited sign, and list any actions required to remedy the offense within a specific time period prescribed by the City.
 - b. The notification shall further state if the prohibited sign is not removed within a specific time frame (not to exceed 30 days) a citation may be issued and the City may resort to any civil remedy available up to and including impoundment.
- D. Signs authorized by a sign permit with an expiration date shall be removed promptly upon the date of expiration. Signs remaining after the date of expiration shall be deemed prohibited. The sign permit listing the expiration date shall be considered adequate notice of violation.
- E. It shall be unlawful for any person, firm or corporation receiving such written notice or having an expired permit to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (B) of this section, the City is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located.

10-9-12: Inspection

- A. The City of Twin Falls reserves the right to perform inspections of all signs regulated by this chapter. The purpose of the inspection is to ascertain whether the same is unsafe or insecure, is dilapidated or deteriorated, and to ensure that the sign has been constructed in accordance with the standards contained herein, any other applicable ordinances, and the applicable permits. The method and time of such inspections shall be determined by the appropriate City Official.
- B. If the City determines that any sign is unsafe or insecure, or is dilapidated or deteriorated, written notice shall be given to repair, remove or replace (in accordance with this chapter) said sign to the person or persons responsible for such sign. If the permit holder, owner of the sign, or owner of the property on which the sign is located, fails to repair, remove or replace the sign within thirty (30) days after such notice, or to file an appeal of administrator's determination, the City is hereby authorized to cause the removal of such sign.

- C. Nothing contained herein shall prohibit the immediate removal, without notice, of any sign or portion of a sign which is determined by the City to be an immediate threat or danger to the public health, safety, or welfare. Any expense incident to the removal of a sign pursuant to this subsection shall be paid by the permit holder, owner of the sign, or owner of the site on which the sign is located. The removal of the sign or portion of the sign shall be limited to the extent necessary to eliminate the threat to the public health, safety and welfare.
- D. The City is authorized to file a lien against any property, which is not otherwise exempt, to recover expenses incurred by the City for the removal of a sign, or portion of a sign, from the property.

10-9-13: Abandoned, Neglected, or Dilapidated Signs (Permanent or Temporary)

- A. Abandoned signs are defined as follows:
 - a. Permanent Signs: a sign which, for at least 180 days, does not identify or advertise a bona fide business, lessor, service, owner, product, or activity; or pertains to a time, event, or purpose which no longer applies.
 - b. Temporary Signs: a sign which, for at least 30 days, does not identify or advertise a bona fide business, lessor, service, owner, product, or activity; or pertains to a time, event, or purpose which no longer applies.
- B. A neglected or dilapidated sign is a sign which contains missing panels, burned out lights, missing letters, rust, loose parts, is faded from its natural color, faded, frayed, neglect, ripped, torn, worn, partial or wholly ruined or any similar state of disrepair.
- C. Abandoned, neglected or dilapidated signs shall be considered a public nuisance and are prohibited by this chapter.

Upon written notification to the permit holder by the City, such abandoned signs shall be removed from the premises, and neglected or dilapidated signs shall be repaired or removed from the premises by the property owner, agent, or person having beneficial use of the land, building, or structure upon which such sign is located.

The notification shall state the offending sign shall be repaired or removed within 14 days after written notification. The notification shall further state if the sign is not removed or repaired, a citation may be issued and the City may resort to any civil remedy available to remove or repair the sign.

- D. It shall be unlawful for any person, firm or corporation receiving such written notice to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (C) of this section, the City Official is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located.

10-9-14: Nonconforming Signs

- A. Definition: A "nonconforming sign" is a sign and its supporting structure which does not conform to all or part of the provisions of this chapter, and:

1. Was in existence and lawfully erected prior to the effective date of this chapter;
 2. Was in existence and lawfully located and used in accordance with the provisions of the prior ordinance applicable thereto, or which was considered legally nonconforming thereunder, and has since been in continuous or regular use; or
 3. Was in existence, located, and used on the premises at the time it was annexed into the City limits or included in the City's area of impact and has since been in regular and continuous use.
- B. Repair or Replacement: Any nonconforming sign and its supporting structure, which is destroyed, damaged, dilapidated or deteriorated, may be replaced or repaired providing:
1. The new sign does not have a nonconforming feature that the original sign did not have,
 2. The replacement sign does not exceed the size of the original sign,
 3. A nonconforming sign is not expanded or changed, and
 4. A sign permit for the replacement or repair is issued within six (6) months of the date of the damage. The Commission may grant an additional 6 months for a sign replacement to be installed. Under no circumstance shall a permit be issued for a replacement after 1 year has elapsed from the date of the damage.
- C. No Increase in Dimension: No sign or supporting structure which is lawfully reproduced, repaired, or renovated as a nonconforming sign shall be increased in area or height.
- D. Change of Interior Panel Allowed: Changing an interior panel of a nonconforming sign is allowed in all cases.
- E. Relocation: Notwithstanding any other provision of this chapter, any sign which is a legally existing nonconforming sign here under may be relocated on the same property or tract of land, if the sign is required to be removed from its present location because the property upon which the sign is located is acquired by any governmental agency or other entity which has or could have acquired the property through the exercise of its power of eminent domain. Such relocated sign shall be placed, insofar as possible, as to comply with all the provisions of this chapter.

10-9-15: Variances to Sign Regulations

- A. Requests for variances to sign regulations shall be made in writing by the applicant and heard by the Planning and Zoning Commission at a public hearing. A variance application may be obtained from the City. Applications for a variance will be administered per the variance process contained in section 10-8-XX of this title. The planning and zoning commission's decision on a variance application will be based on the approval criteria in section 10-8-XX of this title.

CHAPTER 9

SIGN REGULATIONS

SECTION:

10-9-1: Purpose

10-9-2: Applicability

10-9-3: Permit Required To Erect Or Install A Sign

10-9-4: General Sign Provisions

10-9-5: General Sign Specifications And Design

10-9-6: Inspection

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10-9-8: Allowable Signs That Require The Issuance Of A Sign Permit

10-9-9: Allowable Signs That Do Not Require The Issuance Of A Sign Permit

10-9-10: Prohibited Signs

10-9-11: Removal/Impoundment Of Prohibited Signs

10-9-12: Recovery Of Impounded Signs

10-9-13: Neglected And Abandoned Signs

10-9-14: Nonconforming Signs

10-9-15: Variances

10-9-16: Sign Coordination Plan

10-9-1: PURPOSE:

Consistent with the standards set forth in section 10-1-5 of this title, the intent of the standards set forth in this chapter are as follows:

- (A) To facilitate the design of signs that attract and invite rather than demand the public's attention, and to curb the proliferation of signs.
- (B) To facilitate the use of signs that enhance the visual environment of the city.
- (C) To promote the enhancement of business and residential properties and neighborhoods by fostering the erection of signs complementary to the buildings and uses to which they relate and which are harmonious with their surroundings.
- (D) To protect the public interest and safety. (Ord. 2957, 12-8-2008)

10-9-2: APPLICABILITY:

The terms and conditions of this chapter shall apply to signs located within the city of Twin Falls and its area of impact. (Ord. 2957, 12-8-2008)

10-9-3: PERMIT REQUIRED TO ERECT OR INSTALL A SIGN:

(A) Permit Required: No sign, other than those exceptions listed in section 10-9-9 of this chapter, shall be erected, placed, attached, altered, displayed, or secured to the ground, any building, or any structure, until a permit for such sign has been issued by the building official. An application for a sign permit may be obtained from the city's building inspections department. A permit will be issued if a proposed sign conforms to all city ordinances. Upon request by the city, a diagram shall be provided showing the location of all signs on the property and/or adjacent properties. Incorrect information shall be grounds for revocation of a permit.

1. Standard Sign Permit: The building official shall act on an application for a sign permit within fifteen (15) business days of the city's receipt of the application. The building official's action may include approval, approval with conditions, denial, or a request for additional information.

2. Temporary Sign Permit: The building official shall act on an application for a temporary sign in one day. The building official's action may include approval, approval with conditions, denial, or a request for additional information.

(B) Permit Expiration: If the work authorized by a permit issued under this chapter has not been commenced within one hundred eighty (180) days after the date of issuance, the permit shall become null and void.

(C) Fees: A sign permit fee, as established by resolution of the city council, shall be paid upon issuance of a sign permit.

(D) Investigation: Whenever any work for which a permit is required by this chapter has been commenced or completed without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, as established by resolution of the city council and in addition to the permit fee, shall be collected whether or not a permit is then subsequently issued. (Ord. 2957, 12-8-2008)

10-9-4: GENERAL SIGN PROVISIONS:

(A) Interpretation And Administration: The building official shall be responsible for interpreting and administering this chapter. Allegations of errors in orders, decisions, or determinations of the building official in the administration of this chapter shall be in accordance with subsection 10-17-1(G) of this title.

(B) License Required: No person shall install, erect or maintain any sign that requires a building permit for electrical or structure unless such person is a licensed contractor as required by the state of Idaho. Such person shall provide a contractor registration number to the building official prior to issuance of a sign permit.

(C) Notice: Notice required by this chapter shall be sufficient if it is effected by personal delivery, registered or certified mail, return receipt requested, and/or depositing the notice with the United States mail.

(D) Traffic Control Signs: Traffic control signs conforming to the "Manual Of Uniform Traffic Control Devices" that are installed or approved by the city shall not be required to conform to these regulations. No traffic control sign shall be erected except those approved by the city.

(E) Imitation Traffic Control Signs: No sign shall be erected or displayed in such a manner as to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, including, but not limited to, signs making use of the words "stop", "go", "look", "slow", "danger", or any other similar word, phrase, symbol or character or employ any red, yellow, green, or other colored lamp or light in such a manner as to cause confusion or otherwise interfere with vehicular or pedestrian traffic.

(F) Addresses: Each building shall display an address number which is not less than four inches (4") in height with a minimum stroke width of one-half inch ($\frac{1}{2}$ ") and plainly visible from the street. Address numbers shall be allowed in addition to the signs allowed herein. The address number displayed shall correspond to the number issued by the city. Address numbers shall contrast with their background and shall be in Arabic numerals or alphabet letters. These standards are intended to be minimum requirements. The fire chief, or his designee, may require a building to exceed these requirements if he determines that an address number meeting these minimum standards cannot be safely identified from the street.

(G) No Off Premises Signage: All signs shall pertain only to the use or products located on the same property as the sign, unless otherwise specified herein.

(H) Signs Inside Buildings: Signs inside buildings which are not visible from outside the building shall not be regulated by this chapter. Window signs shall be regulated by this chapter.

(I) Mobile Signs: A sign on a vehicle/trailer with wheels, being displayed with on or off premises messages cannot be used for the sole purpose of advertising. It is the responsibility of the property owners to provide proof that the vehicle has a legitimate business purpose other than acting as a sign.

(J) Nonconforming Uses: New signs on a nonconforming use may be allowed providing they meet the signing requirements of the most restrictive zoning district in which the use would be allowed. (Ord. 2957, 12-8-2008)

10-9-5: GENERAL SIGN SPECIFICATIONS AND DESIGN:

(A) Compliance With Zoning Ordinance, Building Code, National Electrical Code, And Other Ordinances: All sign structures shall comply with the city's zoning ordinance (this title), the building code, the national electrical code, and other city ordinances, as they currently exist or may be amended. The sign permit application must include a statement signed by the applicant which states compliance with these requirements. If the standards as described herein are more restrictive, then the provisions herein shall apply.

(B) Visibility: All signs shall observe all visibility requirements. Signs shall not be placed within visibility triangles. No sign located within eight feet (8') of the curb or future curb line shall have a sign face located between a point three and one-half feet ($3\frac{1}{2}$ ') and a point eight feet (8') above the top of existing or future curb as determined by the city engineer.

(C) Signs Projecting Into Rights Of Way: No sign shall project beyond the property line except those allowed herein to project over public ways. No sign foundations shall encroach into public right of way. No sign shall project closer than two feet (2') to a vertical line projected from the face of a curb, or if no curb exists, the face of the future curb as determined by the city engineer based on the master street plan. The owner of a sign allowed to project over a public way shall relocate the sign immediately upon written notification by the city of a modification to the public way.

(D) Signs Posted In Specified Areas: Unless otherwise allowed herein, no person shall post or cause to be posted, attach or maintain any sign upon:

1. Any city owned property or right of way without the written permission of the city manager;
2. Any utility easement. Should a property owner be able to demonstrate to the building official and/or franchise utility company that there is no other viable location for a sign other than a utility easement, a sign may be located within the utility easement subject to written approval from the building official and/or franchise utility company and subject to the providing of a letter to the city

releasing the city of any liability for repair or replacement of a sign damaged by work occurring within the utility easement;

3. Any tree, light pole, or any utility pole or structure;
4. Any fence, railing or wall, unless otherwise specified herein; or
5. Any sidewalk within the right of way or a sidewalk easement, curb, gutter, or street, except for house numbers or fire lane designation.

(E) Signs Attached To Fire Escapes: No sign shall be attached in any manner to any fire escape or to the supporting members of any fire escape, nor shall it be guyed to or supported by any part of the fire escape.

(F) Accumulation Of Water: All signs shall be constructed so as to prevent the accumulation of water from rain or snowmelt within the sign.

(G) Location Near Utility Line Or Streetlight: No sign shall be erected nearer than two feet (2') from any utility line or any streetlight standard.

(H) Signs Not To Block Or Interfere With Exits Or Windows And Pedestrian And Vehicular Traffic: No sign shall be so erected as to block, partially block, or interfere in any way with a required means or exit from any building nor with any window. No sign shall block, interfere, or otherwise hinder pedestrian or vehicular traffic on a public sidewalk, a public thoroughfare, a fire lane easement, or a driveway required to access parking.

(I) Glass Signs Over Public Property: Signs constructed of glass or other materials which may shatter upon impact are prohibited over public right of way, unless adequately protected to prevent injury if broken.

(J) Identification Marking Required: All temporary signs shall have attached, written, or painted in a weatherproof manner and in a conspicuous place thereon, in letters not less than one inch (1") in height, the date of expiration and the permit number of the sign.

(K) Multiple Signs On A Property Or Building: The permitting of a sign on a property or building shall not preclude the permitting of other types of signs on a property or building unless the signs are expressly prohibited herein.

(L) Illuminated Signs: The light from an allowed illuminated sign shall be arranged, directed and of such intensity that it does not create a hazard on adjacent property, motor vehicles or approved traffic control devices.

(M) Lighting Elements: All lighting elements of exterior signs shall be a minimum of nine feet (9') above the ground unless adequately protected to prevent injury if broken.

(N) Structural Support: Signs that project from the face of a building and that require structural support shall be designed such that the structural support is integral to the overall architecture of the sign and building. (Ord. 2957, 12-8-2008)

10-9-6: INSPECTION:

(A) The building official reserves the right to perform inspections of all signs regulated by this chapter. The purpose of the inspection is to ascertain whether the same is unsafe or insecure, is dilapidated or deteriorated, and to ensure that the sign has been constructed in accordance with the standards contained herein, any other applicable ordinances, and the applicable permits. The method and time of such inspections shall be determined by the building official.

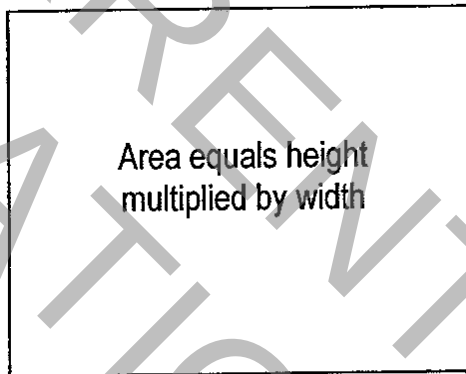
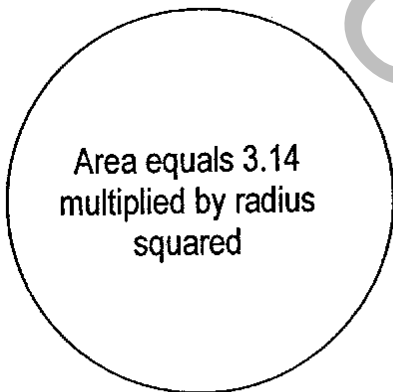
(B) If the building official determines that any sign is unsafe or insecure, or is dilapidated or deteriorated, he shall give written notice to repair, remove or replace (in accordance with this chapter) said sign to the person or persons responsible for such sign. If the permit holder, owner of the sign or owner of the property on which the sign is located fails to repair, remove or replace the sign within thirty (30) days after such notice or to file an allegation of error in accordance with this chapter, the building official is hereby authorized to cause the removal of such sign. Nothing contained herein shall prohibit the immediate removal, without notice, of any sign or portion of a sign which is determined by the building official to be an immediate threat or danger to the public health, safety, or welfare. Any expense incident to the removal of a sign pursuant to this subsection shall be paid by the permit holder, owner of the sign or owner of the site on which the sign is located. The removal of the sign or portion of the sign shall be limited to the extent necessary to eliminate the threat to the public health, safety and welfare.

(C) The city is authorized to file a lien against any property which is not otherwise exempt to recover expenses incurred by the city for the removal of a sign or portion of a sign from the property. (Ord. 2957, 12-8-2008)

10-9-7: MEASUREMENT OF SIGN AREA AND HEIGHT:

(A) The area of a sign shall be measured as follows:

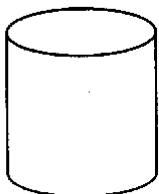
1. For signs in the shape of a square, rectangle, circle, or similar standard geometric shape, the area shall be calculated by using the standard mathematical formula (height multiplied by width, 3.14 multiplied by radius squared, etc.).



2. For signs with an irregular shape, the area shall be measured by enclosing the sign elements with intersecting parallel and perpendicular lines.



3. The area of a spherical, cylindrical or other three-dimensional sign shall be measured by calculating the area of a two-dimensional drawing of the largest elevation of the sign. For example, if a sign is cylindrical like the shape to the left, the area of sign is not the entire surface area (like a label peeled off a can) but the size of the shape if it was flattened to two (2) dimensions.



Sign dimensions

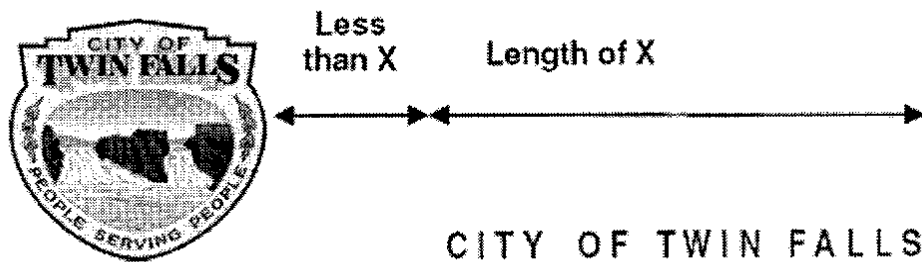
(B) Where a sign has two (2) faces, the area of the largest sign face shall be used to determine the area of the sign provided the two (2) faces are within sixty degrees (60°) of parallel. Where a sign has two (2) or more faces that are greater than sixty degrees (60°) from parallel, the sign area shall either be calculated as the sum of the area of each face, or the sign will constitute two (2) signs (a V-

sign). A V-sign is allowed at the corner of a property with two (2) street frontages.

(C) The area of wall signs containing multiple elements shall be calculated as follows:

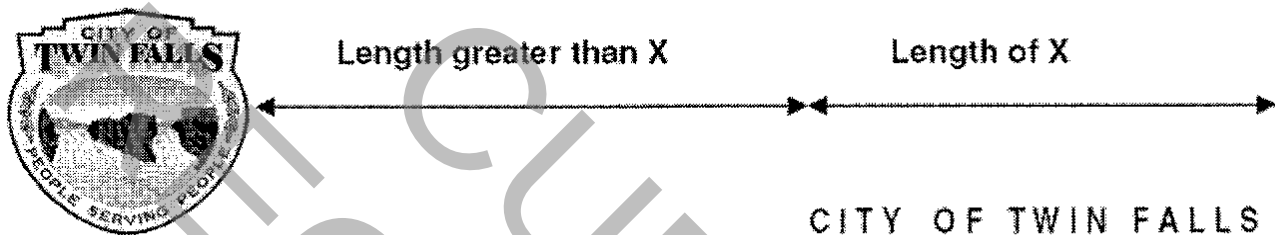
1. Regardless of the spacing between letters, letters forming a word or name shall be considered a single sign.
2. When two (2) or more separate items in a sign, such as a word and logo, are separated horizontally or vertically by less than the width or height of the largest item, the items shall be considered a single sign and the area shall be determined by measuring the area enclosing the sign elements with straight, intersecting lines.

The following sign elements are considered one sign:



3. When two (2) or more separate items in a sign, such as a word and logo, are separated horizontally or vertically by more than the width or height of the largest item, the items shall be considered separate signs and the area of each item shall be determined individually.

The following sign elements are considered two (2) signs:



(D) The vertical support structures of signs shall not be included in calculating the area of the sign, but shall be included in the measurement of the height of the sign.

(E) The height of all signs shall be measured from the top edge of the sign and/or support structure to the average finished grade of the ground below the sign and/or support structure. If a sign is located on a mound, berm, or other raised area for the sole purpose of increasing the height of the sign, the height of the mound, berm, or other raised area shall be included in the height of the sign. (Ord. 2957, 12-8-2008)

10-9-8: ALLOWABLE SIGNS THAT REQUIRE THE ISSUANCE OF A SIGN PERMIT:

The following signs are allowed, upon issuance of a sign permit, subject to the following conditions and the specifications listed in section 10-9-5 of this chapter, unless otherwise specified.

(A) Awning Signs:

1. Definition: An "awning sign" is a sign which is applied to, attached, or painted on an awning or other roof like cover, intended for protection from the weather or as a decorative embellishment, projecting from a wall or roof of a structure over a window, walk, door, or the like.
2. Awning Signs Permissible: Awning signs are permissible subject to the following conditions:
 - a. Time: A permit shall not be issued to erect or place an awning sign on a property until a site plan and/or final plat has been approved by the city for development of the property.
 - b. Place:
 - (1) Awning signs are allowed in conjunction with a nonresidential use.
 - (2) Awning signs may project into public right of way for up to four feet (4'), but shall not project closer than two feet (2') to the face of the curb along an adjacent public street or alley.
 - c. Manner: The maximum percentage of the awning allowed to be covered with signage is fifty percent (50%) of the visible surface area.

(B) Banner Signs:

1. Definition: 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.
2. Banner Signs Permissible: Banner signs are permissible subject to the following conditions:
 - a. Time:
 - (1) A sign permit shall not be issued to erect or place a banner sign on a property until a site plan and/or final plat has been approved by the city for development of the property.
 - (2) Each banner sign must be permitted individually. Individual banner signs can be placed for up to a maximum of six (6) weeks. Banner signs will be allowed on a building or property up to three hundred (300) days in a calendar year. Each suite within a retail development shall be considered a building and shall therefore be allowed to erect a banner sign accordingly.
 - (3) New businesses shall be allowed to place a banner on their building prior to the issuance of a certificate of occupancy and up to six (6) weeks after the date of issuance of a certificate of occupancy. The banner(s) shall not count against the allowances provided in subsection (B)2a(2) of this section.
 - (4) Religious organizations that operate in a school or other temporary facility may erect a banner during times of worship provided the banner is placed no earlier than two (2) hours prior to worship and is removed no later than two (2) hours after worship. The banner shall not count against the allowances provided in subsection (B)2a(2) of this section.
 - b. Place:
 - (1) Banners are allowed on a property in any area that does not violate the site triangle at an intersection or driveway. Banner signs are not allowed on right of way.
 - (2) Banner signs are allowed only in conjunction with a nonresidential use.
 - (3) With written permission of the city manager, or his designee, banner signs may also be erected during social or athletic events at a park or other city owned property. The banners shall be attached to pavilions, fences, vehicles, stakes, or poles.
 - c. Manner:
 - (1) The square footage of a banner sign shall not exceed seventy five percent (75%) of the linear foot width of the street side of the building, or the width of the leased storefront space in a larger building, on the lot on which the banner sign is being located. In no event shall the maximum area of banner signage exceed one hundred (100) square feet. Multiple signs may be allowed, but the combined square footage of all banner signs may not exceed the allowed area described above. The width of a banner sign may not exceed seventy five percent (75%) of the width of the building or lease space upon which the banner sign is located.
 - (2) All four (4) corners of a banner sign shall be securely attached at all times. Banner signs must be in good repair, taut, and vertical at all times.

(C) Bench Signs:

1. Definition: A "bench sign" is an off premises sign incorporated on a bench designed and intended to be used for seating for the general public.
2. Bench Signs Permissible: Bench signs are permissible subject to the following conditions:
 - a. Time: A sign permit shall only be issued to erect or place a bench sign on a property after that property has been developed.
 - b. Place:
 - (1) Allowed by special use permit in CB (except the downtown business improvement district), C1, M1 and M2 zoning districts and except any location prohibited by Idaho Code section 40-1910.

(2) A bench sign shall not be placed within five hundred feet (500') in any direction from any other bench sign.

c. Manner:

(1) The face of the sign incorporated on the bench seatback shall not exceed six feet (6') in length and two feet (2') in height.

(2) The content or advertising of the bench sign shall be by special use permit. No permit shall be granted without written consent of all property owners and tenants within one hundred fifty feet (150') of the proposed location.

(D) Canopy Signs:

1. Definition: A "canopy sign" is a sign that is applied to, attached, or painted on a canopy or other roof like cover over gasoline fuel pumps, or similar use, intended for protection from the weather or as a decorative embellishment.

2. Canopy Signs Permissible: Canopy signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a canopy sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.

b. Place:

(1) Canopy signs are allowed only in conjunction with a nonresidential use.

(2) One canopy sign may be erected on each side of the canopy band.

c. Manner:

(1) Canopy signs may not exceed thirty percent (30%) of the square footage of the band face.

(2) Canopy signs must be attached directly to or painted on the face of the canopy band and shall not project more than twelve inches (12") from the canopy band.

(E) Civic Directional Signs:

1. Definition: A "civic directional sign" is an off site sign that advertises and directs traffic to civic uses, including, but not limited to, schools, parks, fairgrounds, city facilities, or similar uses operated by either public or private nonprofit organizations.

2. Civic Directional Signs Permissible: Civic directional signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a civic directional sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.

b. Place:

(1) Civic directional signs are allowed only in conjunction with a nonresidential use.

(2) Civic directional signs are allowed only in road right of way on collector and arterial streets. Permits to work within the right of way may be required by the government entity having jurisdiction over the right of way.

c. Manner: Signs shall be installed in compliance with the "Manual On Uniform Traffic Control Devices" as well as all other city, state, or federal regulations regarding signs located in the right of way.

(F) Community Event Signs:

1. Definition: A "community event sign" is a temporary sign that announces or advertises a campaign, drive, activity, or celebration of a civic, political, public, philanthropic, religious, or educational organization for noncommercial purposes.

2. Community Event Signs Permissible: Community event signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a community event sign on a property more than ten (10) days prior to the event or thirty (30) days prior to the holiday. A community event sign shall be removed within three (3) days after the event or holiday.

b. Place:

(1) Community event signs are allowed only in conjunction with a nonresidential use.

(2) Community event signs shall not be located in required parking spaces, driveways that provide access to parking spaces, or fire lanes, nor shall the sign encroach into a right of way.

(3) Community event signs may be allowed to be placed off premises of the event with permission of the property owner of the property where the sign is placed.

c. Manner:

(1) The maximum area of a community event sign is sixty four (64) square feet in size.

(2) The maximum height of a community event sign is ten feet (10').

(G) Freestanding Sign:

1. Definition: A "freestanding sign" is a sign that is erected on its own vertical framework consisting of one or more uprights supported by the ground and generally used to identify the name of a business or development.

2. Freestanding Signs Permissible: Freestanding signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a freestanding sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.

b. Place:

(1) Freestanding signs are allowed only in conjunction with a nonresidential use.

(2) A freestanding sign is allowed on the same lot as a multi-tenant sign, but the total number of multi-tenant signs and freestanding signs located within a multi-tenant zone shall generally not exceed the number of lots located within the multi-tenant zone. The total number of signs shall be allowed to exceed the number of lots when additional freestanding or multi-tenant signs are allowed on a property in accordance with subsections (G)2c(6)B and (M)2c(5) of this section.

(3) Minimum setback is ten feet (10') from the street, measured from the face of the curb or edge of pavement. In no case shall a freestanding sign encroach into public right of way.

c. Manner:

(1) Vertical Support Structure: The vertical support structure of a freestanding sign shall be a minimum of twenty four inches (24") wide. The minimum width may be calculated as a total of multiple support structures. However, no single support structure shall be less than twelve inches (12") in width.

(2) Materials: Freestanding signs shall be constructed of materials that are similar to or that complement the building materials on the front building facade of the principal building on the same lot.

(3) Consistency Of Building Materials: Freestanding signs constructed in conjunction with multi-tenant and internal directional signs shall be consistent with the building elements and materials of the multi-tenant and internal directional signs on the same lot and/or within the multi-tenant zone. Architectural embellishments are also encouraged and may be considered through the review of the sign coordination plan defined in section 10-9-16 of this chapter.

(4) Standard Freestanding Sign:

A. A lot is allowed a maximum of one sign per street frontage.

B. The maximum area is one hundred (100) square feet per sign.

C. The maximum height is twenty five feet (25').

(5) Nonresidential Freestanding Signs: Freestanding sign for nonresidential uses in residential, open space and professional office overlay districts:

A. A lot is allowed a maximum of one sign per street frontage.

B. The maximum area is sixty (60) square feet per sign.

C. The maximum height is eight feet (8').

(6) Freestanding Signs In Identified Commercial Corridors:

A. The following standards shall apply to freestanding signs located in a commercial district adjacent to: 1) Blue Lakes Boulevard North, 2) Kimberly Road East, 3) Addison Avenue, entire length, and 4) Pole Line Road from Canyon Crest Drive to Bridgeview Boulevard. A business that fronts directly onto one of these roads or that is located within a larger common development that fronts directly onto one of these roads is considered to be located within the commercial corridor.

B. A lot is allowed a maximum of one sign for the first two hundred feet (200') of each street frontage. For lots that exceed two hundred feet (200') of street frontage, one additional sign is allowed for

each additional two hundred feet (200') of street frontage, or portion thereof, up to a maximum of three (3) signs per street frontage. Multiple signs on a lot shall be spaced a minimum of one hundred feet (100') apart from one another.

C. The maximum area is one hundred (100) square feet per sign. Where a lot is allowed to have multiple signs as described in subsection (G)2c(6)B of this section, the allowed area of the multiple signs may be combined into one sign. However, no single sign in any event shall exceed two hundred (200) square feet.

D. The maximum height is thirty five feet (35').

(H) Inflatable Signs:

1. Definition: 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.

2. Inflatable Signs Permissible: Inflatable signs are permissible subject to the following conditions:

a. Time:

(1) A sign permit for an inflatable sign shall not be issued until the city has issued a certificate of occupancy for a building on the property.

(2) An inflatable sign may be erected on a lot for no more than six (6) 15-day periods per calendar year. In the case of multiple businesses or tenants located on a single lot, each business is allowed to erect an inflatable sign on the lot for six (6) 15-day periods provided that no more than one inflatable sign is located on the lot at any one time and provided a minimum of fifteen (15) days transpires between the removal of an inflatable sign permitted by one business and the placement of another inflatable sign permitted by another business.

b. Place:

(1) Inflatable signs are allowed only in conjunction with a nonresidential use.

(2) Inflatable signs shall not be located in required parking spaces, driveways that provide access to parking spaces, or fire lanes, nor shall the sign encroach into a right of way.

(3) The minimum setback from the road right of way shall be one and one-half ($1\frac{1}{2}$) times the height of the sign.

c. Manner:

(1) Inflatable signs shall be secured directly to, and not suspended from, the ground or a building. A cloud buster sign as discussed in subsection 10-9-9(B) of this chapter is not an inflatable sign.

(2) The maximum height of an inflatable sign, measured from the ground, is the same as the maximum height allowed in the zoning district.

(3) A banner sign may be applied to an inflatable sign without the banner counting towards the allotted number of banner signs per calendar year (subsection (B) of this section). The maximum area of a sign placed or applied to an inflatable sign shall be forty eight (48) square feet.

(I) Internal Directional Signs:

1. Definition: An "internal directional sign" is a sign that is to be read by a person already on the premises and used to identify or locate a drive-through lane, entrance, exit, route, parking, building, office, tenant, or similar place, service, or route within commercial, multi-family, or office developments.

2. Internal Directional Signs Permissible: Internal directional signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place an internal directional sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after issuance of a building permit for a building on the property.

b. Place:

(1) Internal directional signs are allowed only in conjunction with a nonresidential or apartment complex use.

(2) Minimum setbacks are thirty feet (30') from the front property line.

c. Manner:

(1) Internal directional signs constructed in conjunction with multi-tenant and/or freestanding signs shall be consistent with the building elements and materials of the multi-tenant and/or freestanding signs on the same lot and/or within the same development.

(2) The maximum area of an internal directional sign is twelve (12) square feet.

(J) Marquee Signs:

1. Definition: A "marquee sign" is a sign mounted on a vertical surface of a roof like structure projecting over a building entrance, typically a theater entrance.

2. Marquee Signs Permissible: Marquee signs are permissible subject to the following conditions:

a. Time: A permit shall not be issued to erect or place a marquee sign on a property until a site plan and/or final plat has been approved by the city for development of the property.

b. Place:

(1) Marquee signs are allowed in conjunction with a nonresidential use.

(2) Marquee signs may project into public right of way for up to four feet (4'), but shall not project closer than two feet (2') to the face of the curb along an adjacent public street or alley.

c. Manner:

(1) The maximum area of marquee signage shall be fifteen percent (15%) of the area of the largest face of the wall on which the sign is located.

(2) Marquee signs may implement electronically changeable text. Only the text of a marquee sign may be electronically changeable. Lighting intensity of electronically changeable text shall comply with the same intensity standards as set forth for message center signs found in subsection (L) of this section. Electronically changeable text may not flash, blink, scroll, or move in any way, and must remain static for a minimum of sixty (60) seconds.

(K) Menu Board Signs:

1. Definition: A "menu board sign" is a sign erected in conjunction with a use that incorporates a drive-through or drive-in and generally used to provide service and/or product options and pricing for customers who remain in their vehicles.

2. Menu Board Signs Permissible: Menu board signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a menu board sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after issuance of a building permit for a building on the property.

b. Place:

(1) Menu board signs are allowed only in conjunction with a nonresidential use that includes a drive-through or drive-in.

(2) Minimum front yard setback shall be twenty five feet (25').

c. Manner:

(1) Drive-through preorder sign:

A. Internal lighting may be utilized for the sign panels.

B. One drive-through preorder sign is allowed at the entrance of a drive-through lane and shall be set back a minimum of ten feet (10') from the drive-through menu board in the same drive-through lane.

C. The maximum area of a drive-through preorder sign is forty eight (48) square feet with a maximum height of eight feet (8').

D. Drive-through preorder signs shall be located at the side or rear of the principal building(s) on the lot.

(2) Drive-through menu board:

A. Internal lighting may be utilized for the sign panels.

B. One drive-through menu board sign is allowed per drive-through lane use on a lot.

C. The maximum area of a drive-through menu board is forty eight (48) square feet with a maximum height of eight feet (8').

D. Drive-through menu boards shall be located at the side or rear of the principal building(s) on the lot.

(3) Drive-in menu board:

A. If the drive-in stalls are covered by a canopy, the drive-in menu board signs may be attached directly to the canopy support columns.

B. Internal lighting may be utilized for the sign panels.

C. One drive-in menu board sign is allowed per ordering station.

D. The maximum area of a drive-in menu board sign is nine (9) square feet with a maximum height of six feet (6').

(L) Message Center Signs:

1. Definition: A "message center sign" is a sign containing a display that can be changed by electrical, electronic and/or a computerized process that provides general public service information such as time, date, temperature, weather, or messages of interest to the traveling public. A message center sign may also provide commercial messages relating to the use of the property on which the sign is located.

2. Message Center Signs Permissible: Message center signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a message center sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after issuance of a building permit for a building on the property.

b. Place:

(1) Message centers may be included as part of other allowed flush wall mounted, roof mounted or freestanding signs.

(2) Message center signs are allowed only in conjunction with a nonresidential use.

(3) Message center signs shall not project into the right of way.

(4) The building official must make all of the following findings in permitting such a sign:

A. The location and placement of the sign will not endanger motorists or pedestrians and does not cause undue distraction to traffic on the adjacent street or impede views at street or railroad intersections.

B. The sign will not cover or blanket any prominent view of a structure or facade of historical or architectural significance.

C. The sign will not obstruct views of users of adjacent buildings to side yards, front yards or to open space.

D. The sign will not distract, intrude upon or negatively impact the visual quality of a public open space such as a public recreation facility, square, plaza, courtyard and the like.

E. The sign is compatible with building heights of the existing neighborhood and does not impose a foreign or inharmonious element to an existing skyline.

F. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect or spill onto adjacent business or residential areas.

c. Manner:

(1) The maximum area of a message center sign is fifty (50) square feet of the total square footage of the sign in which it is located; provided, however, where the property upon which the message center is to be executed possesses a single, contiguous street frontage equal to or greater than four hundred (400) linear feet, total square footage shall not exceed eighty (80) square feet.

(2) The lighting on message centers shall not exceed the following light measurements, as made using a one degree (1°) photographic exposure meter (spot meter) and measured one hundred feet (100') from the sign at a position five feet (5') to six feet (6') above ground level perpendicular from the face of the sign:

A. Daylight: The average exposure value (EV) shall not exceed fourteen (14) EV during the sign's normal running cycle, and shall never peak higher than fifteen (15) EV.

B. Night: The average exposure value (EV) shall not exceed twelve (12) EV during the sign's normal running cycle, and shall never peak higher than thirteen and one-half (13.5) EV.

(3) Flashing (the same copy flashing on and off repeatedly) is prohibited.

(4) Word messages shall not have a change frequency less than one second per frame.

(5) Animated graphics and enhancements are allowed so long as they are not used in conjunction with on/off flashing and as long as the sign does not include any full motion video, live or delayed.

(M) Multi-Tenant Signs:

1. Definition: A "multi-tenant sign" is a sign that is erected on its own vertical framework consisting of one or more uprights supported by the ground and generally used to identify several commercial, service, and/or office uses within a single common subdivision or development.

2. Multi-Tenant Signs Permissible: Multi-tenant signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a multi-tenant sign on a property until a sign coordination plan as defined in section 10-9-16 of this chapter has been approved with a plat and/or site plan for the property by the city and after issuance of a building permit for a building within the multi-tenant zone.

b. Place:

(1) Multi-tenant signs are allowed only in conjunction with nonresidential uses.

(2) A multi-tenant sign shall be located within a multi-tenant zone. A multi-tenant zone shall:

A. Consist of multiple businesses/tenants with the same subdivision name or multiple lots which were depicted on the same preliminary plat or site plan;

B. Be united through common building architecture, color, and materials, landscaping and parking.

(3) A multi-tenant sign is allowed on the same lot as a freestanding sign, but the total number of multi-tenant signs and freestanding signs located within a multi-tenant zone shall generally not exceed the number of lots located within the multi-tenant zone. The total number of signs shall be allowed to exceed the number of lots when additional freestanding or multi-tenant signs are allowed on a property in accordance with subsections (G)2c(6)B and (M)2c(5) of this section.

(4) Minimum setback is ten feet (10') from the street, measured from the face of the curb or edge of pavement. In no case shall a multi-tenant sign encroach into public right of way.

(5) A multi-tenant sign shall not be located closer than fifty feet (50') to another multi-tenant sign or a freestanding sign.

c. Manner:

(1) Prior to city consideration of a multi-tenant zone, all property owners located within a proposed multi-tenant zone must submit notarized letters to the city authorizing the creation of the multi-tenant zone. A lot shall only be included in one multi-tenant zone.

(2) The vertical support structure of a multi-tenant sign shall be a minimum of twenty four inches (24") wide. The minimum width may be calculated as a total of multiple support structures. However, no single support structure shall be less than twelve inches (12") in width.

(3) Multi-tenant signs shall be constructed of materials that are similar to or that complement the building materials on the front building facade of the principal building on the same lot.

(4) Multi-tenant signs constructed in conjunction with freestanding and internal directional signs shall be consistent with the building elements and materials of the freestanding and internal directional signs on the same lot and/or within the multi-tenant zone. Architectural embellishments are also encouraged and may be considered through the review of the sign coordination plan defined in section 10-9-16 of this chapter.

(5) One multi-tenant sign is allowed for the first six hundred feet (600') of street frontage of the multi-tenant zone. For multi-tenant zones that exceed six hundred feet (600') of street frontage, one additional multi-tenant sign is allowed for each additional six hundred (600) linear feet of street frontage, or portion thereof, up to a maximum of three (3) multi-tenant signs per street frontage.

(6) The maximum area of a multi-tenant sign shall be one hundred fifty (150) square feet. For multi-tenant zones that exceed two hundred feet (200') of street frontage, the maximum area of a multi-tenant sign shall be three hundred (300) square feet.

(7) The maximum height of a multi-tenant sign is thirty five feet (35').

(N) Projecting Signs:

1. Definition: A "projecting sign" is a sign attached to and projecting out from a building face or wall more than twelve inches (12"), generally at a right angle to the building.

2. Projecting Signs Permissible: Projecting signs are permissible subject to the following conditions:

a. Time: A sign permit shall not be issued to erect or place a projecting sign on a property until a building permit has been issued for the building on which the sign is to be attached.

b. Place:

(1) Projecting signs are permitted in conjunction with a nonresidential use.

(2) If a projecting sign is constructed over a sidewalk, a minimum of nine feet (9') shall be provided between the grade of the sidewalk and the lowest portion of the projecting sign.

c. Manner:

(1) Each building or tenant is allowed a maximum of one projecting sign per wall that faces a street, public way, or parking area.

(2) The maximum area of a projecting sign is twelve (12) square feet.

(O) Roof Signs:

1. Definition: A "roof sign" is a sign that is painted directly upon or mounted on the roof of any building.

2. Roof Signs Permissible: Roof signs are permissible subject to the following conditions:

- a. Time: A sign permit shall not be issued to erect or place a roof sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.
- b. Place:
 - (1) Roof signs are permitted in conjunction with a nonresidential use.
 - (2) Roof signs shall not be allowed to face property zoned, or designated on the future land use plan, for single-family uses if the sign is within one hundred fifty feet (150') of the property line of said residential property.
- c. Manner:
 - (1) Each nonresidential use may have one roof sign in lieu of wall signage. The square footage of a roof sign erected on a building will be deducted from the allowable wall sign area for the same building.
 - (2) The maximum size of the roof sign is three (3) square feet per linear foot of building width, up to a maximum of one hundred fifty (150) square feet.
 - (3) Roof signs shall be designed to look like part of the building or roof structure with the supports, anchors, or braces for the roof sign being enclosed or designed so that they are not readily visible from the street or other public way.
 - (4) In no case shall a roof sign project beyond the wall line of any outer building wall.

(P) Sandwich Board Signs:

1. Definition: A "sandwich board sign" is a temporary sign that is generally constructed in such a manner as to form an "A" or a tent like shape that is placed on, but not permanently attached to the ground. This definition also includes signs of a similar temporary nature that are constructed with a base and single upward sign face, forming an upside down "T".

2. Sandwich Board Signs Permissible: Sandwich board signs are permissible subject to the following conditions:

- a. Time:
 - (1) A sign permit shall not be issued to erect or place a sandwich board sign on a property until a certificate of occupancy has been issued for a building on the property.
 - (2) Sandwich board signs may be placed on properties during business hours only.
- b. Place:
 - (1) Sandwich board signs are allowed only in conjunction with a nonresidential structure or use and only in either of the following two (2) circumstances:
 - A. Sandwich board signs are allowed within multi-tenant developments. Sandwich board signs within multi-tenant developments shall be located on the interior of the property and shall not be located within any public right of way.
 - B. Sandwich board signs are allowed within the boundaries (as they exist or may be amended) of the downtown business improvement district 1. Sandwich board signs within the downtown business improvement district 1 may be located within public right of way.

- (2) Sandwich board signs shall not be located within a landscaped area, parking space, or vehicular travelway.
- (3) Sandwich board signs shall be located not more than ten feet (10') from the door of the business or use utilizing the sign.
- (4) Sandwich board signs shall not be located closer than three feet (3') to the curb of any adjacent street.
- (5) Should a sandwich board sign be placed on or adjacent to a sidewalk, an unobstructed pedestrian clearance of at least five feet (5') in width must be provided adjacent to the sign.
- c. Manner:
 - (1) The maximum size of a sandwich board sign is eight (8) square feet with a maximum height of four feet (4') and a maximum width of two feet (2').
 - (2) A maximum of one sandwich board sign may be placed per business or tenant on the property where the sandwich board sign(s) is located.
 - (3) Sandwich board signs shall be placed no closer than twenty feet (20') from other sandwich board signs.

(Q) Skylights And Searchlights:

1. Definition: A "skylight or searchlight" is a temporary sign that uses a large high power light pointed into the sky to attract attention to a particular location or event.
2. Skylights And Searchlights Permissible: Skylights and searchlights are permissible subject to the following conditions:
 - a. Time:
 - (1) A sign permit for a skylight or searchlight shall not be issued until the city has issued a certificate of occupancy for a building on the property.
 - (2) A skylight or searchlight may be utilized on a lot for no more than six (6) 15-day periods per calendar year. In the case of multiple businesses or tenants located on a single lot, each business is allowed to utilize a skylight or searchlight on the lot for six (6) 15-day periods provided that no more than one skylight or searchlight is located on the lot at any one time and provided a minimum of fifteen (15) days transpires between the removal of a skylight or searchlight permitted by one business and the placement of another skylight or searchlight permitted by another business.
 - b. Place:
 - (1) Skylights or searchlights are allowed only in conjunction with a nonresidential use.
 - (2) Skylights or searchlights shall not be located in required parking spaces, driveways that provide access to parking spaces, or fire lanes, nor shall they encroach into a right of way.
 - (3) The minimum setback from the road right of way is thirty feet (30').
 - c. Manner: Skylights or searchlights shall generally be pointed upward and not aimed at any building or traffic.

(R) Subdivision Entry Signs:

1. Definition: A "subdivision entry sign" is a sign that generally identifies a development and that generally refers to the platted name of the subdivision.
2. Subdivision Entry Signs Permissible: Subdivision entry signs are permissible subject to the following conditions:
 - a. Time: A sign permit shall not be issued to erect or place a subdivision entry sign on a property until a final plat or site plan has been approved by the city for development of the property.
 - b. Place: All subdivision entry signs shall be located within the platted limits of a subdivision.
 - c. Manner:
 - (1) Subdivision entry signs may be in the form of a sign mounted to a subdivision monument, screening wall, retaining wall, or similar structure, so long as the sign does not project above the top of the structure.
 - (2) Subdivision entry signs shall have a maximum area of one hundred (100) square feet and a maximum height of eight feet (8').
 - (3) The maximum number of subdivision entry signs shall equal one freestanding sign or two (2) signs attached to screening walls or similar structures (not a combination of both) per street entrance.
 - (4) Alternative types of subdivision entry signs, including, but not limited to, neighborhood entry signs within an overall subdivision, may be approved as part of a sign coordination plan as outlined in section 10-9-16 of this chapter. The sign coordination plan shall be submitted for review with the final plat, landscaping, and screening wall plans.

(S) Subdivision Monuments:

1. Definition: "Subdivision monuments" are physical improvements such as signs, walls, or structures, constructed to draw attention to or enhance a subdivision entrance or its surrounding area. A subdivision monument may require issuance of a building permit depending upon the design of the proposed monument. The current building code should be consulted to determine whether a building permit will be required or not.
2. Subdivision Monuments Permissible: Subdivision monuments are permissible subject to the following conditions:
 - a. Time: A sign and/or building permit shall not be issued to erect or place subdivision monuments on a property until a final plat or site plan has been approved by the city for development of the property.
 - b. Place:
 - (1) Subdivision monuments placed on private property shall observe all building line and setback requirements. However, a nonhabitable monument may encroach into a required setback provided all visibility clips and easements are observed and the monument is deemed by city staff not to negatively impact fire protection of existing or future development.
 - (2) Subdivision monuments may not be erected within an area designated as future right of way on the city's master transportation plan.
 - c. Manner:
 - (1) The developer of the subdivision monument must provide a plan for future maintenance of the monument to the city for review.

- (2) The maximum height of subdivision monuments shall be twenty five feet (25').

(T) Wall Signs:

1. Definition: A "wall sign" is a sign painted on or erected parallel to and generally extending not more than twelve inches (12") from the facade of any building to which it is attached, supported throughout its entire length by the building face.
2. Wall Signs Permissible: Wall signs are permissible subject to the following conditions:
 - a. Time: A sign permit shall not be issued to erect or place a wall sign on a property until a site plan and/or final plat has been approved by the city for development of the property and after the issuance of a building permit for a building on the property.
 - b. Place:
 - (1) Wall signs are permitted in conjunction with a nonresidential use.
 - (2) Wall signs shall not be allowed on any facade (other than the main front of the building) that faces property zoned, or designated on the future land use plan, for single-family uses if the sign is within one hundred fifty feet (150') of the property line of said residential property.
 - c. Manner:
 - (1) Each nonresidential use may have up to three (3) square feet of wall signage per linear foot of building width. The total square footage of allowed wall signage may be split into multiple signs.
 - (2) In no case shall a wall sign project above the roof line or parapet wall of any building.
 - (3) The maximum size of a wall sign located within a professional office overlay district shall be twenty five (25) square feet. (Ord. 2957, 12-8-2008)

10-9-9: ALLOWABLE SIGNS THAT DO NOT REQUIRE THE ISSUANCE OF A SIGN PERMIT:

The following signs are allowed and do not require the issuance of a sign permit, provided the signs comply with the following conditions and the specifications listed in section 10-9-5 of this chapter, unless otherwise specified.

(A) Civic Signs:

1. Definition: A "civic sign" is a temporary stake sign that publicizes times or locations of meetings or special events of homeowners' associations, religious organizations or groups, or civic groups. This definition excludes directional signs for regularly scheduled religious events. A civic sign may also publicize times or locations of special events for schools and athletic team registrations.
2. Civic Signs Permissible: Civic signs are permissible subject to the following conditions:
 - a. Time: Civic signs shall be erected no more than seven (7) days prior to the meeting or event and removed no more than forty eight (48) hours after the meeting or event.
 - b. Place: See section 10-9-5, "General Sign Specifications And Design", of this chapter.
 - c. Manner: Civic signs shall not exceed six (6) square feet in area.

(B) Cloud Buster Signs:

1. Definition: A "cloud buster sign" is a temporary sign inflated so that it rises into the air and is anchored to the ground, vehicle, structure, or any other fixed object used for the purpose of advertising or drawing attention to a business, activity, commodity, service, sale, or product.
2. Cloud Buster Signs Permissible: Cloud buster signs are permissible subject to the following conditions:
 - a. Time:
 - (1) A cloud buster sign shall not be erected on a property until the city has issued a certificate of occupancy for a building on the property.
 - (2) A cloud buster sign may be erected on a lot for no more than six (6) 15-day periods per calendar year. In the case of multiple businesses or tenants located on a single lot, each business is allowed to erect a cloud buster sign on the lot for six (6) 15-day periods, provided that no more than one cloud buster sign is located on the lot at any one time and provided a minimum of fifteen (15) days transpires between the removal of a cloud buster sign erected by one business and the placement of another cloud buster sign erected by another business.
 - b. Place:
 - (1) Cloud buster signs shall not be located in required parking spaces, driveways that provide access to parking spaces, or fire lanes, nor shall the sign encroach into a right of way.
 - (2) The minimum setback from the road right of way is ten feet (10').
 - c. Manner:
 - (1) Cloud buster signs shall be securely attached at all times to the ground, parked vehicle, structure, or any other fixed object.
 - (2) Should a cloud buster sign lose its buoyancy and fall to the ground, it shall not be so high, or located in such a position, so that the device or its tether line falls across a power line or public right of way.

(C) Construction Identification Signs:

1. Definition: A "construction identification sign" is a temporary sign that is generally used to advertise a new building, opening dates, leasing opportunities, and/or to identify the property owner, architect, contractor, engineer, landscape architect, or financier engaged in the design, construction or improvement of the premises on which the sign is located. Construction identification signs are also used to advertise sales and zoning information of properties.
2. Construction Identification Signs Permissible: Construction identification signs are permissible subject to the following conditions:
 - a. Time:
 - (1) A construction identification sign shall not be erected on a property until a building permit has been issued to build a structure on the property or until the city authorizes the construction of utilities or other amenities on the property.
 - (2) For properties with single- or two-family zoning or future land use plan designation, the sign shall be removed upon the issuance of certificates of occupancy for ninety five percent (95%) of the homes within a single-family or two-family subdivision.
 - (3) For properties with agricultural, multi-family, or nonresidential zoning or future land use plan designation, the sign shall be removed prior to the issuance of the certificate of occupancy for any building on the property.
 - b. Place:
 - (1) A construction identification sign shall be located no closer than fifteen feet (15') to any property line.
 - (2) The minimum distance between construction identification signs is two hundred feet (200').
 - c. Manner:
 - (1) The maximum area of a construction identification sign is ninety six (96) square feet.
 - (2) The maximum height of a construction identification sign is twelve feet (12').
 - (3) A maximum of one construction identification sign shall be placed on a property per street frontage. If multiple construction identification signs are permitted on a tract of land, only one sign shall be placed along each street frontage. A platted single-family or two-family subdivision shall be considered a single property for the purpose of this provision.

(D) Flags:

1. Definition: A "flag" is a piece of fabric attached to a staff or cord on one end and generally used as a symbol of a nation, state, political subdivision, or organization.
2. Flags Permissible: The United States flag is exempt from the following conditions. All other flags are permissible subject to the following conditions:
 - a. Time: A flag shall not be placed on a property until a site plan and/or final plat has been approved by the city for development of the property.
 - b. Place:
 - (1) A flag and its supporting structure shall be located on private property behind the property line.
 - (2) Flags may be placed at parks during social and athletic events.
 - c. Manner:
 - (1) The maximum height of a flagpole or other supporting structure shall be thirty five feet (35').
 - (2) The maximum area of a flag is sixty (60) square feet.
 - (3) A maximum of three (3) flags shall be located on a property.

(E) Garage Sale Signs:

1. Definition: A "garage sale sign" is a temporary sign used to advertise a garage sale, yard sale, or similar event on a residential property. This definition includes off premises signs for this purpose.
 2. Garage Sale Signs Permissible: Garage sale signs are permissible subject to the following conditions:
 - a. Time: A garage sale sign shall not be erected earlier than twelve o'clock (12:00) noon on the day before a garage sale or similar event and must be removed by twelve o'clock (12:00) noon on the day following the garage sale or similar event.
 - b. Place:
 - (1) A garage sale sign shall be erected only on private real property, with the consent of the property owner. In general, a garage sale sign shall be erected no closer than ten feet (10') from the street pavement.
 - (2) Garage sale signs shall not be placed closer than sixty feet (60') from another garage sale sign.
 - c. Manner: Garage sale signs shall not exceed six (6) square feet in area.
- (F) Government Signs:
1. Definition: A "government sign" is a temporary stake sign used to convey information to the public regarding city, state, or federal government activities and events.
 2. Government Signs Permissible: Government signs are permissible subject to the following conditions:
 - a. Time: No restrictions.
 - b. Place: See section 10-9-5, "General Sign Specifications And Design", of this chapter.
 - c. Manner: No restrictions.
- (G) Home Improvement Signs:
1. Definition: A "home improvement sign" is a temporary stake sign that displays the name of a roofing, fence, pool, paint, landscape or other home improvement contractor currently performing home improvement work at a residential location.
 2. Home Improvement Signs Permissible: Home improvement signs are permissible subject to the following conditions:
 - a. Time: A home improvement sign may be erected upon commencement of home improvement work and shall be removed when the home improvement work is completed.
 - b. Place: A home improvement sign shall be erected on the lot on which the home improvement is occurring. In general, a home improvement sign shall not be erected closer than ten feet (10') from the edge of the street pavement.
 - c. Manner:
 - (1) Home improvement signs shall not exceed nine (9) square feet in area.
 - (2) A maximum of one home improvement sign per contractor may be erected on a lot. In the event of multiple contractors working on a lot at the same time, up to three (3) home improvement signs may be located on a single lot at any given time.
- (H) Human Signs:
1. Definition: A "human sign" is a temporary sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product. A person dressed in costume for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product shall also be construed as a human sign.
 2. Human Signs Permissible: Human signs are permissible subject to the following conditions:
 - a. Time: No restrictions.
 - b. Place: All human signs shall be located on private property. In general, a human sign shall not be located closer than ten feet (10') from the edge of the street pavement.
 - c. Manner: No restrictions.
- (I) Instructional Signs:
1. Definition: An "instructional sign" is a sign that provides instruction, information, or direction to the general public. The sole purpose of an instructional sign is to provide such information to the general public that is essential to the health, safety, and public welfare of the community. Instructional signs shall include, but are not limited to, signs identifying restrooms, public telephones, handicap parking spaces, reserved parking spaces, freeze warning, no trespassing, no dumping, no loitering, and construction entrance signs. Signs erected by the city, state or federal government for the purpose of public instruction, warning, street or highway designation, control of traffic and similar uses incidental to the public interests shall be considered instructional signs. An instructional sign also includes signs of a warning, directive or instructional nature erected by a public utility company that operates under a franchise agreement with the city.
 2. Instructional Signs Permissible: Instructional signs are permissible subject to the following conditions:
 - a. Time: No restrictions.
 - b. Place: No restrictions.
 - c. Manner:
 - (1) The maximum area of an instructional sign is sixteen (16) square feet.
 - (2) An instructional sign shall contain no other message, copy, announcement, or decoration other than the essential instruction, information, or direction and shall not advertise or otherwise draw attention to an individual, business, commodity, service, activity, or product.
- (J) Political Signs:
1. Definition: A "political sign" is a temporary sign relating to the election of a person to a public office, relating to a political party, relating to a matter to be voted upon at an election called by a public body or containing primarily a political message.
 2. Political Signs Permissible: Political signs are permissible subject to the following conditions:
 - a. Time: A political sign relating to the election of a person running for public office or relating to a matter to be voted upon at an election called by a public body cannot be erected for more than sixty (60) days prior to the election date for which the candidate or matter is scheduled to be held. Signs must be removed within two (2) days after the election.
 - b. Place: Political signs shall be located only on private real property with the consent of the property owner. In general, a political sign shall not be erected closer than ten feet (10') from the edge of the street pavement.
 - c. Manner:
 - (1) Political signs shall not exceed thirty six (36) square feet in area.
 - (2) Political signs shall not exceed eight feet (8') in height measured from the ground to the highest point of the sign.
 - (3) Political signs shall not be illuminated.
- (K) Real Estate Signs:
1. Definition: A "real estate sign" is a temporary stake sign that advertises a home, building, or property for sale or lease. This definition includes off premises real estate signs for directional purposes.
 2. Real Estate Signs Permissible: Real estate signs, both on premises and off premises, are permissible subject to the following conditions:
 - a. Time: No restrictions.
 - b. Place:
 - (1) Real estate signs shall not be located within any public right of way. In general, a real estate sign shall be erected no closer than ten feet (10') from the street pavement.
 - (2) An on premises real estate sign shall be erected on the lot on which the home or property is for sale or lease.
 - (3) An off premises real estate sign shall be erected only on private real property, and only with the consent of the property owner. No more than three (3) off premises real estate signs may be located on any single lot or property.
 - c. Manner:
 - (1) A maximum of one real estate sign per street frontage may be erected on a lot.
 - (2) Residential real estate signs shall not exceed nine (9) square feet in area.
 - (3) Real estate signs on property zoned for nonresidential uses shall not exceed thirty two (32) square feet in area.

(4) Real estate signs on agricultural properties shall not exceed thirty two (32) square feet in area. Only properties that are larger than forty (40) acres and that currently produce agricultural products shall be considered to be agricultural properties.

(5) All real estate signs shall be located in conformance with the provisions of section 10-9-5 of this chapter. (Ord. 2957, 12-8-2008)

3. Open House Real Estate Signs: Open house real estate signs, both on premises and off premises, are permissible subject to the following conditions:

a. Time:

(1) Open house signs may only be permitted on the public right of way one hour before and one hour after a scheduled open house. The total time an open house sign will be permitted on the public right of way shall not exceed five (5) hours in one day.

(2) No open house sign shall block the access of any public right of way so as to prevent passage by the general public including wheelchair access.

(3) All open house signs are to be removed from the public right of way within one hour after the completion of the open house.

(4) Open house signs are permitted only during the hours between sunrise and sunset.

b. Manner:

(1) Real estate open house signs placed on a sidewalk shall have a pedestrian or wheelchair passageway of a minimum of thirty six inches (36").

(2) Real estate open house signs shall not exceed nine (9) square feet in area.

(3) Real estate open house signs shall not be placed in a manner that would obstruct an ADA sidewalk ramp.

(4) Real estate open house signs placed in the right of way will not exceed thirty six inches (36") in height.

(5) Real estate open house signs may not be illuminated, either internally or externally. (Ord. 3066, 3-10-2014)

(L) Residential Nameplate Signs:

1. Definition: A "residential nameplate sign" is a sign that states the name of the occupant of a residential unit.

2. Residential Nameplate Signs Permissible: Residential nameplate signs are permissible subject to the following conditions:

a. Time: A residential nameplate sign shall not be erected on a property until the city has issued a certificate of occupancy for a residential unit on the property.

b. Place: A residential nameplate sign shall be located on private real property. In general, a residential nameplate sign shall be erected no closer than ten feet (10') from the street pavement.

c. Manner:

(1) The maximum size of a residential nameplate sign shall be two (2) square feet.

(2) The maximum height of a residential nameplate sign shall be seven feet (7').

(3) Each household unit may have a maximum of one residential nameplate sign.

(M) Scoreboards:

1. Definition: "Scoreboards" are signs erected at an athletic field, stadium or court and that are generally used to maintain the score or time expired in an event at the field or stadium.

2. Scoreboards Permissible: Scoreboards are permissible subject to the following conditions:

a. Time: No restrictions.

b. Place: Scoreboards shall be erected within the limits of and face into the athletic field, stadium or court.

c. Manner: No restrictions.

(N) Sponsor Signs:

1. Definition: A "sponsor sign" is a sign that is mounted or applied to the inside of a fence or wall surrounding an athletic field, stadium or court, such as an outfield wall of a baseball field, and intended to be viewed by spectators of an athletic event at the field or court.

2. Sponsor Signs Permissible: Sponsor signs are permissible subject to the following conditions:

a. Time: No restrictions.

b. Place: Sponsor signs shall be erected within the limits of and face into the athletic field, stadium or court.

c. Manner: No restrictions.

(O) Vehicle Signs:

1. Definition: A "vehicle sign" is a sign that is attached to or placed in or on a truck, bus, car, trailer, boat, recreational vehicle, or any other vehicle. Vehicle signs shall exclude bumper stickers, license plates, and inspection and registration stickers.

2. Vehicle Signs Permissible: Vehicle signs are permissible subject to the following conditions:

a. Time: No restrictions.

b. Place: Vehicle signs are permitted provided that during periods of inactivity such vehicle is not parked in the right of way or placed in a manner that the sign is readily visible and intended to be read from adjacent public right of way.

c. Manner:

(1) A vehicle on which a sign is attached cannot be used for the sole purpose of advertising. It is the responsibility of the property owners to provide proof that the vehicle has a legitimate business purpose other than display of the sign.

(2) The signs are painted upon or applied directly to an integral part of the vehicle.

(3) The vehicle is in operating condition, currently registered and licensed to operate on public streets, and actively used in the daily function of the business to which such sign relates.

(4) The vehicle is not used primarily as a static display, advertising a product or service, not utilized as storage, shelter or a distribution point for commercial products or services for the general public.

(P) Vending Machine Signs:

1. Definition: A "vending machine sign" is a sign that is attached to a vending machine, including a gasoline pump, and that generally advertises the products dispensed from the vending machine.

2. Vending Machine Signs Permissible: Vending machine signs are permissible subject to the following conditions:

a. Time: No restrictions.

b. Place: Vending machine signs are allowed only in conjunction with a nonresidential use.

c. Manner: Vending machine signs shall be directly attached to a vending machine. The signs shall be flat and shall not project from the vending machine.

(Q) Wind Device Signs:

1. Definition: A "wind device sign" is a sign that is made of cloth, canvas, plastic, or any flexible material that moves or is designed to move freely in the wind, with or without a frame or other supporting structure, used for the purpose of advertising or drawing attention to a business, commodity, service, sale, or product. This definition includes balloons, pennants, streamers, spinners, or similar devices, but excludes inflatable signs, cloud buster signs and flags as specifically defined in this chapter.

2. Wind Device Signs Permissible: Wind device signs are permissible subject to the following conditions:

a. Time: A wind device sign shall not be erected on a property until the city has issued a certificate of occupancy for a building on the property.

b. Place:

(1) Wind device signs are allowed only in conjunction with a nonresidential use.

(2) Wind device signs shall not be located in required parking spaces, driveways that provide access to parking spaces, or fire lanes, nor shall the sign encroach into a right of way.

(3) The minimum setback from the road right of way is ten feet (10').

c. Manner:

(1) Wind device signs shall be securely attached at all times to the ground, building, or other structure.

(2) The maximum height of a wind device sign, measured from the ground, is the same as the maximum height allowed in the zoning district.

(R) Window Signs:

1. Definition: A "window sign" is a sign that is visible from a public street or sidewalk and that is posted, attached, painted, placed, or affixed in or on a window or a sign that is located within three feet (3') of the inside of a window.
2. Window Signs Permissible: Window signs are permissible subject to the following conditions:
 - a. Time: No restrictions.
 - b. Place: Window signs are allowed only in conjunction with a nonresidential use.
 - c. Manner: The square footage of a window sign shall not exceed twenty five percent (25%) of the square footage of the window in which the sign is located.

(S) Yard Signs:

1. Definition: A "yard sign" is a temporary stake sign that publicizes the arrival of a newborn, the participation of a family member in a school activity or sport, or similar residentially themed event. Yard signs shall also include signs that advertise the presence of a home security system and seasonal or holiday decorations.
2. Yard Signs Permissible: Yard signs are permissible subject to the following conditions:
 - a. Time: No restrictions.
 - b. Place: Yard signs shall be located only on lots containing an occupied residential dwelling. In general, a yard sign shall be erected no closer than ten feet (10') from the street pavement.
 - c. Manner: Signs advertising the presence of a home security system shall not exceed one square foot in area.

(T) Zoning Signs:

1. Definition: A "zoning sign" is a temporary sign erected to publicize the request for zoning or rezoning of a property. (Ord. 2957, 12-8-2008)
2. Zoning Signs Permissible: Zoning signs are permissible subject to the conditions set forth in section 10-9-10 of this title. (Ord. 3091, 3-2-2015)

10-9-10: PROHIBITED SIGNS:

(A) Commercial Billboard Signs: A commercial billboard sign is a large sign, generally supported by a metal or wood frame and consisting of two (2) parallel sign faces oriented in opposite directions, used for the display of posters, printed, painted, or electronic advertisements that generally direct attention to goods, merchandise, entertainment, or services conducted, sold, or offered at a location other than the premises on which the sign is located.

(B) Obscene Signs: An obscene sign is a sign that contains offensive language, is hate based, is discriminatory or on which the dominant theme of material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

(C) Portable Signs: Signs designed or intended to be relocated from time to time, whether or not it is permanently attached to a building or structure, or is located on the ground, are prohibited. Portable signs include signs on wheels or on portable or mobile structures, such as, among other things, trailers, skids, tent signs, and airborne signs. This prohibition does not include vehicle, sandwich board, and other similar sign types specifically regulated herein.

(D) Merchandise Displays: No person shall suspend from any building, or pole, structure, sidewalk, parkway, driveway, parking area, or fuel pump island any goods, wares, merchandise or other advertising object or structure for the purpose of advertising such items, other than a sign as defined, regulated and prescribed by this chapter. This prohibition does not apply to the outside display or storage of merchandise as allowed in this title.

(E) Other Signs:

1. Signs which move and/or are animated by means of flashing, traveling or blinking lights, or other means not providing constant illumination, unless specifically allowed within this chapter;
2. Appendages to primary signs which have flashing, blinking, or traveling lights;
3. Any sign which emits audible sound, odor, or visible matter;
4. Any sign located on a property where the contents of that sign do not pertain to a person, activity, idea, business, or product being sold, promoted, or expressed on the premises where the sign is located, unless specifically allowed within this chapter;
5. Any sign not referenced within, or governed by this chapter;
6. Any sign erected without a permit, either prior to or after the adoption of this chapter, if a permit was required;
7. Any sign erected in or over public right of way or other public property, unless the same is erected by the city, county, state or other authorized governmental agency, or with the permission of the city, for public purposes, unless allowed within this chapter; and
8. Any lighted sign erected or displayed within one hundred fifty feet (150') of a residentially zoned property, or designated as residential on the future land use plan, unless the lighting is shielded from view of the residential property and indirect light does not exceed one-half ($\frac{1}{2}$) lumen measured from any property line of the residential property, unless allowed within this chapter. (Ord. 2957, 12-8-2008)

10-9-11: REMOVAL/IMPOUNDMENT OF PROHIBITED SIGNS:

(A) All signs listed in section 10-9-10 of this chapter and other prohibited or noncompliant signs shall be considered a public nuisance and are prohibited by this chapter. Upon identification of any prohibited sign, the building official shall provide written notification of the violation to the owner of the property on which the prohibited sign is located and/or the permittee of the sign. The notification shall state that the offending sign shall be removed by the property owner, agent or person having beneficial use of the land, building or structure upon which such sign is located within the time period prescribed by the building official after written notification to do so. The notification shall further state that if the prohibited sign is not removed within a specific time frame (not to exceed 10 days) a citation may be issued and the city may resort to any civil remedy available up to and including impoundment. If any sign is determined to present an immediate danger to public health, safety, or welfare, the city may remove it immediately. Within ten (10) days of the removal of the sign, the city shall notify the owner of the property on which the sign was located of the reasons for removal of the sign.

Signs authorized by a sign permit with an expiration date shall be removed promptly upon the date of expiration. Signs remaining after the date of expiration shall be deemed prohibited. The sign permit listing the expiration date shall be considered adequate notice of violation.

(B) It shall be unlawful for any person, firm or corporation receiving such written notice or having an expired permit to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (A) of this section, the building official is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located.

(C) If a sign is placed within the public right of way or on a city owned property in violation of this chapter, the sign may be immediately removed and impounded. (Ord. 2957, 12-8-2008)

10-9-12: RECOVERY OF IMPOUNDED SIGNS:

(A) Impounded signs may be recovered by the owner within fifteen (15) days from the date of the written notification of impoundment by paying a pick up fee, as established by resolution of the city council.

(B) Signs not recovered within fifteen (15) days of impoundment may be disposed of by the city in any manner it shall elect. (Ord. 2957, 12-8-2008)

10-9-13: NEGLECTED AND ABANDONED SIGNS:

(A) A neglected sign is a sign which contains missing panels, burned out lights, missing letters, rust, loose parts, is faded from its natural color, or is in a similar state of disrepair.

(B) An abandoned sign is a sign which, for at least six (6) months does not identify or advertise a bona fide business, lessor, service, owner, product, or activity; or pertains to a time, event, or purpose which no longer applies.

(C) Abandoned signs and neglected signs shall be considered a public nuisance and are prohibited by this chapter. Upon written notification to the permit holder by the building official, such abandoned signs shall be removed from the premises and neglected signs shall be repaired or removed from the premises by the property owner, agent, or person having beneficial use of the land, building, or structure upon which such sign is located. The notification shall state that the offending sign shall be repaired or removed by the owner, agent or person having beneficial use of the land, building or structure upon which such sign is located within ten (10) days after written notification to do so by the building official. The notification shall further state that if the sign is not removed or repaired, a citation may be issued and the city may resort to any civil remedy available to remove or repair the sign, up to and including impoundment. If any sign is determined to present an immediate danger to public health, safety, or welfare, the city may remove it immediately. Within ten (10) days of the removal of the sign, the city shall notify the owner of the property on which the sign was located of the reasons for removal of the sign.

(D) It shall be unlawful for any person, firm or corporation receiving such written notice to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (C) of this section, the building official is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located. (Ord. 2957, 12-8-2008)

10-9-14: NONCONFORMING SIGNS:

(A) Definition: A "nonconforming sign" is a sign and its supporting structure which does not conform to all or part of the provisions of this chapter, and:

1. Was in existence and lawfully erected prior to the effective date of this chapter;
 2. Was in existence and lawfully located and used in accordance with the provisions of the prior ordinance applicable thereto, or which was considered legally nonconforming thereunder, and has since been in continuous or regular use; or
 3. Was in existence, located, and used on the premises at the time it was annexed into the city limits or included in the city's area of impact and has since been in regular and continuous use.
- (B) Repair Or Replacement: Any nonconforming sign and its supporting structure, which is destroyed, damaged, dilapidated or deteriorated, may be replaced or repaired providing:
1. The new sign does not have a nonconforming feature that the original sign did not have,

2. The new sign does not exceed the size of the original sign,
 3. A nonconforming sign is not expanded or changed, and
 4. A sign permit for the replacement or repair is issued within six (6) months of the date of the damage. The planning and zoning commission may approve requests for extensions within the original six (6) months.
- (C) No Increase In Dimension: No sign or supporting structure which is lawfully reproduced, repaired, or renovated as a nonconforming sign shall be increased in area or height.
- (D) Change Of Interior Panel Allowed: Changing an interior panel of a nonconforming sign is allowed in all cases.
- (E) Relocation: Notwithstanding any other provision of this chapter, any sign which is a legally existing nonconforming sign hereunder may be relocated on the same lot or tract of land, if the sign is required to be removed from its present location because the property upon which the sign is located is acquired by any governmental agency or other entity which has or could have acquired the property through the exercise of its power of eminent domain. Such relocated sign shall be placed, insofar as possible, as to comply with all the provisions of this chapter. (Ord. 2957, 12-8-2008)

10-9-15: VARIANCES:

- (A) Requests for variances to sign regulations shall be made in writing by the applicant and heard by the planning and zoning commission at a public hearing. A variance application may be obtained from the city. Applications for a variance will be administered per the variance process contained in section 10-13-2-1 of this title. The planning and zoning commission's decision on a variance application will be based on the approval criteria in section 10-13-2-1 of this title.
- (B) A variance shall not be approved for a sign that is prohibited by section 10-9-10 of this chapter. (Ord. 2957, 12-8-2008)

10-9-16: SIGN COORDINATION PLAN:

- (A) A sign coordination plan is required prior to the permitting of specified signs to determine overall sign locations on a property, the relationship of the signs to surrounding existing, proposed, and future improvements, and to determine consistency and uniformity among buildings and signs within a multi-tenant zone or residential development. The sign coordination plan shall be submitted to the planning and zoning department.
- (B) A sign coordination plan shall contain the following information:
1. Elevations of the signs illustrating the materials of construction, colors, lighting, font of letters, and dimensions of the signs. If the sign is to be attached to a building, the elevation shall be a composite of the sign and the building.
 2. Elevations depicting the size of the signs in relation to the size of the buildings within the development.
 3. A plan drawn to preliminary plat or site plan specifications of the site illustrating the location of existing and proposed signs on the property and, if required by city staff, on adjacent properties.
 4. Other information to illustrate the consistency and uniformity of the signs.
 5. For multi-tenant signs, the sign coordination plan shall identify a multi-tenant zone. Only those properties and businesses included within the multi-tenant zone shall be included on the multi-tenant signs erected within the multi-tenant zone.
- (C) For nonresidential and multi-family developments, the sign coordination plan shall be submitted to the city for review with a site plan of the property. For single-family and two-family developments, the sign coordination plan shall be submitted to the city for review with a preliminary or final plat of the property.
- (D) The plan will be reviewed and considered for approval by city staff. Staff may approve or deny a sign coordination plan. Should staff deny a sign coordination plan, the plan may be forwarded to the planning and zoning commission for their review and consideration upon receipt of a written appeal request. The planning and zoning commission may approve or deny the plan. A plan that is denied by the planning and zoning commission may be forwarded to the city council for their review and consideration upon receipt of a written appeal request. The city council may approve or deny the plan. The city council's decision is final. (Ord. 2957, 12-8-2008)

Jody Green

From: John Burg <johnburgrealtor@gmail.com>
Sent: Tuesday, May 27, 2025 2:54 PM
To: Planning and Zoning
Subject: Support for Updated Temporary Sign Allowance

You don't often get email from johnburgrealtor@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

"*Plotted lots for development shall have no more than 64 square feet of total signage, and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped."

This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city.

REALTORS® also request the city foregoes any limit on the number of direction signs per property. Directional signs are posted for short duration (hours during an open house). Limiting one directional sign per property will create needless issues when the issue should be left to the property owner to decide from a market perspective.

Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,
John Burg
647 Filer Ave #101 Twin Falls, ID 83301
johnburgrealtor@gmail.com – (208)-358-4218

Jody Green

From: bhappytk@gmail.com
Sent: Tuesday, May 27, 2025 3:12 PM
To: Planning and Zoning
Subject: Support for Updated Temporary Sign Allowance
Attachments: img-6f3cbb87-0a23-4bba-99b7-60aa56e734c6

You don't often get email from bhappytk@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,
Tonya K Burg, Full Time Realtor
647 Filer Avenue, Twin Falls, ID. 83301
208-358-4933

Tonya K Burg
208-358-4933
tonyaburg@realtor.com



kw SUN VALLEY
SOUTHERN IDAHO
KELLERWILLIAMS REALTY



Jody Green

From: Terry Winkle <realestatewithterrywinkle@gmail.com>
Sent: Tuesday, May 27, 2025 4:28 PM
To: Planning and Zoning
Subject: sign allowance

You don't often get email from realestatewithterrywinkle@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,



Jody Green

From: Heidi Casdorph <heidicasdorph@tfrealtors.com>
Sent: Tuesday, May 27, 2025 4:57 PM
To: Planning and Zoning
Subject: Support of Update Temp Sign Allowance

You don't often get email from heidicasdorph@tfrealtors.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

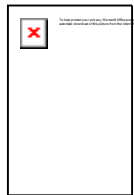
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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,
Heidi Casdorph
Realtor Associate Broker Gateway Real Estate



Heidi Casdorph
Realtor
Gateway Real Estate

"Thanks for the trust in me!...I am never too busy for your referrals!"

321 Eastland Drive
Twin Falls, Idaho 83301
cell **208.420.8978** ~ Office **208.733.5600**
fax **208.733.5606** ~ email heidi@gateway4u.com
Gateway4u.com is the best site to search and list your home!

Disclaimer

The information contained in this message is proprietary and/or confidential. If you are not the intended recipient, please: (i) delete the message and all copies; (ii) do not disclose, distribute or use the message in any manner; and (iii) notify the sender immediately. In addition, please be aware that any message addressed to our domain is subject to archiving and review by persons other than the intended recipient. Thank you.

Jody Green

From: Sid Lezamiz <sid@lezamizrealestate.com>
Sent: Wednesday, May 28, 2025 11:13 AM
To: Planning and Zoning
Cc: francesmalves@gmail.com
Subject: Support for Updated Temporary Sign Allowance

You don't often get email from sid@lezamizrealestate.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Sid Lezamiz

705 Fillmore St Ste. 1 Twin Falls, ID 83301

(208) 734-7007

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

C. Temporary Sign Allowances

Table: Temporary Sign Dimension Allowance		
	Free Standing	Attached
Residential Districts: RR, TN1, TN2, TN3 *		
Total SF	32 Sq Ft (see Footnote 3)	
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Max Height	10 Ft	Footnote 1
Front Setback	Footnote 2	N/A
Natural Zones: AG, OS		
1	In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of the building wall/façade upon which the sign is installed, whichever is lower.	
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3	Any 2 adjoining properties may combine the total allowable square footage, and maximum individual sign size, thereby doubling the total for each category. Placement of these signs shall be on the property line of the adjoining properties.	

*Platted lots for development shall have no more than 80 square feet of total signage and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped.

10 of 16

Draft Date 4.17.2025

This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city. An example photo is attached.

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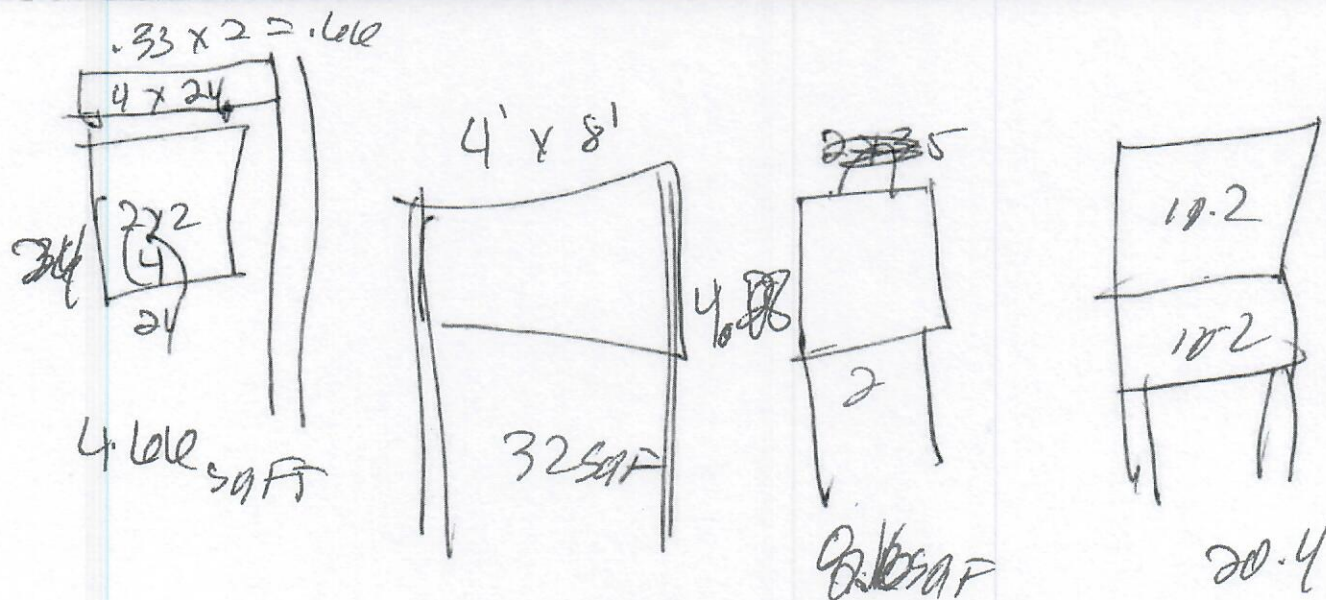
Sincerely,

Cindy Schmidt
Realtor

208-320-3512

Equity Northwest-Southern ID
1346 Fillmore St
Twin Falls, ID 83301

cindy.sells.idaho83301@gmail.com



Handwritten calculations:

$$\begin{array}{r}
 14.66 \\
 32.00 \\
 6.66 \\
 20.40 \\
 \hline
 73.72
 \end{array}$$

~~4.66~~ sq ft

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Draft Date 4.17.2025

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

 Michael Morrison
697 Filer Ave, Twin Falls, ID 83301

Dear Twin Falls Planning and Zoning Committee,

As a local sign company, and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

C. Temporary Sign Allowances

Table: Temporary Sign Dimension Allowance		
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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely, *alex acquistapace*
Advantage Signs

www.AdvantageSignsNow.com
Advantage Signs
Adrian Acquistapace
208-731-9255 **208.733.9677**
Your One Day Sign Service.
Adrian@AdvantageSignsNow.com

Jody Green

From: Terra Lynn Dearth <terra.lynn.dearth@gmail.com>
Sent: Thursday, May 29, 2025 1:34 PM
To: Planning and Zoning
Subject: Proposed Signage

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Terra Lynn Dearth

2954 E 3600 N

Twin Falls, ID 83301

Jody Green

From: Walt Hess <walt Hess@gemstaterealty.com>
Sent: Thursday, May 29, 2025 1:40 PM
To: Planning and Zoning
Subject: Signage

You don't often get email from walthess@gemstaterealty.com. [Learn why this is important](#)

[EXTERNAL SENDER]

To the Twin Falls Planning Staff

I support the suggested recommendation that the Western Magic Valley REALTORS are making to your committee.

The recommendation will allow developers, real estate agents etc to clearly show the public what is being developed, what is available and what is already sold.

In regards to directional signage, I don't understand why you would limit the number of signs on a single property, if we are getting the property owners approval. This too is helping buyers and sellers alike.

Thank you for your consideration.

--



Jody Green

From: Becky Hurd <beckyhurd0633@gmail.com>
Sent: Thursday, May 29, 2025 1:45 PM
To: Planning and Zoning
Subject: WMVR Recommendation

You don't often get email from beckyhurd0633@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

As previously discussed, the sign proposal will deeply impact the livelihood of Realtors. I would encourage the Committee to adopt the recommendations below.

1) Our updated recommendation proposes a clearly defined exception for temporary signage in residential districts (RR, TN1, TN2, TN3) during development. Specifically, it includes this important clarification proposed as a footnote:

"Plotted lots for development shall have no more than 80 square feet of total signage, and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped."

2) No limit on directional signs on a single property.



Jody Green

From: Gina Jensen Realtor - 208 Real Estate <ginajrealtor@gmail.com>
Sent: Thursday, May 29, 2025 1:54 PM
To: Planning and Zoning
Subject: Support for updated Temporary Sign Allowance

You don't often get email from ginajrealtor@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Gina Jensen



Gina Jensen

208 Real Estate

Realtor, Assoc. Broker

GRI, ABR, MRP, E-Pro

208-539-0283

ginajrealtor@gmail.com

www.twinfallshousesforsale.com

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Front Setback	Footnote 2	N/A
Natural Zones: AG, OS		
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Draft Date 4.17.2025

10 of 16

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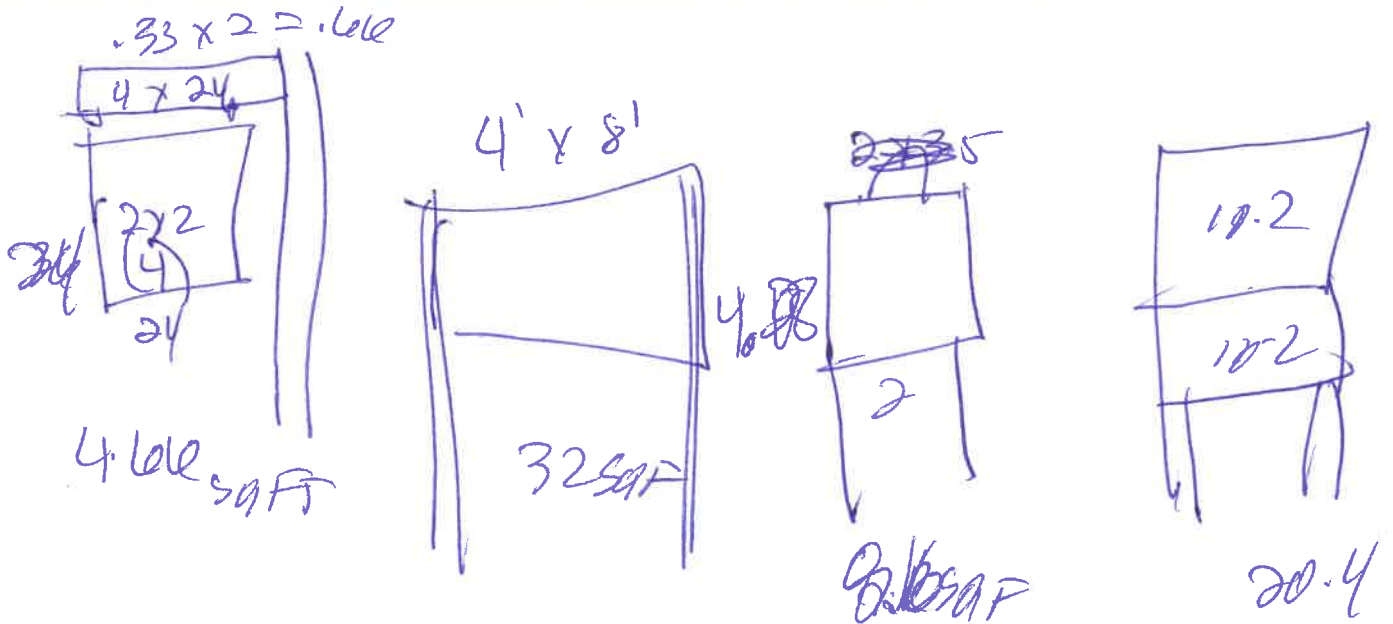
Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Authentisign
Rhonda S Young

05/29/25

Realtor | Silvercreek
Realty Group



Handwritten calculations:

14.66
 32.00
 50.00
 20.40

 14.66 sq ft
 75.22

Jody Green

From: LISA HANEY <southernidahorealtor@gmail.com>
Sent: Thursday, May 29, 2025 2:58 PM
To: Planning and Zoning
Subject: Updated version of sign ordinance

You don't often get email from southernidahorealtor@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

To whom it may concern,

I am sending you this letter to voice my support for the Idaho Realtor's updated modification suggestion(s) to the county's sign ordinance.
Please consider the suggestion when reviewing the documents present by Idaho Realtor's.
It is important to our industry that we have adequate signage and exposure to market properties.

I appreciate your help and consideration.

Kindly,

LISA HANEY

Western Magic Valley Realtors 2025 First Vice President
208 Real Estate Associate Broker
SouthernIdahoRealtor@gmail.com
208-280-0414

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Draft Date 4.17.2025

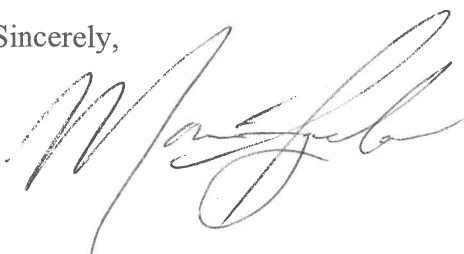
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Sincerely,



Mariana Angulo

5/29/25

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Sincerely,

Jeffell Belle
BHHS

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Sincerely,

Jillay Clark - Gateway Real Estate

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Sincerely,

5/29/2025
Tina Woodley, Realtor
KWSVSI

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Amanda Marnes - City of Trees Real Estate
Keller Williams Realty Boise
360-640-8348

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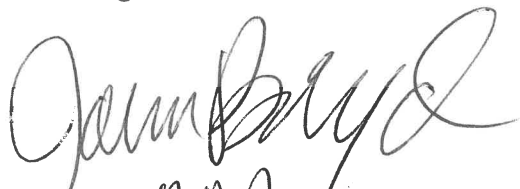
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CBOP

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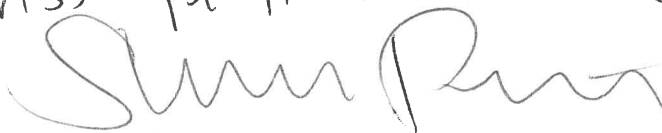
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Sincerely,

Sharissa Parham

Smart Group Realty



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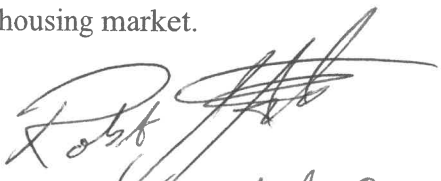
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Sincerely,


Robert Adolf
1645 Bel Air Circle
Twin Falls, ID 83301

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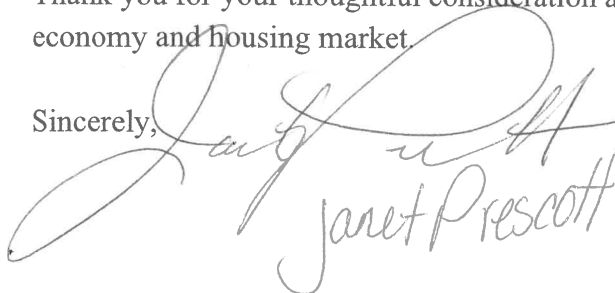
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Janet Prescott

Keller Williams SVSI
647 Filer Ave Twin Falls

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Sincerely, *Jose Ruvacaba - KW*
Jose.orton@gmail.com

647 Filer Ave. Twin Falls 83301

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Britni Helle, 5-27-25

KW 8851

647 Filer Ave. Twin Falls ID 83301

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Gary Zep *KWSVS 1*
647 Filer Ave

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Sincerely,

HARRIS ALVOS

Kellie Williams

774 Midnight
Gaw Lo.

Twin Falls, ID
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Ron Jones

Keller Williams SVS
647 Filer Ave

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KWSVSI

647 Filer Ave, Twin Falls ID 83301

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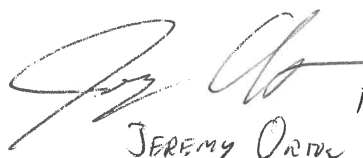
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 *KN (Orin Team)*
JEREMY ORIN

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Total SF	32 Sq Ft (see Footnote 3)	
Max Individual Sign SF	16 Ft	16 Ft
Max Height	10 Ft	Footnote 1
Front Setback	Footnote 2	N/A
Natural Zones: A5, O5		
1	In no case shall a sign protrude above the roofline, cornice line, parapet , or the highest point of the building wall/facade upon which the sign is installed, whichever is lower.	
2	Set back from property line shall be 3 feet, or equal to the height of the sign, whichever is greater.	
3	Any 2 adjoining properties may combine the total allowable square footage, and maximum individual sign size, thereby doubling the total for each category. Placement of these signs shall be on the property line of the adjoining properties.	

**Platted lots for development shall have no more than 80 square feet of total signage and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped.*

Draft Date 4.17.2025

10 of 16

This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city.

REALTORS® also request the city foregoes any limit on the number of direction signs per property. Directional signs are posted for short duration (hours during an open house). Limiting one directional sign per property will create needless issues when the issue should be left to the property owner to decide from a market perspective.

Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Francis Alvar
Keller Williams SV&J
647 Jeter Ave
Twin Falls, ID 83301

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

C. Temporary Sign Allowances

Table: Temporary Sign Dimension Allowance		
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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Chuck Taylor
208 REAL ESTATE

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Movement Mortgage
Dana Johnson
2336 Forest Vale Dr
Twin Falls ID 83301

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Dana Fahl 5-28-25
Red Door Realty

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,



Aaron Hiskin

647 Filer Ave

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Sincerely,

Charlotte McVain
541 Sun Terrace Dr.
Twin Falls, ID 83301

Keller Williams SKSE

Dear Twin Falls Planning and Zoning Committee,

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Sincerely,

VERREL HORNER
KEUER WILLIAMS

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Sincerely,

Lynn E. Ellis
647 Elder Ave
Twin Falls, ID 83301

Dear Twin Falls Planning and Zoning Committee,

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Sincerely,

Josh Davis
769 North view Dr
Twin Falls, ID 83301

Dear Twin Falls Planning and Zoning Committee,

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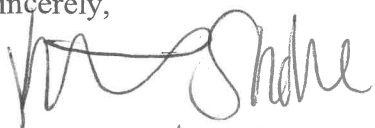
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Sincerely,



Kristie Shobe

KW Team Leader

Dear Twin Falls Planning and Zoning Committee,

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Sincerely,

 604 Wirsching Ave
Twin Falls, ID
83301

Dear Twin Falls Planning and Zoning Committee,

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Front Setback	Footnote 2	N/A
Natural Zones: AF, OS		

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Sincerely,

John Alves,
Hollan Williams

647 Filer
Twin Falls, ID

Jody Green

From: Janelle Shafer <janelle@bhhsidahohomes.com>
Sent: Thursday, May 29, 2025 3:56 PM
To: Planning and Zoning
Subject: Support for Updated Temporary Sign Allowance

You don't often get email from janelle@bhhsidahohomes.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and invested member of our community, I appreciate the opportunity to share my support for the proposed updates to temporary signage allowances within residential districts (RR, TN1, TN2, TN3). I believe these changes are a thoughtful step toward balancing the needs of property development with neighborhood aesthetics.

In particular, I support the following recommended footnote for residential areas, with an exception for properties under development:

"Plotted lots for development shall have no more than 64 square feet of total signage, and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped."

This recommendation provides practical flexibility for developers, builders, REALTORS®, lenders, and other industry partners during the active phases of development. It also helps protect the character of established neighborhoods, since the larger signage is only permitted during the early stages and doesn't carry over once development is complete. Additionally, this approach aligns with existing U.S. and Idaho Supreme Court precedent, helping reduce legal exposure for the city.

We also respectfully ask the City to reconsider placing a limit on the number of directional signs per property. These signs are typically displayed for just a few hours during events like open houses, and placing restrictions could cause unnecessary complications. We'd encourage allowing property owners the freedom to decide what works best from a marketing perspective.

Thank you for your time, your service to the community, and for considering these recommendations as we work together to support a strong and vibrant local economy and housing market.

Warm regards,



Janelle Shafer
REALTOR®, ABR

208 595 8409

**BERKSHIRE
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HOMESERVICES

IDAHO HOMES
& PROPERTIES

🏠 A member of the franchise system of BHH Affiliates, LLC.

1411 Falls Ave. E. • Ste. 215

Twin Falls, ID 83301

[Real Estate Adventures on FB](#)

Jody Green

From: Laura Fitzgerald <laura@idahometeam.com>
Sent: Thursday, May 29, 2025 5:17 PM
To: Planning and Zoning
Subject: Support for Updated Temporary Sign Allowance

You don't often get email from laura@idahometeam.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Laura Fitzgerald
Broker/Owner
IdaHome Realty

LAURA FITZGERALD

BROKER/OWNER

📍 1182 Eastland Dr., N Suite A, Twin Falls

📞 (208) 280-6811

✉️ laura@idahometeam.com

🌐 www.idahomerealty.com



Jody Green

From: Barry Brackett <agentbarrybrackett@gmail.com>
Sent: Friday, May 30, 2025 9:56 AM
To: Planning and Zoning
Subject: sign regs

You don't often get email from agentbarrybrackett@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

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Sincerely,
Barry Brackett
Broker, Canyon Trail Realty LLC
Office (208)324-3354
Cell (208) 420-1964

Jody Green

From: Denise McClusky <denisemccluskyrealestate@gmail.com>
Sent: Friday, May 30, 2025 9:56 AM
To: Planning and Zoning
Subject: temporary sign ordinance

You don't often get email from denisemccluskyrealestate@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

Dear Twin Falls Planning and Zoning Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

"*Plotted lots for development shall have no more than 64 square feet of total signage, and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped."

This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city.

REALTORS® also request the city forgo any limit on the number of direction signs per property. Directional signs are posted for a short duration (hours during an open house). Limiting one directional sign per property will create needless issues when the issue should be left to the property owner to decide from a market perspective.

Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,
Denise McClusky

208-420-8770

Associate Broker, GRI CRS

Silvercreek Realty Group

denisemccluskyrealestate@gmail.com

Jody Green

From: Justin Winson <thejustinwinsongroup@gmail.com>
Sent: Friday, May 30, 2025 10:20 AM
To: Planning and Zoning
Subject: New proposed sign ordinance

You don't often get email from thejustinwinsongroup@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

I spend a lot of time and money marketing my properties and maintaining the signs. I can see where you try to weed out certain types of signs but feel the many thousands of dollars I have spent on signs and have in inventory are in good taste and do not harm the public.

I do agree you should not be able to put signs in the right of way and block the view of traffic.

We hope you consider the proposed plan the Realtors have come up with and hope that fits with all involved with selling homes, Realtors, builders, loan companies, plumbers, framers, electricians, etc.

Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.



Jody Green

From: Shellien Gilliland <teamshellien@gemstaterealty.com>
Sent: Friday, May 30, 2025 12:50 PM
To: Planning and Zoning
Subject: Sign Ordinance input

You don't often get email from teamshellien@gemstaterealty.com. [Learn why this is important](#)

[EXTERNAL SENDER]

TF P & Z Committee,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposal for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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I also ask for illumination consideration as in my previous email:

A.2 Illumination: I propose temporary signs should be allowed to be illuminated with the following restrictions: Directional lighting of 500 Lumens or less (equivalent of a 40W bulb) pointed directly at the sign only. Simple low wattage solar lights, currently available on the market, do not have timers but eventually lose their strength before morning. They provide security without posing a risk to passersby, similar to how decorative solar lights are added to private property.

Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Gratefully,
Shellien Gilliland @ Gem State Realty

- Ramsey Trusted Pro [site](#)
- Glenn Beck TrustedAgent
- 2023 & 2024 Idaho's Best® Statewide Best Brokerage Winner
- 2022 Idaho's Best® Statewide Best Real Estate Agent Winner
- [Reviews](#) * [House Search](#) * [Website](#)



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Table: Temporary Sign Dimension Allowance		
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Front Setback	Footnote 2	N/A

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**Platted lots for development shall have no more than 80 square feet of total signage and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped.*

Draft Date 4.17.2025

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This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city.

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,


Gary Wolverton
Wolverton Homes
1629 Locust St NE Twin Falls ID 83301

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Sincerely,


Sweet Group Realty

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Sincerely,

Va Kellogg Sweet# Group Realty

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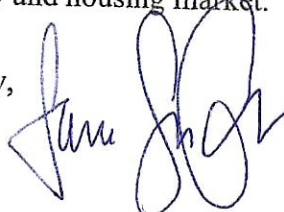
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Sincerely,

 Silvercreek Realty group

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Sincerely,

Angela Virgin

*Coldwell Banker
Distinctive Properties*

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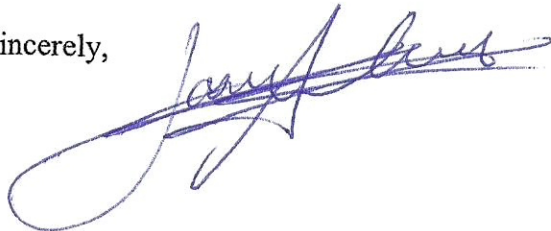
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Sincerely,



Gem State Realty

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Sincerely,

Lindsay Higgins
Westerra Real Estate Group

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Sincerely,

Kristin Verbrue
Sweet Group Realty

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Sincerely,

K. Beltran

Gem State Realty

Jody Green

From: Sharon Goedhart <shari.goedhart.realtor@gmail.com>
Sent: Monday, June 2, 2025 3:47 PM
To: Planning and Zoning
Subject: Signage

You don't often get email from shari.goedhart.realtor@gmail.com. [Learn why this is important](#)

[EXTERNAL SENDER]

I am sending this email about the signs that the city is trying to do. I need to let you know that I am following the proposal for the signage that the association is on board with. I just wanted to let you know that I agree with what the realtors are trying to do and I feel like there are other signs that are needed as well. I hope to be at your meeting in June. I think that lots of people did not get the last notice for the end of May and would like the opportunity to speak out on the signs. There are lots of homes that do not sell in a specific number of days and are not built in a fast time frame and need signs. Thanks for taking the time to work with the association and hear the needs of the people in the community.

Thanks Shari Goedhart
Associate Broker Silvercreek Realty Group

Jody Green

From: Mark Jones <mj@rjrealty.com>
Sent: Friday, June 6, 2025 4:09 PM
To: Planning and Zoning
Cc: Mark Jones
Subject: Support for Updated Temporary Sign Allowance

You don't often get email from mj@rjrealty.com. [Learn why this is important](#)

[EXTERNAL SENDER]

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Sincerely,

Mark E. Jones
Associate Broker, GRI,GRS
Robert Jones Realty, Inc.
Personalized Service since 1974
Past President of the Idaho REALTORS
The Largest Trade Association in Idaho
T 208.733.0404 | F 208.733.0408 | C 208.308.3030
mj@rjrealty.com | rjrealty.com

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Authentisign
Rhonda S Young

05/29/25

Realtor | Silvercreek
Realty Group

From: Ruth Pierce
Sent: Thursday, August 7, 2025 9:17 AM
To: CM-Council
Cc: Jonathan Spendlove
Subject: Fw: Sign Ordinance

Not sure if everyone received this.

*Ruth Pierce
Mayor
City of Twin Falls*



TWIN FALLS Idaho
People Serving People

From: Chisum Hughes <chisumhughesrealtor@gmail.com>
Sent: Thursday, August 7, 2025 8:54 AM
To: Ruth Pierce <rpierce@tfid.org>
Subject: Sign Ordinance

You don't often get email from chisumhughesrealtor@gmail.com. [Learn why this is important](#)
[EXTERNAL SENDER]

Dear Twin Falls City Council,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

"*Plotted lots for development shall have no more than 64 square feet of total signage, and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped."

This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city.

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,
Chisum Hughes
2410 E 4000 N Filer, Idaho 83328
(208)934-6047

Dear Twin Falls City Council,

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Table: Temporary Sign Dimension Allowance		
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Total SF	32 Sq Ft (see Footnote 3)	
Max Individual Sign SF	16 Ft	16 Ft
Max Height	10 Ft	Footnote 1
Front Setback	Footnote 2	N/A

1	In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of the building wall/façade upon which the sign is installed, whichever is lower.
2	Set back from property line shall be 3 feet, or equal to the height of the sign, whichever is greater.
3	Any 2 adjoining properties may combine the total allowable square footage, and maximum individual sign size, thereby doubling the total for each category. Placement of these signs shall be on the property line of the adjoining properties.

**Platted lots for development shall have no more than 80 square feet of total signage and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped.*

Draft Date 4.17.2025

10 of 16

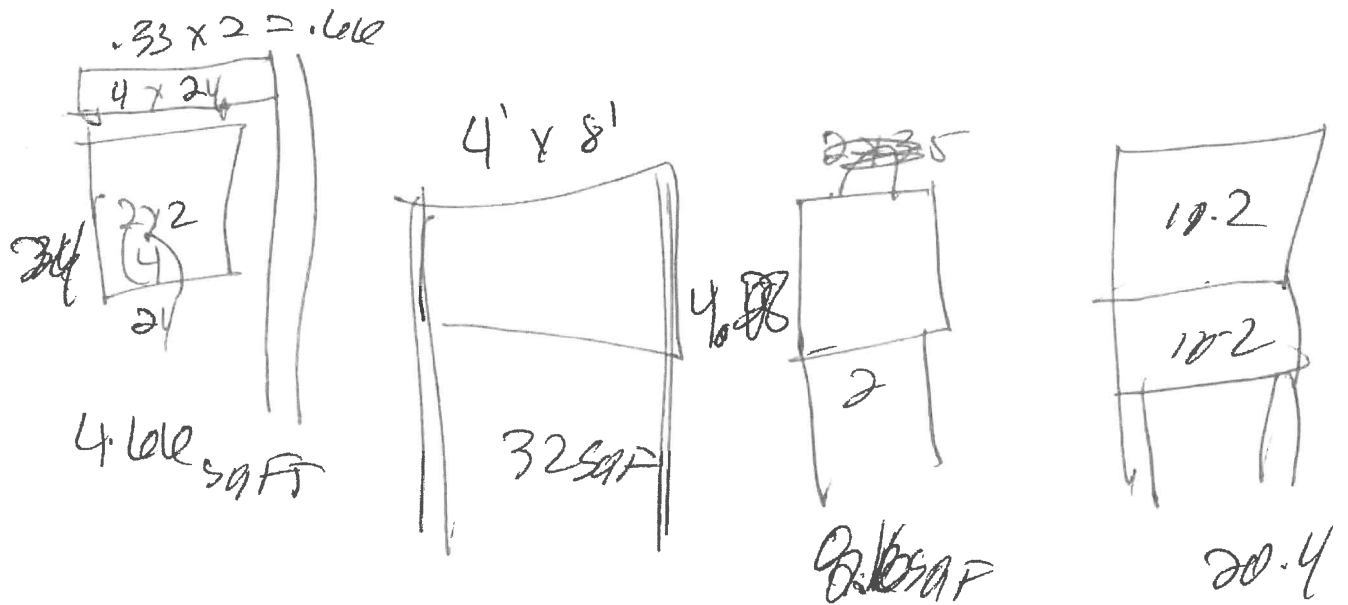
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Sincerely,


Carol Jones
KW SVS I



Handwritten calculations:

- 14.66
- 32.00
- 67.00
- 20.40
-
- 64.06 sq ft.
- 75.22

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The Optimism Real estate group

Sincerely,

*Casey Gauld
Lindsey Gauld
Melissa Paulin
Will Wathins*

*Katie Skysen
Lacey Lancaster*

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Sincerely,

Michelle Reirke
Equity Northwest Real Estate
Southern Idaho

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Sincerely,

Jeri Roth / Westerra Real Estate

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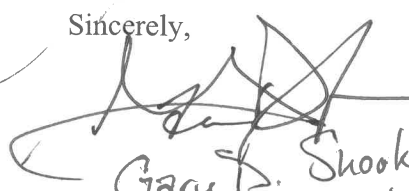
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Sincerely,


Gary L. Shook
Coldwell Banker Distinctive Properties

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Sincerely,


Lisa Hawley 208 Real Estate

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Sincerely,


James Williams

New Home Star

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Sincerely,

Andreah Grover

Westerra Real Estate
g

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Sincerely,



Keller Williams Sun Valley Southern Idaho

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Sincerely,

Riley Jensen - 208 Real Estate

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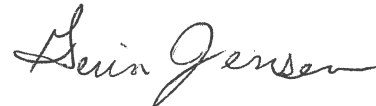
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Sincerely, 
207 Real Estate

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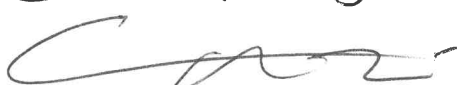
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Sincerely,

Cesar A. Duran RE/MAX Legacy


Dear Twin Falls City Council,

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Front Setback	Footnote 2	N/A
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Sincerely,

Juan Silva
Turn Key Realty

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IR gov Affairs

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Natural Zones: A5, OS		

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208 Real Estate

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Sincerely,

Stephanie Claar

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Sincerely,

 Terry Winkle
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Sincerely,

Amber Lafayette

*Keller Williams Sun Valley Southwestern
Idaho*

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Sincerely,  Da Bella Home Exterior


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Sincerely,

Felix Gallegos
Coldwell Banker
Distinction Properties

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Sincerely,

John Burg



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Sincerely,

Ryan Ellis

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Mark Jones, Robert Jones Realty, Inc.

Dear Twin Falls City Council,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

C. Temporary Sign Allowances

Table: Temporary Sign Dimension Allowance		
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Max Height	10 Ft	Footnote 1
Front Setback	Footnote 2	N/A
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**Platted lots for development shall have no more than 80 square feet of total signage and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped.*

Draft Date 4.17.2025

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This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city. An example photo is attached.

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Austin Davis

Keller Williams Realty

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Jose Rualcaba Keller William S

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Dale Gabriela - Keller Williams

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Sincerely,

Robert Conway
Jeremy Orton Real Estate Group

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Sincerely, GARRETT GILLILAND

GEM state realty



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Sincerely,



Kellen Williams Sun Valley
Southern Idaho

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Brent Helle

Keller Williams

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Wiley R Schmidt
Equity Northwest RE - Southern ID

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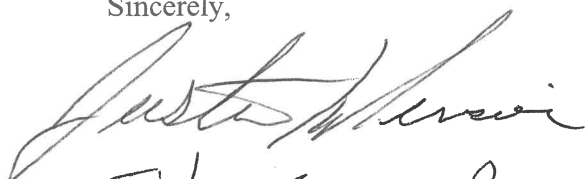
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SilverCreek Realty Group

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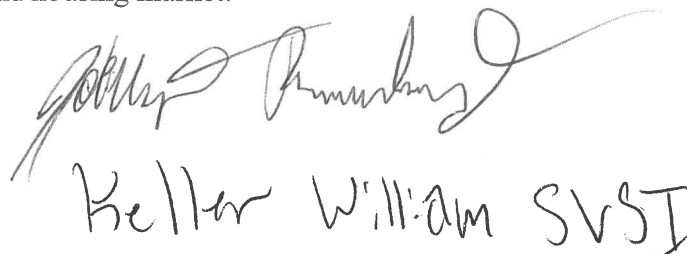
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Keller William SVST

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Amanda Maines - 360-640-8348

City of Trees Real Estate Keller Williams Realty Boise

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Rosanne Heltinger
Silver Creek Realty group

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Brian Leggett Wolveston Homes

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Colleen Bunker Tomlinson

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**Platted lots for development shall have no more than 80 square feet of total signage and no individual temporary sign on such a lot shall exceed 32 square feet while the property is undeveloped.*

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Draft Date 4.17.2025

This adjustment addresses the temporary needs of developers, builders, REALTORS®, lenders, and other industry partners during property development. This recommendation helps maintain neighborhood aesthetics because the duration is limited during development and does not carry over to established neighborhoods (which continue under the 32 sq. ft. requirement). Moreover, this recommendation comports with existing U.S. and Idaho Supreme Court Precedent, reducing legal risk for the city. An example photo is attached.

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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,

Gracie Alves
Keller Williams SVSI
President WMI Realtors Association

Dear Twin Falls City Council,

As a local REALTOR® and stakeholder in our community, I respectfully urge you to adopt the recommended proposed for temporary signage allowances within residential districts (RR, TN1, TN2, TN3). Specifically, I support the following recommendation as a footnote to these residential areas with an exception for development:

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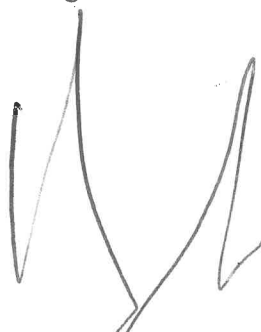
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Sincerely,

 HERKIB ALVES
Kellor Williams /
Twin Falls, Id.

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B H H S

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Natural Zones: AG, OS		

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Sincerely, *Lake Holtzen Gem State Realty*

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Sincerely,

Kaylin Montgomery
Keller Williams Sun Valley Southern Idaho
647 Filer Ave Twin Falls, Id 83301

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Sincerely,

Keller Williams 647 Filer Avenue est.

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Hailey Derbidge Hailey Derbidge

840 Maurice Street Twin Falls Idaho 83301

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Keith Williams ELS
647 Elder TF

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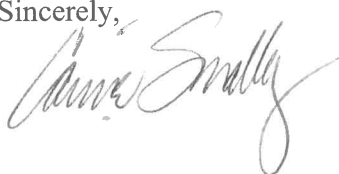
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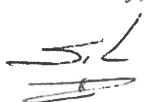
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Natural Zones: A5, O5		
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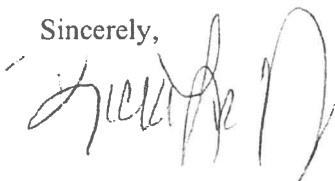
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Thank you for your thoughtful consideration and commitment to supporting a vibrant local economy and housing market.

Sincerely,



Revised Letter to Twin Falls City Council

July-August 2025

Dear Twin Falls City Council Members,

We, the undersigned property owners of Twin Falls, respectfully request that you revise the city's sign ordinance to adopt the proposed temporary signage allowances for residential districts (RR, TN1, TN2, TN3) and remove restrictions that violate our First Amendment rights, as established in *Reed v. Town of Gilbert* (576 U.S. 155, 2015).

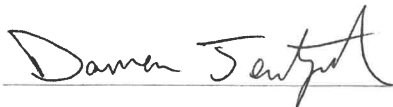
Specifically, we support the following recommendations for temporary signs in these districts, as outlined in the proposed footnote:

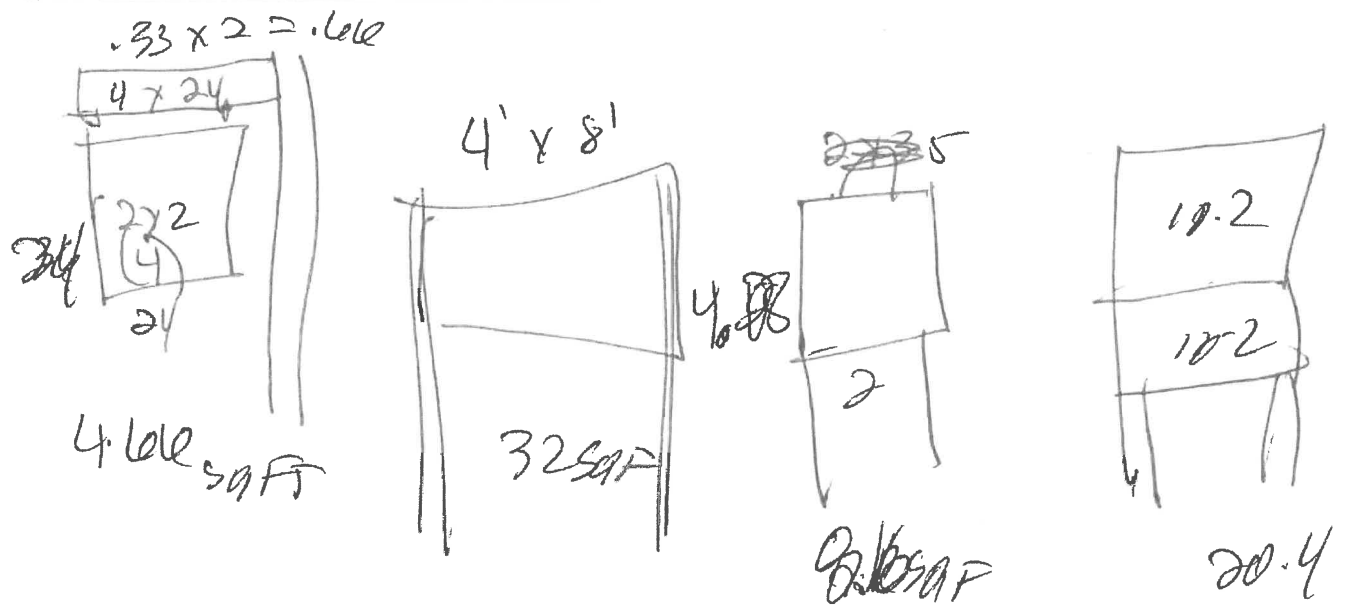
- **Temporary Sign Allowances:** A total of 32 square feet for freestanding or attached signs, with the following conditions:
 - Any two adjoining properties may combine their allowable square footage, doubling the total to 64 square feet, with signs placed on the property line of the adjoining properties.
 - Signs shall not protrude above the roofline, cornice, parapet, or highest point of the building facade, whichever is lower.
 - A front setback of 3 feet or equal to the sign's height, whichever is greater, shall apply.
 - Platted lots for developments or Parade of Homes shall have more than 80 sqft of total signage.
- **No Limit on Directional Signs:** We request the city eliminate restrictions on the number of directional signs per property, as these are posted for short durations (e.g., during open houses) and should be left to property owners' discretion.

The current ordinance includes content-based restrictions that regulate signs based on their message, which *Reed* subjects to strict scrutiny. Such restrictions must serve a compelling government interest and be narrowly tailored, a standard we believe the ordinance fails to meet. The proposed changes ensure compliance with *Reed* by adopting content-neutral rules that protect our free speech rights while supporting the city's interests in aesthetics and safety during property development. These adjustments also reduce legal risk and promote a vibrant housing market by accommodating developers, builders, REALTORS®, and other stakeholders.

We urge the council to adopt these revisions and avoid potential legal challenges. We are available to discuss this further and appreciate your commitment to our community.

Sincerely,

1. Name:		Address:	1082 Sunnybrook Ave Twin Falls
2. Name:	_____	Address:	_____
3. Name:	_____	Address:	_____



Handwritten calculations:

$$\begin{array}{r}
 14.66 \\
 32.00 \\
 20.40 \\
 \hline
 67.06 \text{ sq ft.} \\
 75.22
 \end{array}$$

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July-August 2025

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Sincerely,

1. Name: <u>Michelle Harra</u>	Address: <u>3123 Highland Dr. -TF</u>
2. Name: <u>Lisa Wagner</u>	Address: <u>911 Wood River Dr. -TF</u>
3. Name: <u>Adam Hess</u>	Address: <u>259 Pleasant Rd. W. #36 TF</u>

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1. Name:	<u>Michael D. Evetich</u>	Address:	<u>774 Quincy St TF</u>
2. Name:	<u>Ellovia Evetich</u>	Address:	<u>774 Quincy St. TF</u>
3. Name:	_____	Address:	_____

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Sincerely,

1. Name:	<u>Chaudhri Malik</u>	Address:	<u>541 Sun Terrace Dr. TF</u>
2. Name:	_____	Address:	_____
3. Name:	_____	Address:	_____

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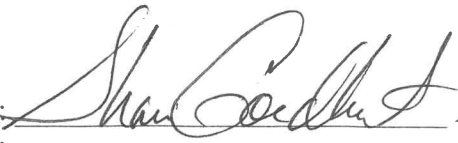
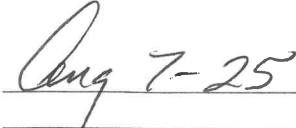
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1. Name: 

Address: 3850 E 2950 N. Hansen Tr

2. Name: _____

Address: _____

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1. Name: <u>Dana Johnson</u>	Address: <u>2336 Forest Vale Dr Twin Falls</u>
2. Name: _____	Address: _____
3. Name: _____	Address: _____

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1. Name:	<u>Double L Investment</u>	Address:	<u>785 Canyon Park Ave</u>
2. Name:	<u>Double L Investment</u>	Address:	<u>827 Canyon Park Ave</u>
3. Name:	<u>Double L Investment</u>	Address:	<u>835 Canyon Park Ave</u>

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1. Name: <u>Hailey Derbidge</u>	Address: <u>840 Maurice Street Twin Falls Id</u>
2. Name: <u>Parker Derbidge</u>	Address: <u>840 Maurice Street Twin Falls Id</u>
3. Name: _____	Address: _____

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1. Name: <u>Alesha Cochran</u>	Address: <u>817 Shoshone St W T.F 83304</u>
2. Name: _____	Address: _____
3. Name: _____	Address: _____

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1. Name:	<u>Veda Dorena</u>	Address:	<u>1940 Sherry Dr. TF</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

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Sincerely, IRJ Investments LLC

1. Name: _____	Address: <u>211 JUNIPERO ST. N.</u>
2. Name: _____	Address: <u>820 HEYBURN</u>
3. Name: _____	Address: <u>1855 CHENEY DR. W.</u>

478 MADISON
1217 SPARKS ST. N.
690 QUINCY ST.
698 QUINCY ST.

767 ALYSSA
654 BETA

1065 CHENEY DR. N.
1035 CHENEY DR. N.
1045 CHENEY DR. N.
462 MADISON ST.

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1. Name: Herbie Alvos Address: 504 Blue Lakes
2. Name: _____ Address: 1401 Washington St
3. Name: _____ Address: 774 Midnight Sun Loop

236 9th
452 5th Ave W.
1129 5th Ave S.
667 Rim View

429 3rd
1101 7th Ave E.
422 4th Ave E
+ JRT INVESTMENTS LLC

286 JACKSON
753 HANZISON
336 5th
312 5th
307 5th

1. Name: Mary Griffin Address: 884 Eastland Dr. N.
2. Name: _____ Address: _____
3. Name: _____ Address: _____

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1. Name:	<u>Cheryl Marlow</u>	Address:	<u>2009 Laura Cir</u>	<u>Twin Falls, Id</u>
2. Name:	_____	Address:	_____	_____
3. Name:	_____	Address:	_____	_____

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1. Name: Robert Adolf Address: 1645 Bel Air Circle TF, ID
2. Name: _____ Address: _____
3. Name: _____ Address: _____

1. Name: MEGHAN BILLINGS Address: 238 MAIN AVE. N.
2. Name: _____ Address: _____
3. Name: _____ Address: _____

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Sincerely,

1. Name:	<u>Nikki Nielsen</u>	Address:	<u>2929 Sunlight Rd. Twin Falls</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

Revised Letter to Twin Falls City Council

July-August 2025

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1. Name:	<u>Karabaton</u>	Address:	<u>1272 Canyon Rim 83301</u>
2. Name:	_____	Address:	_____
3. Name:	_____	Address:	_____

1. Name: Natya Nigwa Address: 1940 Elizabeth Blvd, TF,
2. Name: _____ Address: _____ IN
3. Name: _____ Address: _____

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1. Name:	<u>Tyler B. [Signature]</u>	Address:	<u>815 Cortina Ct Twin Falls, ID</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

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1. Name: Yddee Gallegos Address: 175 Wiseman, Twin Falls
2. Name: _____ Address: _____
3. Name: _____ Address: _____

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1. Name:	<u>Steve Krab</u>	Address:	<u>3400 Canyon Lane Kimberly</u>
2. Name:		Address:	<u>80</u>
3. Name:		Address:	<u>83313</u>

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1. Name:	<u>Kristie Snow</u>	Address:	<u>1009 W 1st St, Filer ID</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

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Sincerely,

1. Name: <u>Celina Pak</u>	Address: <u>1255 Frank Henry Rd, TF</u>
2. Name: _____	Address: _____
3. Name: _____	Address: _____

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1. Name:	<u>Cathy Jensen</u>	Address:	<u>3309 E. 40th N. Twin Falls</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

1. Name: Cheryl Holmes Address: 3483E 3880W, 83341
2. Name: _____ Address: _____
3. Name: _____ Address: _____

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Sincerely,

1. Name:	<u>Tyler Anderson</u>	Address:	<u>1009 W 6th St</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

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Sincerely,

1. Name:	<u>Lacey Lancaster</u>	Address:	<u>2553 E 3708 N</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

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1. Name:		Address:	<u>147 Main Ave E</u>
2. Name:	_____	Address:	_____
3. Name:	_____	Address:	_____

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1. Name:	<u>Jen Kudant</u>	Address:	<u>440 Sunrise Blvd N.</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

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- | | | | |
|----------|-------------------|----------|-------------------------------|
| 1. Name: | <u>Barb Fuchs</u> | Address: | <u>3072 Heatherwood Rd TF</u> |
| 2. Name: | _____ | Address: | _____ |
| 3. Name: | _____ | Address: | _____ |

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1. Name: ATHENA BRODIN Address: 1932 ADDISON AVE E, T.F. ID
2. Name: _____ Address: _____ 83301
3. Name: _____ Address: _____

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1. Name:	<u>Caden Smith</u>	Address:	<u>1350 6th Ave E, Twin Falls, ID 83301</u>
2. Name:	<u></u>	Address:	<u></u>
3. Name:	<u></u>	Address:	<u></u>

Revised Letter to Twin Falls City Council

July-August 2025

Dear Twin Falls City Council Members,

We, the undersigned property owners of Twin Falls, respectfully request that you revise the city's sign ordinance to adopt the proposed temporary signage allowances for residential districts (RR, TN1, TN2, TN3) and remove restrictions that violate our First Amendment rights, as established in *Reed v. Town of Gilbert* (576 U.S. 155, 2015).

Specifically, we support the following recommendations for temporary signs in these districts, as outlined in the proposed footnote:

- **Temporary Sign Allowances:** A total of 32 square feet for freestanding or attached signs, with the following conditions:
 - Any two adjoining properties may combine their allowable square footage, doubling the total to 64 square feet, with signs placed on the property line of the adjoining properties.
 - Signs shall not protrude above the roofline, cornice, parapet, or highest point of the building facade, whichever is lower.
 - A front setback of 3 feet or equal to the sign's height, whichever is greater, shall apply.
 - Platted lots for developments or Parade of Homes shall have more than 80 sqft of total signage.
- **No Limit on Directional Signs:** We request the city eliminate restrictions on the number of directional signs per property, as these are posted for short durations (e.g., during open houses) and should be left to property owners' discretion.

The current ordinance includes content-based restrictions that regulate signs based on their message, which *Reed* subjects to strict scrutiny. Such restrictions must serve a compelling government interest and be narrowly tailored, a standard we believe the ordinance fails to meet. The proposed changes ensure compliance with *Reed* by adopting content-neutral rules that protect our free speech rights while supporting the city's interests in aesthetics and safety during property development. These adjustments also reduce legal risk and promote a vibrant housing market by accommodating developers, builders, REALTORS®, and other stakeholders.

We urge the council to adopt these revisions and avoid potential legal challenges. We are available to discuss this further and appreciate your commitment to our community.

Sincerely,

- | | | | |
|----------|---------------------------|----------|---|
| 1. Name: | <u>Michelle Raspberry</u> | Address: | <u>1224 Park Meadows Dr, Twin Falls</u> |
| 2. Name: | <u>Teresa McMahon</u> | Address: | <u>359 Taylor St, Twin Falls</u> |
| 3. Name: | <u>Donette Dodson</u> | Address: | <u>966 Morningside Dr. Twin Falls</u> |

Dear Members of the City Council,

I am writing to respectfully urge the Council to adopt the recommended proposal regarding temporary signage allowances within residential districts.

The proposed adjustments are thoughtfully designed to accommodate the legitimate, short-term needs of developers, builders, REALTORS®, lenders, and other industry partners during active property development. These allowances provide essential support for clear communication and direction during the development phase, without adversely impacting the visual character of our neighborhoods.

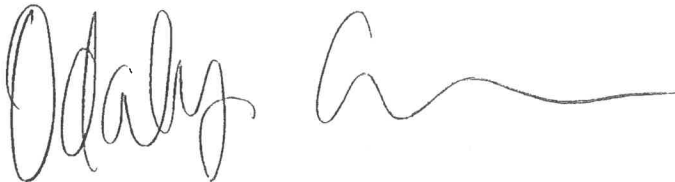
Importantly, the proposal limits the duration of temporary signage to the period of active development, ensuring that such signage does not extend into or affect established residential neighborhoods. This balanced approach helps preserve neighborhood aesthetics while supporting the practical needs of the local development community.

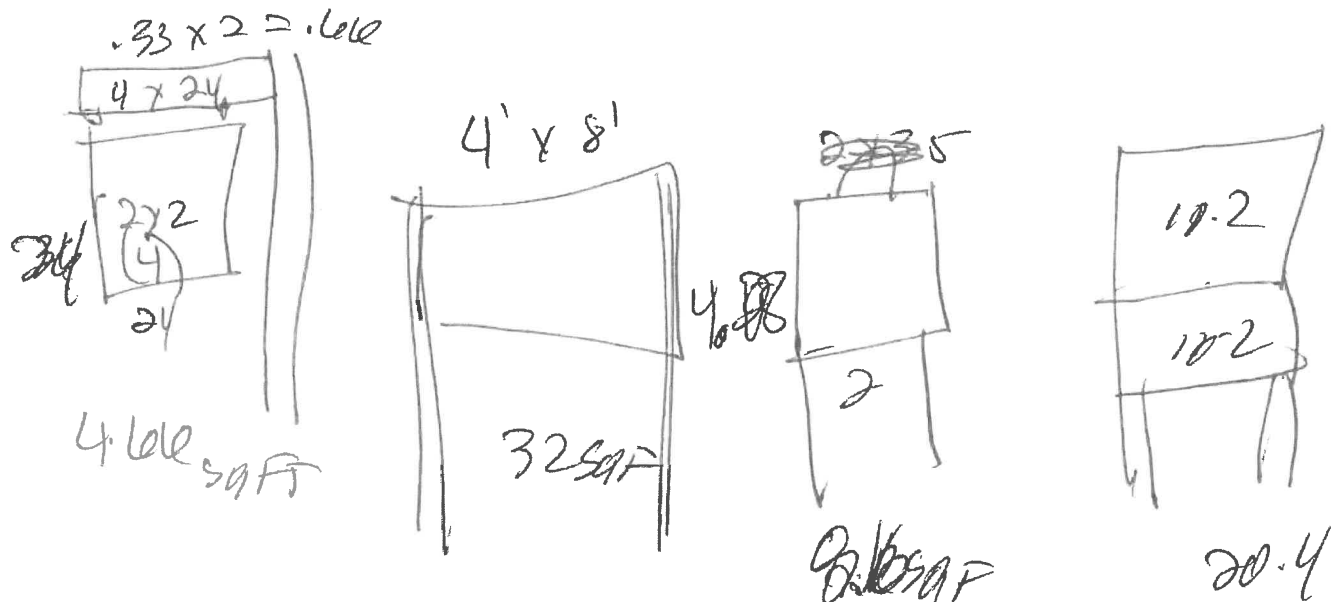
Furthermore, the recommended policy aligns with existing U.S. and Idaho Supreme Court precedent, reducing potential legal risk to the City and strengthening the enforceability of our municipal code.

We also respectfully request that the City forego any limit on the number of directional signs permitted per property. Directional signs are typically displayed for very short durations and serve a clear logistical function during property marketing and development. Imposing a limit of one directional sign per property would create unnecessary complications, where such decisions are more appropriately left to the property owner or market participants to determine based on practical need and customer access.

Thank you for your thoughtful consideration and for your continued commitment to supporting a vibrant local economy and housing market.

Respectfully,

A handwritten signature in black ink, appearing to read "Odaly A.", followed by a long, horizontal, wavy line that extends to the right.



Handwritten calculations:

$$\begin{array}{r}
 14.66 \\
 32.00 \\
 8.66 \\
 20.40 \\
 \hline
 75.72 \\
 \hline
 75.72 \text{ sq ft.}
 \end{array}$$

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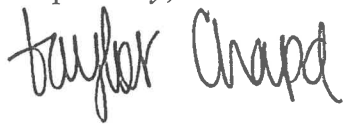
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Respectfully,

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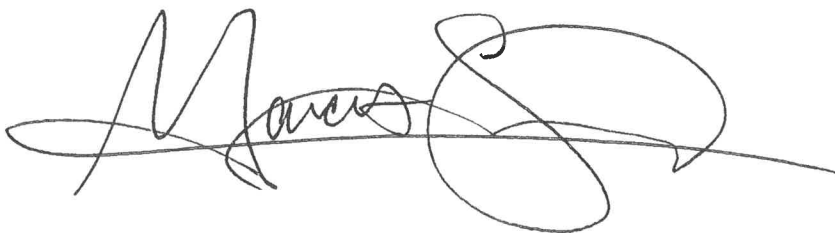
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Dakota Bales

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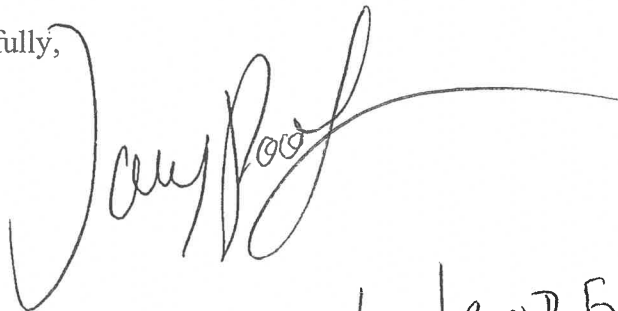
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Thank you for your thoughtful consideration and for your continued commitment to supporting a vibrant local economy and housing market.

Respectfully,

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7/31/2025

Revised Letter to Twin Falls City Council

July-August 2025

Dear Twin Falls City Council Members,

We, the undersigned property owners of Twin Falls, respectfully request that you revise the city's sign ordinance to adopt the proposed temporary signage allowances for residential districts (RR, TN1, TN2, TN3) and remove restrictions that violate our First Amendment rights, as established in *Reed v. Town of Gilbert* (576 U.S. 155, 2015).

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We urge the council to adopt these revisions and avoid potential legal challenges. We are available to discuss this further and appreciate your commitment to our community.

Sincerely,

- | | | | |
|----------|--------------------|----------|-----------------------------|
| 1. Name: | <u>[Signature]</u> | Address: | <u>761 Mtn View Dr IF</u> |
| 2. Name: | <u>[Signature]</u> | Address: | <u>761 Mtn View Dr</u> |
| 3. Name: | <u>[Signature]</u> | Address: | <u>2087 Rancho Vista Dr</u> |



Twin Falls Planning & Zoning Commission Minutes

Tuesday, July 8, 2025, 6:00 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

Chairperson Campbell called the meeting to order at 06:00 PM

Members Attending: Campbell, Zimmerman, Rambur, Weatherford, Gomes, Bulkley

Staff Attending: Spendlove, Klaver, Ebersole, Green, Glaesmann, Standley

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Request to approve minutes from the following meetings: June 10, 2025 and July 2, 2025.

Vice-Chairperson Zimmerman made a motion to approve the consent calendar, as presented. Commissioner Bulkley seconded the motion.

4) Items of Consideration

- a) Request for the consideration of the Preliminary Plat for Two Creeks Subdivision consisting of 101 lots on 43.15 acres located at The Springs at The Preserve, PUD. c/o Nestor Madrigal on behalf of Mark Kelly. (PZ25-0073).

Staff Presentation:

Senior Planner Klaver presented the request for the consideration of the Preliminary Plat for Two Creeks Subdivision consisting of 101 lots on 43.15 acres located at The Springs at The Preserve, PUD. c/o Nestor Madrigal on behalf of Mark Kelly. (PZ25-0073).

Per City Code 10-12-2-3: The Commission shall review the preliminary plat. The Commission's decision is final unless appealed to the City Council. The final plat is reviewed by the City Council.

Commission's Findings: In determining the acceptance of a proposed subdivision the Commission shall consider the objectives of this Title and at least the following:

1. The conformance of the subdivision with a Comprehensive Plan.
 2. The availability of public services to accommodate the proposed development.
 3. The continuity of the proposed development with the capital improvement program.
 4. The public financial capability of supporting services for the proposed development;
- and

5. The other health, safety or environmental problems that may be brought to the Commission's attention.

Action On Preliminary Plat: The Commission may approve, conditionally approve, disapprove, or table for additional information when acting on the preliminary plat.

The property has been zoned R-2 with the Preserve PUD since January 2012.

This is a one hundred and one (101) buildable lots and six (6) non-buildable lot preliminary plat that is a continuation of the Preserve subdivision. Roads are public, with primary access to this subdivision being on Candleridge Drive and Cheney Drive East. The PUD utilizes the R-4 zoning designation in this particular area. Using the R-4 minimum lot size requirements, 32 lots are limited to one unit on the property and 69 lots are eligible to be a duplex or if approved through a Special Use Permit, greater. This means without further approvals from the City, the proposed preliminary plat would allow a range from 101 - 170 units.

The comprehensive plan calls for this area to be Town Neighborhood which calls for a primarily residential area which is contiguous and clustered to maximize open space and community gathering areas with uses such as single family, duplexes, triplexes, townhomes, schools, civic facilities, etc.

This subdivision is on the eastern boundary of the City and contiguous to similar developments. The availability of public services is ample and should not be a hindrance to accommodate.

Staff has reviewed the preliminary plat based on the proposed development plan, zoning regulations and the Comprehensive Plan. Staff finds the preliminary plat is within compliance should the applicant conform to Staff recommended conditions.

Upon conclusion, this preliminary plat complies with the standards as outlined in the City's General Subdivision Provision of Title 10, Chapter 12, Section 3, all regulations regarding R-2, The Preserve PUD zoning development standards, and the 2016 comprehensive plan. All general criteria for approval have been met, per State Statute 50 - Chapter 13.

Should the Commission approve this request as presented, Staff recommends approval be subject to the following conditions:

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 preliminary plat, submitted prior to final plat submittal, showing compliance with all conditions and comments in the Engineering Memorandum dated June 5, 2025.

Applicant Presentation:

Mark Kelly is with the Preserve PUD. He explained the issues they have with the roads they currently have built.

PZ/Questions & Comments:

- Commissioner Rambur asked if there are any plans to change the plat that is being presented.

- Mark Kelly replied they are sticking to the plans.
- Commissioner Bulkley asked about the memorandum and if that is in process.
- Senior Planner Klaver explained the memorandum and why they created it ahead of time.
- Commissioner Rambur asked if the waterway to the east will remain open.
- Mark Kelly stated that everything there will stay.
- Commissioner Bulkley asked about the housing going in.
- Senior Planner Klaver clarified what type is going in.
- Commissioner Gomes asked if they are going to connect to 3200 E.
- Mark Kelly said they will loop together to create more access.

Public Comment: Opened

- Rod Millar had concerns and questions about the water rights, whether they are going to build duplex or triplex buildings and how that will affect the roadways.
- Jenna Johnson has questions about the change of single to multi family, the area of impact, if the Highway district had been contacted about the roadway and she feels traffic will be a problem.
- Nancy Taylor feels the commission should consider the conditions and the roadways the citizens need to access their homes. She feels Falls Ave is not for commercial purposes and is a vacation spot.

Public Comment: Closed

Mark Kelly addressed some concerns. He responded that the PUD was done a while ago. They are under the allotted amount of lots that are allowed with the PUD. He stated that once the roads are connected and finished, traffic shouldn't be an issue. The highway district was contacted at the beginning of the PUD. They have done the water testing required for the development. He stated they are not contemplating duplexes on these lots.

- Senior Planner Klaver clarified that the applicant cannot go over the unit number that was originally proposed. They can change a few things around but not increase the density.
- Commissioner Bulkley asked if staff know whether services can be supported.
- Senior Planner Klaver explained that part of the preliminary plat process is that infrastructure studies have been done.
- Director Spendlove clarified that if anything was missing it would be listed with the conditions.
- Chairperson Campbell asked for clarification on the conditions.
- Senior Planner Klaver explained the process and why the city created the memorandum so applicants can move forward.
- Commissioner Rambur asked about duplexes.
- Senior Planner Klaver replied that certain areas have different zones.
- Commissioner Gomes asked about the highway district and density with the roads.
- Senior Planner Klaver replied that all the roads are city roads, and the highway district has nothing to do with them until they are connected to theirs.

Discussions Followed:

The Commission feels that once the conditions have been met this should fit with the comprehensive plan.

MOTION: Commissioner Weatherford moved to approve the request for consideration of the Preliminary Plat for Two Creeks Subdivision consisting of 101 lots on 43.15 acres located at The Springs at The Preserve, PUD, with staff recommendations. c/o Nestor Madrigal on behalf of Mark Kelly (PZ25-0073). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 1.

5) Public Hearings

- a) Request for a Recommendation to City Council on the appropriate zoning district for a proposed Annexation on property generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East). c/o Champ LLC (PZ25-0015)

Staff Presentation:

Senior Planner Klaver presented the request for a Recommendation to City Council on the appropriate zoning district for a proposed Annexation on property generally located on the east side of the intersection of Kimberly Rd (Hwy 30) and Champlin Way (3300 East). c/o Champ LLC (PZ25-0015)

Per City Code 10-15-1: Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed plan and Zoning Ordinance changes for the unincorporated area. The Council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the Commission.

Per City Code 10-15-2 (A): The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

In May 2025, the subject properties were added to the City Planning Boundary, or Future Land Use Map of the City of Twin Falls Comprehensive Plan.

The Comprehensive Plan has designated this area as Mixed Use and Industrial.

- The land uses typically found in the Mixed Use designation are: Retail, Office, restaurants, Civic, Entertainment, Arts and Culture, Vertical Mixed Use, Town homes, Hotels, Apartments, Plazas and Parks.
- The land uses typically found in the Industrial designation are: Office Parks, Corporate Campus, Warehouse, General Manufacturing, Food Processing, and Industrial Campuses.

The proposed zoning for this request is Commercial Highway District (C-1) & Heavy Manufacturing District (M-2).

These zones are characterized by the following:

- *Purpose Statement:*

- C-1 is "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."
- M-2 is "This district is intended to provide industrial users ample room in the city to develop and expand without encroachment by non-compatible uses."
- Sample of Permitted Uses:
 - C-1: Doctors' offices, auditoriums, schools, dwellings with 5+ units, retail facilities, beauty and barber shops, construction trade offices, finance services, photography studios, etc.
 - M-2: Farms, dairy product processing, grain and seed processing, livestock sales, cemeteries, manufacturing building materials, furniture, concrete products, doctor's offices, auditoriums, fair grounds, retail facilities, construction yards, etc.
- Heights:
 - C-1: Fifty (50') feet
 - M-2: Fifty (50') feet

Where the surrounding zoning designations are C-1 and M-2 Staff believes the designations as presented would fit with the Comprehensive Plan.

The Commission is tasked to make a recommendation to the City Council by reviewing the comprehensive plan and the requested zoning designations compatibility with the future land use map designation.

The Commission will make a recommendation to City Council to approve the requested zoning designation, as presented, recommend denial of the requested zoning designation, recommend a different zoning designation or table the request for additional information.

Sample Motion:

1. Move to recommend to City Council the subject property be zoned as presented with the C-1 & M-2 zoning district.
2. Move to recommend to City Council the subject property be zoned _____.
3. Move to table the request for additional information.

Applicant Presentation:

David Thibault is with EHM Engineers LLC. He explained they would like to annex with a dual zone of C-1 and M-2.

PZ/Questions & Comments:

- Vice-Chairperson Zimmerman asked what the setback are with M-2 with residential.
- Director Spendlove replied it is a building setback of 25' with C-1 and there is no buffer with M-2.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission feels this is a good fit for this area.

MOTION: Commissioner Bulkley moved to approve the request for a recommendation to City Council on the appropriate zoning district for a proposed Annexation on property generally located on the east side of the intersection of Kimberly Rd (HWY 30) and Champlin Way (3300 East). c/o Champ LLC (PZ25-0015). Vice-Chairperson Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 6 to 0.

- b) Request for a Special Use Permit for a Recycling Center (Anaerobic Co-Digestion Facility) on property located at 630 Hankins Rd S. c/o Sawtooth Law Offices on behalf of VR Development Services, LC (PZ25-0062). - **RESCHEDULED**
- c) Request for a Special Use Permit to allow dog grooming on property located at 426 Main Ave S. c/o Tristine Hull (PZ25-0065). - **WITHDRAWN**
- d) Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Sign Regulation". c/o City of Twin Falls (PZ24-0121).

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 "Sign Regulation". c/o City of Twin Falls (PZ24-0121).

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

PZ/Questions & Comments:

- Commissioner Rambur asked about signs that are left and what happens to them.
- Supervisor Standley explained they are collected, and the owner has to pay a fee to get them back. He added that they have so many codes to enforce that they don't have time to go specifically looking for these.

Public Hearing: Opened

- Jordan Beard is a realtor and feels this sign code impacts everyone. He had questions about gated communities and special events and how to market.
- Mark Jones was here to represent the realtors and asked about the chart that was sent in. He is concerned about the parade of homes and the current properties that have different size signs. He pointed out the comment that was sent in and why they were asking for the different size.
- Francis Alves talked about the size of the signs. She doesn't think several signs can be on the same lot. She gave the example of the parade of homes and that all the vendors want to be on the same lot.
- Shellien Gilliland wants to be able to measure the right-of-way and know she is in compliance. She asked about directional illuminated signs.
- Matthew Lancaster is from the builder's association. They want to be able to have enough signage to show plat maps and other things.
- Thomas Wangeman had questions about political signage.
- Shawnee Powers had questions about the commercial side of the code with digital signs, will this affect the HPC area, flags, and window signs. Will existing signs be grandfathered in.
- Director Spendlove replied that gated communities can have off site signs near gate, still have to follow size limitations. Special event off site signs are allowed. No right-of-way placement allowed.

- Commissioner Rambur asked for clarification if they are maxed on building and monument signs can they place on the window.
- Director Spendlove explained it will count as a sign.
- Commissioner Weatherford asked for clarification of illuminated signs
- Director Spendlove stated temporary signs cannot be illuminated.
- Vice-Chairperson Zimmerman asked how many signs that were picked up were in the Right-of-way.
- Supervisor Standley replied they all were.

Public Hearing: Closed

Discussions Followed:

Commission feels this is a good change and a good start.

MOTION: Commissioner Bulkley moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Sign Regulation". c/o City of Twin Falls (PZ25-0121). Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 1.

6) Upcoming Meeting(s)

- a) August 6 - Work Session
- August 12

7) Adjournment

The meeting adjourned at 08:46 PM

Jody Green

Jody Green, Planning Technician



Date: Monday, August 18, 2025
To: Honorable Mayor and City Council
From: Jonathan Spendlove & William Klaver

ACTION ITEM

Request:

Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Zoning Actions" and "Appendix: Definitions". 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 chapters applicable to this Staff Report are "Zoning Actions" & "Definitions". The Zoning Actions chapter has not changed significantly from the previous code. These items are typically governed by state statute and we have not deviated from that. This proposed text amendment combines current Title 10 chapters 13, 14, 15, 16, and a portion of Chapter 6 into one (1) chapter. Furthermore, a matrix shows who recommends or approves each zoning decision. Some minor changes to update references will occur.

The Definitions chapter has been completely overhauled by staff, in conjunction with Deputy City Manager Humble. This proposed text amendment includes adding approximately ~100 terms/uses, deleting ~80 terms/uses, creating definitions for ~200 terms/uses, and modifying ~40 terms/uses. In the end, staff has combed through these definitions multiple times reviewing terms for clarity and simplification. In some instances terms were combined, in others new land uses or terms were created in order to more clearly define the subject.

Definitions 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.

10-14-7: ACTION BY COUNCIL:

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 Zoning Actions Chapter & the applicable Definitions 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 Planning and Zoning Commission forwarded a positive recommendation to the City Council, by a vote of 4-0, after holding a public hearing on July 2, 2025.

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 Zoning Actions & Definition chapters of Title 10 as presented;*
2. *Move to approve with conditions the proposed zoning text amendment to the Zoning Actions & Definition chapters of Title 10; or*
3. *Move to table the item to a date certain of _____*

Attachments:

1. PZ24-0121 Proposed Zoning Actions
2. PZ24-0121 Current Zoning Actions
3. PZ24-0121 Proposed Zoning Definitions
4. PZ24-0121 Current Zoning Definitions
5. July 2, 2025 Planning and Zoning Commission Minutes

10-8: ZONING ACTIONS

10-8-1: GENERAL.

- A. Chapter Purpose. This chapter outlines the zoning actions and appeals associated with the Twin Falls Uniform Development Code. Organization is based upon which entity has final approval over the action in question.
- B. Zoning Application Review & Procedures Chart.

Zoning Application	Description	City Staff	Historic Preservation Commission	Planning & Zoning Commission	City Council	Final Action
R – Recommendation D – Decision A – Appeal H – Public Hearing						
<i>Administrative Final Decisions</i>						
Building Permits		D		A	A	Permit
Nonconforming Expansion Waivers		D		A	A	Permit
Required Landscaping Field Modifications		D				Permit
Shared Parking Requests		D		A	A	Permit
Site Plan Permit		D		A	A	Permit
Zoning Verification Letters		D		A	A	Official Letter
Zoning Use Permits		D		A*	A*	Permit
<i>Historic Preservation Commission Final Decisions</i>						
Certificate of Appropriateness			D		A	Certificate
<i>Planning & Zoning Commission Final Decisions</i>						
Alternative Landscaping Plans				D	A	Reasoned Decision
Nonconforming Expansion Permit				H/D	A	Permit
Revocation of Zoning Permits				H/D	A	Reasoned Decision
Special Use Permits				H/D	A	Permits
Variance				H/D	A	Reasoned Decision

City Council Final Decisions						
Additional Building Height Request				H/R	H/D	Permit
Annexations				H/R	H/D	Ordinance
Vacations				H/R	H/D	Reasoned Decision
Zoning Development Agreements				H/R	H/D	Ordinance
Zoning District & Title Amendments				H/R	H/D	Ordinance
Comprehensive Plan Amendments				H/R	H/D	Resolution
Subdivisions						
Short Plats		D		A	A	Reasoned Decision
Preliminary Plats				D	A	Reasoned Decision
Final Plats					D	Reasoned Decision
NOTES: *Appeals of a Zoning Use Permit shall only be based upon the correct application of code conditions. The appeal shall not be utilized to request a modification or deviation of a land use condition as found in 10-4 of this Title.						

10-8-2: ADMINISTRATIVE DECISIONS.

- A. Criteria applicable to All Administrative Decisions
 - i. Action by the Administrator: The Administrator shall make a determination within 15 business days after submission of a complete application.
 - ii. Appeal of an Administrative Decision: The Administrators' decision may be appealed following the process outlined in CC 10-X-X.
- B. Zoning Use Permit. A *Zoning Use* is a land-use otherwise prohibited by the terms of this title in a given zone, but which may be allowed with conditions under specific provisions of this title as found in City Code 10-4: Zoning Use Development Standards.
 1. Authority to Grant. The Administrator shall authorize Zoning Use permits upon demonstration of the conditions in City Code 10-4, and other applicable regulations in Twin Falls City Code, have been met.
- C. Nonconforming Expansion Waiver. A Nonconforming Expansion Waiver is required for any proposed alteration, improvement, reconstruction or expansion which requires a building permit of any property which consists of an existing residential nonconforming building, structure, or use.

1. Application. The Nonconforming Expansion Waiver application will require all information deemed necessary as determined by the Administrator.
 2. Authority to Grant. The Administrator shall authorize Nonconforming Expansion Waiver permits upon review that the requested waiver does not expand or increase the nonconforming building, structure, or use associated with the subject property and other applicable regulations in Twin Falls City Code, have been met.
- D. Landscape Plan Field Modifications. Staff may approve Landscape Plan Field Modification(s) for required landscaping.
1. Such Field Modifications may be approved by the Administrator per the requirements established in 10-6-13:
 2. Staff must approve or deny Landscape Field modifications within five business day after receipt of a written request. The written request if approved shall become part of the pertinent building permit.
- E. Shared Parking Requests. A Shared Parking Request may be granted per the requirements established in 10-5-11 of this Title.
1. Authority to Grant: The Administrator shall authorize Shared Parking Requests upon demonstration of the conditions in City Code 10-5-11, and other applicable regulations in Twin Falls City Code, have been met.
- F. Building Permit. No person shall erect, construct, enlarge, alter, repair, move, convert or demolish any building or structure in the city or cause the same to be done without first obtaining a separate building permit for each such building or structure from the city building official.
- i. Certificate of Occupancy Required: It shall be unlawful to use, occupy, or permit the use or occupancy of any building, premises, or part thereof, thereafter created, erected, changed, converted, or wholly or partly altered, or enlarged in its use or structure, until a certificate of occupancy has been issued stating that the proposed use of the building and/or land conforms to the requirements of this title, and with all conditional provisions that may have been imposed.
 - (1) A temporary certificate of occupancy may be initially issued for a period not to exceed six (6) months.
 1. A nonrefundable fee, and refundable retainer, as determined by the adopted master fee schedule, shall be collected prior to issuance of a temporary certificate of occupancy.
 2. One extension may be granted for an additional three (3) months upon new application and payment of additional nonrefundable fee.
 3. Temporary Certificates expire at five o'clock (5:00) P. M. on the date listed.
 4. In the event a temporary certificate expires without completion of the Required Improvements, the entire retainer amount shall be forfeited to the City of Twin Falls. In addition to the retainer forfeiture, the City may also initiate revocation

proceedings of any permit, license, or any other approval, according to their respective revocation procedures.

- ii. Application For Permit: To apply for a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose by the city building official, who shall determine the acceptability of the request in conformance with the building code, and who shall thereupon issue or deny the application.

G. Site Plan Permit:

- i. No person shall perform construct, enlarge, alter, repair, move, convert or demolish any parking, landscaping, stormwater, or other site work in the city or cause the same to be done without first obtaining formal approval from the City (Site Plan Permit, Building Permit, etc.).
 - (1) What's required when they are done? Letter of completion? Bond? Etc.

10-8-3: HISTORIC PRESERVATION COMMISSION DECISIONS. Certificate of Appropriateness: See 10-3-3 thru 10-3-5 of this Title

10-8-4: PLANNING & ZONING COMMISSION DECISIONS.

- A. Criteria applicable to All Planning & Zoning Commission Decisions
 - (A) Post Hearing Commission Action. Within 30 days after the public hearing, the commission shall either approve, conditionally approve or disapprove the application as presented.
 - (B) Notification to Applicant. Within ten days after a decision has been rendered the administrator shall provide the applicant with written notice of the action on the request. Upon granting or denying an application the written notice from the commission shall specify:
 - i. The regulations and standards used in evaluating the application.
 - ii. The reasons for approval or denial.
 - iii. The actions, if any, that the applicant could take to obtain approval.
 - (C) The Planning and Zoning Commission's decision may be appealed following the process outlined in CC 10-X-X.
 - (D) Non-Precedent Clause. A decision shall not be considered as establishing a binding precedent to grant other Planning and Zoning Commission decisions.
 - (E) Commission Request for Additional Information. Prior to granting a decision, the commission may request studies from the planning staff or public agencies concerning social, economic, fiscal and environmental effects of the proposed application.

- B. Special Use Permit. A *special use* is a use otherwise prohibited by the terms of this title in a given zone, but which may be allowed with conditions under specific provisions of this title and when not in conflict with a comprehensive plan.
1. Authority to Grant. The commission may authorize in specific cases special uses, subject, however, to the minimum conditions and requirements of the zoning district in which they are located and subject to additional conditions and requirements necessary to protect the best interest of affected persons and the city as a whole.
 2. Application. An application for special use permit shall be filed with the administrator by at least one owner or lessee of property:
 - a. When a special use is proposed; or,
 - b. When an expansion of more than 25% over the original square footage approved through the special use permit process or a total increase in square footage over 10,000 square feet, whichever is less, or relocation of an existing special use is proposed.
 3. Application Information. The Special Use Permit application will require all information deemed necessary as determined by the administrator.
 4. Public Hearing. Upon receipt of a complete application for a special use permit, the Planning & Zoning Commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in **Section 10-7-20** of this title.
 5. Standards Applicable to Special Uses. The commission shall review the particular facts and circumstances of each proposed special use in terms of the following standards:
 - i. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
 - ii. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
 - iii. 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.
 - iv. Will not be hazardous or disturbing to existing or future neighboring uses.
 - v. 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.
 - vi. 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.
 - vii. 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 noise, smoke, fumes, glare or odors.
- viii. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
 - ix. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.
 - a. Conditions and Restrictions. In granting any special use, the commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title. Conditions of approval may include but not be limited to:
 - i. Minimizing adverse impact on other developments.
 - ii. Controlling the sequence and timing of development.
 - iii. Controlling the duration of development.
 - iv. Assuring that development is maintained properly.
 - v. Designating the exact location and nature of development.
 - vi. Requiring the provision for on site or off-site public facilities or services.
 - vii. Requiring more restrictive standards than those generally required in this title.
 - b. If the applicant fails to provide proof of compliance within one (1) year of approval, the special use permit shall be void.
- C. Variance. A variance is a modification of the requirements of this title as to bulk and dimensional requirements (lot size, coverage, width, depth, yards, setbacks, building heights, or other title provisions) affecting the size, shape, or placement of a structure upon lots, or the size of lots and public ways.
- 1. Authority to Grant.
 - a. The commission may authorize in specific cases such variance from the terms of this title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title would result in unnecessary hardship.
 - b. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for issuance of a variance.
 - c. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this title would result in unnecessary hardship or the loss of a building or site that is on a national, state or local register of historic places or sites.
 - d. Variances Concerning Uses Prohibited. Under no circumstances shall the commission grant a variance to allow a use not permissible under the terms of this title in the district involved, or any use expressly or by implication prohibited by the terms of this title in said district.

2. Application. The Variance application will require all information deemed necessary as determined by the administrator.
3. Public Hearing. Upon receipt of a complete application for a variance, the Planning and Zoning Commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in **section 10-7-20** of this title.
 - a. Standards Applicable to Variances. The commission shall review the particular facts and circumstances to evaluate whether the proposed variance meets all of the following:
 - i. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - ii. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.
 - iii. That special conditions and circumstances do not result from the actions of the applicant.
 - iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.
 - v. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.
 - b. A variance shall not be granted unless the commission makes specific findings of fact based directly on the particular evidence presented to it which support conclusions that the above-mentioned standards and conditions have been met by the applicant.
 - c. The Planning and Zoning Commission may prescribe appropriate conditions and safeguards in conformity with this title.
- D. Nonconforming Expansion Permit. A Nonconforming Expansion Permit is required for any proposed expansion of any component of an existing nonconforming building, structure, or use.
 1. Application. The Nonconforming Expansion Permit application will require all information deemed necessary as determined by the administrator.
 2. Public Hearing. Upon receipt of a complete application for a nonconforming expansion, the Planning and Zoning Commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in **section 10-7-20** of this title.
 - a. Standards Applicable to Nonconforming Expansions. The commission shall review the particular facts and circumstances to evaluate the following in regard to their approval of a nonconforming expansion:

- i. Will the proposed expansion be harmonious with and in accordance with the general objectives of the comprehensive plan and/or zoning regulation?
- ii. Will the proposed expansion be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity?
- iii. Will the proposed expansion involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare of the surrounding neighborhood by reason of excessive production of traffic, noise, smoke, fumes, glare or odors?
- iv. Will the proposed expansion have any other adverse impact upon the surrounding neighborhood?
- v. Considerations relating to traffic safety:
 - (A) The effect of the site development plan on traffic conditions on contiguous streets.
 - (B) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.
 - (C) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
 - (D) The location, arrangement and dimensions of truck loading and unloading facilities.
 - (E) The circulation patterns within boundaries of the development.
 - (F) The surfacing and lighting of off-street parking facilities.
- vi. Considerations relating to outdoor advertising and noise:
 - (A) The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent developments.
 - (B) The nuisance effect of additional noise.
- vii. Considerations relating to relating to landscaping:
 - (A) The location, height and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent developments or to conceal storage areas, utility installation or other unsightly development.
 - (B) The planting of ground cover or surfacing to prevent dust and erosion.
 - (C) The unnecessary destruction of existing healthy trees.
 - (D) The restoration of natural vegetation.
 - (E) The aesthetic effects on motorists, bicyclists and pedestrians passing along public rights of way adjacent to or included with the development.
- viii. Considerations relating to buildings and site layout: The considerations of exterior design in relation to adjoining structures in height, bulk and

- area openings, breaks in the facades and facing on streets, line and pitch of roof and arrangement of structure on the parcel.
- ix. Considerations relating to drainage and utilities:
 - (A) The effect of the site development plan in relation to the adequacy of the storm and surface water drainage proposals.
 - (B) The use of city sewer and water.
 - (C) The underground placement of utilities.
 - b. The commission may impose special conditions designed to lessen the impact of the proposed expansion on the surrounding neighborhood and in order to make the proposed expansion more compatible with the same. Violation of such special conditions, when made a part of the terms under which the nonconforming building expansion permit is granted, shall be deemed a violation of this title.
- (B) Alternative Landscaping Plan. **See 10-6-3: Alternative Landscaping Plan** of this Title.
- (C) Preliminary Plat. **See 10-6-3: Preliminary Plat** of this Title.

10-8-5: CITY COUNCIL FINAL DECISION

- A. Annexation.
 - 1. Prior to annexation of an unincorporated area the subject property must meet the following:
 - a. The subject property must be contiguous with a City of Twin Falls incorporated parcel or lot;
 - b. The subject property must be within the Twin Falls Comprehensive Plan as adopted by the City of Twin Falls; and,
 - c. Per the City Engineer, it must be possible to provide City centralized water and sewer services to the subject property.
 - 2. Annexation Process.
 - a. The Commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed annexation plan and zoning changes. The Commission shall recommend to the Council approval, denial, or approval with modifications of the proposed annexation and zoning change.
 - b. After a recommendation by the Commission concerning the annexation plan and zoning change of the subject property, the City Council shall hold a public hearing.

B. Vacation.

1. **Petition Required.** Any property owner desiring to vacate an existing subdivision, plat, public right of way, or platted easement shall complete and file a petition with the Administrator. The petition for vacation shall set forth the particular circumstances of the request to vacate; contain a legal description of the platted area or property to be vacated and the names of the persons affected thereby. In the case where lots have been sold in a platted area, the petition should include an acknowledged written statement from each of the owners of the aforesaid sold lots indicating whether or not they are in agreement with the proposed vacation.
2. **Administration Action.** Upon receipt of the completed petition, the Administrator shall affix the date of petition acceptance thereon. The Administrator shall place the petition on the agenda for consideration at the next regular meeting of the Commission.
3. **Public Hearing.** The Commission shall hold a public hearing and make recommendations on all petitions for vacation of an existing subdivision, plat or part thereof, and notice of said public hearing shall be given, by certified mail with return receipt, at least ten days prior to the date of the public hearing to all property owners within 300 feet of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two consecutive weeks in the official newspaper of the City, the last of which shall not be less than seven days prior to the date of said hearing.
4. **Commission Recommendation.** Within 60 days from the receipt of the petition for vacation, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.
5. **Action by Council.** The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a signed Quit Claim Deed for the vacated rights of way in such proportions as are prescribed by law.

C. Final Plat. See **Section 10-7-20: Final Plat** of this Title

D. Zoning District & Title Amendments.

1. **Authority to Amend.** Whenever the public necessity, convenience, general welfare or good zoning practices require, the City Council may, by ordinance, after receipt of recommendation thereon from the Commission and subject to procedures provided by law, change the zoning district classification of property.
2. **Initiation of Zoning District Changes.**
 - a. By adoption of a motion by the commission.
 - b. By adoption of a motion by the council.

- c. By the filing of an application by a property owner or a person who has an existing interest in property within the area proposed to be changed or affected by said amendment.
- 3. Criteria For Review: The planning and zoning commission and city council shall review the facts and circumstances of each proposal in terms of the following standards:
 - a. How the requested zoning at the location in question would be in the community's best interest;
 - b. How the list of uses permitted by the zoning ordinance would blend with surrounding land uses;
 - c. If the subject site is physically suitable for the type and intensity of land uses permitted under the proposed zoning district;
 - d. If the uses permitted in the proposed zoning district would be adequately served by public facilities and services such as thoroughfares, police and fire protection, drainage, refuse disposal, water, sewer, and schools, to ensure the public health, safety and general welfare;
 - e. If the uses permitted in the proposed zoning district would be compatible in terms of their scale, mass, coverage, density, and intensity with adjacent land uses;
 - f. Whether the proposed zoning designation is consistent with the comprehensive plan land use map designation.
- 4. Commission Action. Zoning Districts, Overlay Districts, and Title Amendments shall be submitted to the commission which shall hold a public hearing and evaluate the request to determine the extent and nature of the amendment requested.
- 5. Approval or Denial of the requested Zoning District Change. Within 60 days from the receipt of the proposed amendment, the commission shall transmit its recommendation to the council. The commission may recommend that the zoning district change be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for zoning district changes are in general conformance with the comprehensive plan.
- 6. Action by City Council. The Council, prior to adopting, revising or rejecting the proposed zoning district change as recommended by the commission shall conduct at least one public hearing. 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 approval of the requested zoning district change.

- E. Additional Height Request. An applicant may request for a greater height allowance.
1. Additional Height Request Procedure.
 - a. Public Hearing: Upon receipt of a complete application for an Additional Height Request the Planning & Zoning Commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in **section 10-7-20** of this Title.
 - b. The Planning & Zoning Commission shall conclude the hearing with a recommendation of approval, approval with conditions, or denial to the City Council.
 2. Post Hearing Commission Action. Within 30 days after the public hearing, the commission shall either approve, conditionally approve or disapprove the application as presented. If the application is approved or approved with conditions, the commission shall direct the administrator to issue a special use permit listing the specific conditions specified by the commission for approval.
 3. 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.
 4. Upon granting or denying an application to amend the Comprehensive Plan, 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.
- F. Zoning Development Agreement:
1. A zoning development agreement (ZDA) is designed to accommodate appropriate combinations of uses that may be planned, developed, and operated as integral land use units either by a single owner or a combination of owners. A ZDA is intended to accomplish some, or all of the following:
 - a. Foster and promote a variety of appropriate land use combinations in a preplanned development pattern;
 - b. Encourage developers to use a creative approach in land development;
 - c. Retain and conserve natural land and topographic features;
 - d. Promote greater use of streetscape and pedestrian oriented aesthetics;
 - e. Promote the creation and efficient use of open spaces;
 - f. Create flexibility and variety in the location of improvements on lots;
 - g. Provide flexibility in development standards to facilitate creative land development concepts.

2. Underlying Zoning District. Each ZDA shall accompany a request to rezone a subject property to one or more underlying zoning districts that shall comply with the comprehensive plan.
3. Use Regulations. Land uses in a ZDA shall conform to the standards and regulations of the underlying zoning district(s), unless otherwise approved and included within the ZDA.
4. ZDA Standards. The following property development standards shall apply to all land and buildings in a ZDA:
 - a. Development requirements for each ZDA shall be set forth in the written commitment document and shall include, but not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, multiuse transportation access and pathways, screening, landscaping, architectural standards, project phasing or scheduling, management associations, and other requirements as the planning and zoning commission and/or the city council may deem appropriate.
 - b. The ZDA shall conform to all sections of this title unless specifically addressed in the written commitment document. All applications to the city shall list all requested variations from the standard requirements. Applications without this list shall be considered incomplete.
 - c. A ZDA subject parcel shall be a minimum of two acres unless the planning and zoning commission recommends and the city council finds that property of less than two acres is suitable as a ZDA by virtue of:
 - i. Unique character; or
 - ii. Infill development; or
 - iii. Topography or landscaping features; or
 - iv. Qualifying as an isolated problem area.
5. ZDA Conceptual Development Plan.
 - a. A ZDA shall include a conceptual development plan that illustrates the standards contained therein. This plan shall be submitted by the applicant at the time the zoning and ZDA request is submitted. The plan shall show the applicant's intent for the use(s) of the land within the proposed ZDA in a visual manner and be supported by written documentation of proposals and standards for development. Dependent on the nature of the ZDA request, this plan may be submitted as a residential plan, nonresidential plan, or a mixed-use combination plan. For a mixed-use development, the plan shall comply with requirements for both the residential and nonresidential plans.
 - b. Residential Conceptual Development Plan. A conceptual development plan for residential land use shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. The plan shall include, but is not limited to, the proposed general land use, streets,

thoroughfares, storm drainage, and preliminary lot arrangements. The applicant shall submit text material to further explain the characteristics of the plan, which may include, but shall be not limited to, multiuse transportation access and pathways, density, building height, screening, landscaped areas, project scheduling, parks and open space, and other pertinent development data. The applicant shall also submit color renderings or elevations to illustrate proposed architectural standards or requirements.

- c. Nonresidential Conceptual Development Plan. A conceptual development plan for nonresidential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. The applicant shall also submit text material to further explain the characteristics of the plan. The plan and text material shall include, but is not limited to, the types of use(s), topography and boundary of ZDA subject parcel, the size, type and location of buildings and building sites, proposed ingress and egress, physical features of the site, existing streets, stormwater management, alleys and easements, location of future public facilities, multiuse transportation access and pathways, building height and location, parking, landscaping, screening, project scheduling and other information to adequately describe the proposed development and to provide data for approval that is to be used in preparing the final development plan(s). The applicant shall also submit color renderings or elevations to illustrate proposed architectural standards or requirements.
6. Conformance to The Conceptual Development Plan. Final development plans, including plats, construction plans, and/or site plans, submitted for the development of the ZDA subject parcel shall conform to the approved conceptual development plan. Details on the final development plan(s) with minor variations from the conceptual development plan may be approved by the administrator, or designated city official without public hearing. If it is determined that a proposed change(s) constitutes a departure from the conceptual development plan and/or the development standards, the ZDA written commitment document shall be adequately amended using the initial approval process contained herein. Changes to any of the following items constitute a departure from the conceptual development plan and/or development standards, thus changing the basic relationship of the proposed development to the adjacent property:
 - a. The permitted uses,
 - b. Increase in density,
 - c. Increase in building height,
 - d. Increase in building coverage of the site,
 - e. Reduction in the off-street parking ratio,
 - f. Reducing the building setbacks provided at the boundary of the site,
 - g. Reduction of any open space plans, or

- h. Alteration of the overall design theme, primary architectural elements, or building materials.
7. Procedure.
- a. Any applicant shall schedule a project coordination meeting with the administrator, or his/her designee.
 - b. The procedure for establishing a ZDA shall follow the procedure for zoning map amendments as set forth in **Chapter 14**.
 - c. Each ZDA written commitment document shall be signed and notarized by the property owner(s) and shall include the following:
 - i. A legal description of the ZDA subject parcel boundary, including legal descriptions of each underlying zoning district, if multiple underlying districts are included.
 - ii. A statement as to the purpose and intent of the ZDA.
 - iii. A list of the ZDA development requirements that vary from the standard development requirements of the underlying zoning district.
 - iv. An expected development schedule. If no development has occurred on the ZDA subject parcel within the time identified, the planning and zoning commission and city council may review the original ZDA development requirements and conceptual development plan to ensure their continued validity. If the city determines the concept is no longer valid, then:
 - (A) The city may initiate a process to change the zoning classification, or
 - (B) New ZDA development requirements and/or a new conceptual development plan may be required to be approved prior to the city issuing a building permit for any portion of the ZDA subject parcel.
 - v. A statement, signed by the property owner(s) and notarized, indicating a commitment to develop the subject parcel in conformance with the ZDA.
 - d. The city council shall not adopt an ordinance rezoning the subject parcel until the property owner/developer has submitted a complete and signed ZDA written commitment document. The signed ZDA written commitment document shall be attached as an exhibit to the rezoning ordinance and recorded in the office of the county recorder.
 - e. Approval of a ZDA shall be based on the following standards:
 - i. The proposed uses shall not be detrimental to any surrounding uses; nor shall they be detrimental to the health, safety and general welfare of the public.
 - ii. Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.
 - iii. The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.

- iv. Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development.
- (D) Comprehensive Plan Amendments. Whenever the public necessity, convenience, general welfare or good zoning practices require, the council may, by resolution, after receipt of recommendation thereon from the commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property.
1. Initiation of Amendments. Amendments to the Comprehensive Plan may be initiated in one of the following ways:
 - a. By adoption of a motion by the commission.
 - b. By adoption of a motion by the council.
 - c. By the filing of an application by a property owner or a person who has an existing interest in property within the area proposed to be changed or affected by said amendment.
 2. Amendment Application, Contents. The Comprehensive Plan Amendment application will require all information deemed necessary as determined by the administrator.
 3. Commission Action. Comprehensive Plan Amendments shall be submitted to the commission which shall hold a public hearing and evaluate the request to determine the extent and nature of the amendment requested.
 4. Approval or Denial of the requested Comprehensive Plan Amendment. Within 60 days from the receipt of the proposed amendment, the commission shall transmit its recommendation to the council. The commission may recommend that the application be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied.
 7. Action by City Council. The Council, prior to adopting, revising or rejecting the proposed zoning district change as recommended by the commission shall conduct at least one public hearing. Upon granting or denying an application to amend this title, the council shall specify:
 - d. The regulations and standards used in evaluating the application.
 - e. The reasons for approval or denial.
 - f. The actions, if any, that the applicant could take to obtain approval of the requested zoning district change.
 8. Resubmission of Application. No application for a reclassification of any property which has been denied by the council shall be resubmitted in either substantially the same form or with reference to substantially the same premises for the same purposes within a period of one year from the date of such final action.

10-8-6 APPEAL PROCESS.

- (A) Appeal of Administrative Decision.

1. Standing to Appeal. A person aggrieved by the Administrator's interpretation of this Code, or by an Administrative Decision, may file an appeal with the Planning & Zoning Commission.
 2. Timing of Appeal. The appealing party shall submit a complete appeal application and fee within ten days of the written decision.
 3. Scheduling of Appeal. The application for appeal shall be forwarded to the Planning & Zoning Commission, no later than 30 days after the appeal is filed as an Item of Consideration.
- (B) Appeal of the Historic Preservation Commission's decision regarding a Certificate of Appropriateness.
1. Standing to Appeal. A person aggrieved by the Historic Preservation Commission's decision may file an appeal with the City Council.
 2. Timing of Appeal: The appealing party shall submit a complete appeal application and fee within ten days of the written decision.
 3. Scheduling of Appeal: The application for appeal shall be forwarded to the City Council, no later than 30 days after the appeal is filed as an Item of Consideration.
- (C) Appeal of Planning & Zoning Commission Decisions.
1. Standing to Appeal. A person aggrieved by the Planning & Zoning Commission's decision may file an appeal with the City Council.
 2. Timing of Appeal. The appealing party shall submit a complete appeal application and fee within ten days of the written decision.
 3. Notice of Filed Appeal. The Administrator shall give notice that an appeal has been received to the parties of record. Failure of delivery or delay of receipt of the notice shall not extend the appeal period or be grounds for appeal.
 4. Scheduling of Appeal. The application for appeal shall be forwarded to the City Council, and a date shall be set for a public hearing. The hearing date shall be no later than 30 days after the appeal is filed.
- (D) Notice of Appeal Required.
1. The appealing applicant shall follow the same process and notification requirements as the original party.

10-8-7: REVOCATION OF ZONING PERMITS

- (A) Any privilege, permit or license, hereinafter called permit, granted pursuant to this title, including any permit granted prior to the passage of this section, and with the exception of rezone requests, may be revoked for the following reasons:
1. When a significant change in the use which does adversely impact neighboring developments occurs.

2. For violation of supplementary conditions, safeguards and/or restrictions imposed by the city council or the planning and zoning commission at the time the permit was granted.
 3. Use of a zoning permit or certificate for a use other than the use for which said permit or certificate was issued.
- (B) A petition for revocation may be initiated in the following manner:
1. By adoption of a motion by the commission for revocation of the permit.
 2. By adoption of a motion by the council for revocation of the permit.
 3. By the filing of a petition by an aggrieved property owner or person who has an existing interest in property within the area affected by the contested use.
- (C) Notice of initiation of revocation proceedings shall be provided to the permit holder in writing within fifteen (15) days of the filing of the petition for revocation or the passage of a motion initiating revocation proceedings. Notice shall include the following:
1. The name of the party or parties petitioning for a permit revocation.
 2. The date and time of passage of a motion to revoke by the zoning body, or the date of filing of the petition to revoke.
 3. The change in circumstances which has been alleged to have occurred and the adverse impact which said change in circumstances is expected to have.
 4. The supplementary conditions, safeguards and restrictions alleged to have been violated.
- (D) A public hearing on the motion or petition to revoke shall be held before the appropriate zoning body. The permit holder, city staff and/or any aggrieved party may present testimony or other evidence at said hearing. Said hearing shall be held within forty five (45) days of the filing of a petition for revocation or the passage of a motion initiating revocation proceedings. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title.
- (E) The decision of the zoning body hearing a revocation proceeding shall be based on the record. If said zoning body finds substantial evidence on the record that continuance of the use in question will result in a significant adverse impact on the surrounding developments or other affected parties, and that the permit holder is unable or unwilling to alleviate the adversity, or if said zoning body finds substantial evidence on the record that conditions, safeguards or restrictions imposed by the commission or council have been violated, the zoning body may revoke the permit in question.
- (F) A permit which has been revoked may be reinstated only by reapplying for said permit.
- (G) Within ten (10) days after a decision has been rendered, the administrator shall provide the permit holder with written notice of the action taken.

Upon receipt of a decision from the planning and zoning commission, an aggrieved party may appeal to the city council. The council shall set a hearing date and shall hold a public hearing pursuant to the provisions provided herein.

10-8-8: TRANSFER, REACTIVATION AND DISCONTINUANCE OF PERMITS

- (A) Transfer, reactivation, and Discontinuance:
- (B) Transfer of Administrative Permits: A Zoning permit is not transferable from one parcel of land to another, but may be transferable from one owner to another, provided all conditions of the permit continue to be met.
- (C) Reactivation of Administrative Permits: Permits which have not been established within one year of the date of issuance of the permit, may be reviewed by staff to determine if the facts and circumstances have changed; staff may call for a new permit application.
- (D) Discontinuance of Administrative Permits: Discontinuance of a Zoning permit shall comply with Idaho State Code 67-6538.
 - 1. If the property is redesigned for a different use, the property owner shall be deemed to have abandoned any grandfather right to the prior use of the property.

10-8-9: PUBLIC HEARING NOTICE REQUIREMENTS

Public notice shall be provided for land use actions requiring a public hearing. Public notice shall comply with the following requirements. Public hearings for appeals to the administrator's interpretation and administration of this title, zoning title amendments not relating to a specific property, and comprehensive plan amendments not relating to a specific property are not required to provide mail and site posting notice. Public notice for appeals shall follow the public notice requirements of the original application.

- (A) Mail: Mail notice shall be provided as follows when required:
 - 1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be provided by mail to the following:
 - a. Property owners, or purchasers of record, within the land being considered;
 - b. Property owners, or purchasers of record, within five hundred feet (500') of the external boundaries of the land being considered;
 - (1) For special use permit, zoning map amendment, and future land use map amendment requests involving the R6, MHO-1, and nonresidential districts, except M1, M2, and OS, notices shall be mailed to property owners, or purchasers of record, within seven hundred fifty feet (750') of the external boundaries of the land being considered.
 - (2) For special use permit, zoning map amendment, and future land use map amendment requests involving the M1 and M2 districts, notices shall be mailed to property owners, or purchasers of record, within one thousand feet (1,000') of the external boundaries of the land being considered.

- (3) Any additional property owners, or purchasers of record, that may be impacted by the proposed change as determined by the administrator, and
 - (4) All political subdivisions providing services within the planning jurisdiction, including the city, school districts, and the Magic Valley regional airport manager.
 2. Vacations shall follow mailing requirements as outlined in Idaho State Code Section 50, Chapter 13.
 3. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
 4. The applicant requesting the proposed change shall mail the notices to the required property owners. Upon mailing, the applicant shall sign an affidavit stating that he has notified in writing the required property owners as to his purpose of application, time and place of hearing, residents served, and date of service. A copy of the notification shall be attached to the affidavit and returned to the city not less than ten (10) days prior to the hearing.
- (B) Site Posting: Notice shall be posted on site as follows when required:
1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be posted on the premises.
 2. The applicant requesting the proposed change shall post the required notice on the premises as follows:
 - a. Notice shall be provided by not less than one sign located on the subject property adjacent to each street frontage of the property. In the event that the subject property is not adjacent to a public street, signs may be placed within the nearest public street right of way with prior approval from the administrator and the owner of the right of way.
 - b. Signs shall be placed on the property so as to remain clearly visible from adjacent streets. In the event that visibility of signs located on the property is obstructed, signs may be placed within the adjacent street right of way with prior approval from the administrator and the owner of the right of way.
 - c. Additional notice signs may be required as determined by the administrator.
 - d. Notice signs shall be made from metal, plywood, or an equivalent hard surface and shall be mounted on two (2) posts in a manner that is most visible to the street.
 - e. Notice signs shall be a minimum of two feet (2') tall by three feet (3') wide and mounted so the bottom of the sign is at least two feet (2') above the ground. Notice signs that are located along a city designated arterial street or a state highway shall be a minimum of four feet (4') tall and four feet (4')

wide and mounted so the bottom of the sign is at least three feet (3') above the ground.

- f. Notice signs shall be white in color. At the top of the sign, notice signs shall include each of the following with a minimum size of six inch (6") black letters:
 - 1. The words, "Notice of Public Meeting",
 - 2. The words, "for more information call", and then the phone number for the city's planning and zoning department, and
 - 3. The official city logo.
- g. Notice signs shall include a brochure holder mounted to the sign. The applicant requesting the proposed change shall ensure that, until such time as the notice sign is removed, the brochure holder contains handouts providing notice of the time and place of the hearing and a summary of the proposal. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
- i. The applicant requesting the proposed change shall remove the posted notice sign(s) from the property not more than three (3) days after the conclusion of the final public hearing for the proposed action.

(C) Newspaper: Newspaper notice shall be provided as follows when required:

- 1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction of the city.
- 2. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
- 3. The administrator shall cause the newspaper notice to be prepared and published.

(D) City Website: Notice shall be provided on the city website as follows when required:

- 1. At least fifteen (15) days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be posted on the city website, www.tfid.org.
- 2. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.
- 3. The administrator shall cause the notice to be posted on the city website. (Ord. 3091, 3-2-2015)

DRAFT

10-6-1: ZDA, ZONING DEVELOPMENT AGREEMENT:

10-6-1.1: PURPOSE:

A zoning development agreement (ZDA) is designed to accommodate appropriate combinations of uses that may be planned, developed, and operated as integral land use units either by a single owner or a combination of owners. A ZDA is intended to accomplish some, or all of the following:

- (A) Foster and promote a variety of appropriate land use combinations in a preplanned development pattern;
- (B) Encourage developers to use a creative approach in land development;
- (C) Retain and conserve natural land and topographic features;
- (D) Promote greater use of streetscape and pedestrian oriented aesthetics;
- (E) Promote the creation and efficient use of open spaces;
- (F) Create flexibility and variety in the location of improvements on lots;
- (G) Provide flexibility in development standards to facilitate creative land development concepts. (Ord. 3082, 12-8-2014)

10-6-1.2: UNDERLYING ZONING DISTRICT:

Each ZDA shall accompany a request to rezone a subject property to one or more underlying zoning districts that shall comply with the comprehensive plan. (Ord. 3082, 12-8-2014)

10-6-1.3: USE REGULATIONS:

Land uses in a ZDA shall conform to the standards and regulations of the underlying zoning district(s), unless otherwise approved and included within the ZDA. (Ord. 3082, 12-8-2014)

10-6-1.4: ZDA STANDARDS:

The following property development standards shall apply to all land and buildings in a ZDA:

(A) Development requirements for each ZDA shall be set forth in the written commitment document and shall include, but not be limited to: uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, multiuse transportation access and pathways, screening, landscaping, architectural standards, project phasing or scheduling, management associations, and other requirements as the planning and zoning commission and/or the city council may deem appropriate.

(B) The ZDA shall conform to all sections of this title unless specifically addressed in the written commitment document. All applications to the city shall list all requested variations from the standard requirements. Applications without this list shall be considered incomplete.

(C) A ZDA subject parcel shall be a minimum of two (2) acres unless the planning and zoning commission recommends and the city council finds that property of less than two (2) acres is suitable as a ZDA by virtue of:

1. Unique character; or
2. Infill development; or
3. Topography or landscaping features; or
4. Qualifying as an isolated problem area. (Ord. 3082, 12-8-2014)

10-6-1.5: ZDA CONCEPTUAL DEVELOPMENT PLAN:

A ZDA shall include a conceptual development plan that illustrates the standards contained therein. This plan shall be submitted by the applicant at the time the zoning and ZDA request is submitted. The plan shall show the applicant's intent for the use(s) of the land within the proposed ZDA in a visual manner and be supported by written documentation of proposals and standards for development. Dependent on the nature of the ZDA request, this plan may be submitted as a residential plan, nonresidential plan, or a mixed use combination plan. For a mixed use development, the plan shall comply with requirements for both the residential and nonresidential plans.

(A) Residential Conceptual Development Plan: A conceptual development plan for residential land use shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. The plan shall include, but is not limited to, the proposed general land use, streets, thoroughfares, storm drainage, and preliminary lot arrangements. The applicant shall submit text material to further explain the characteristics of the plan, which may include, but shall be not limited to, multiuse transportation access and pathways, density, building height, screening, landscaped areas, project scheduling, parks and open space, and other pertinent development data. The applicant shall also submit color renderings or elevations to illustrate proposed architectural standards or requirements.

(B) Nonresidential Conceptual Development Plan: A conceptual development plan for nonresidential uses shall set forth the land use proposals in a manner to adequately illustrate the type and nature of the proposed development. The applicant shall also submit text material to further explain the characteristics of the plan. The plan and text material shall include, but is not limited to, the types of use(s), topography and boundary of ZDA subject parcel, the size, type and location of buildings and building sites, proposed ingress and egress, physical features of the site, existing streets, stormwater management, alleys and easements, location of future public facilities, multiuse transportation access and pathways, building height and location, parking, landscaping, screening, project scheduling and other information to adequately describe the proposed

development and to provide data for approval that is to be used in preparing the final development plan(s). The applicant shall also submit color renderings or elevations to illustrate proposed architectural standards or requirements. (Ord. 3082, 12-8-2014)

10-6-1.6: CONFORMANCE TO THE CONCEPTUAL DEVELOPMENT PLAN:

Final development plans, including plats, construction plans, and/or site plans, submitted for the development of the ZDA subject parcel shall conform to the approved conceptual development plan. Details on the final development plan(s) with minor variations from the conceptual development plan may be approved by the administrator, or designated city official without public hearing. If it is determined that a proposed change(s) constitutes a departure from the conceptual development plan and/or the development standards, the ZDA written commitment document shall be adequately amended using the initial approval process contained herein. Changes to any of the following items constitute a departure from the conceptual development plan and/or development standards, thus changing the basic relationship of the proposed development to the adjacent property:

- (A) The permitted uses,
- (B) Increase in density,
- (C) Increase in building height,
- (D) Increase in building coverage of the site,
- (E) Reduction in the off street parking ratio,
- (F) Reducing the building setbacks provided at the boundary of the site,
- (G) Reduction of any open space plans, or
- (H) Alteration of the overall design theme, primary architectural elements, or building materials. (Ord. 3082, 12-8-2014)

10-6-1.7: PROCEDURE:

(A) Any applicant requesting approval of a ZDA shall schedule a presubmittal meeting with the administrator, or his/her designee.

(B) The procedure for establishing a ZDA shall follow the procedure for zoning map amendments as set forth in chapter 14 of this title with the following addition: The planning and zoning commission shall complete a preliminary review of the proposed conceptual development plan at a meeting prior to the public hearing for a zoning district and zoning map amendment.

(C) Each ZDA written commitment document shall be signed and notarized by the property owner(s) and shall include the following:

1. A legal description of the ZDA subject parcel boundary, including legal descriptions of each underlying zoning district, if multiple underlying districts are included.
2. A statement as to the purpose and intent of the ZDA.
3. A list of the ZDA development requirements that vary from the standard development requirements of the underlying zoning district.
4. A color conceptual development plan.
5. An expected development schedule. If no development has occurred on the ZDA subject parcel within the time identified, the planning and zoning commission and city council may review the original ZDA development requirements and conceptual development plan to ensure their continued validity. If the city determines the concept is no longer valid, then:
 - a. The city may initiate a process to change the zoning classification, or
 - b. New ZDA development requirements and/or a new conceptual development plan may be required to be approved prior to the city issuing a building permit for any portion of the ZDA subject parcel.
6. A statement, signed by the property owner(s) and notarized, indicating a commitment to develop the subject parcel in conformance with the ZDA.

(D) The city council shall not adopt an ordinance rezoning the subject parcel until the property owner/developer has submitted a complete and signed ZDA written commitment document. The signed ZDA written commitment document shall be attached as an exhibit to the rezoning ordinance and recorded in the office of the county recorder.

(E) Approval of a ZDA shall be based on the following standards:

1. The proposed uses shall not be detrimental to any surrounding uses; nor shall they be detrimental to the health, safety and general welfare of the public.
2. Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.
3. The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.

4. Existing and/or proposed streets and utility services must be suitable and adequate for the proposed development. (Ord. 3082, 12-8-2014)

10-6-3: BUSINESS PARK ZDA:

A "business park", as defined herein, may be established through the ZDA process, with the following development requirements: (Ord. 3082, 12-8-2014)

- (A) All manufacturing activity shall take place inside an enclosed building.
- (B) No outside storage of any product, material, or vehicles used in the loading, unloading or transportation of manufactured goods.
- (C) No fumes, odors, noise or vibrations shall be allowed at the perimeter of the business park that are above typical residential background levels that are detectable from the outside of the building. (Ord. 2786, 6-1-2004)
- (D) Landscaping equal to ten percent (10%) of the site shall be provided with a master landscape plan approved through the ZDA process. Parking lots of more than twenty five (25) vehicles shall have landscaped islands within the parking lot breaking up large asphalt areas. A thirty five foot (35') wide landscaped buffer with berming at least four feet (4') high shall be required on any street fronting any residential property.
- (E) A master sign plan shall be approved as part of the ZDA.
- (F) Architectural standards shall be approved through the ZDA process for buildings within the business park. (Ord. 3082, 12-8-2014)
- (G) The business park shall be located adjacent to major arterial and collector streets, with no direct access to local residential streets.
- (H) There shall be a one hundred foot (100') building setback and a thirty five foot (35') parking lot setback from any street fronting a residential subdivision or adjacent to residential property or a residential zoning district. Buildings approved over thirty five feet (35') in height shall have four feet (4') additional setback for each foot of additional height over thirty five feet (35'). No building will exceed fifty feet (50') in height without a special use permit.
- (I) The business park shall include a mixture of manufacturing and commercial uses.
- (J) The business park shall be designed to encourage pedestrian and bicycle usage if located within one-half ($\frac{1}{2}$) mile of residential subdivisions.
- (K) No hazardous materials exceeding the exempt quantities as provided by the international building code and international fire code shall be manufactured or warehoused in the business park. Only hazardous materials used in the manufacturing process are allowed. (Ord. 2786, 6-1-2004)

CHAPTER 13

ZONING PERMITS

SECTION:

10-13-1: Building Permit

10-13-2: Certificate of Appropriateness

10-13-3: Variances

10-13-4: Special Use

10-13-5: Revocation Of Zoning Permits

10-13-1: BUILDING PERMIT:

(A) Permit Required: No person shall erect, construct, enlarge, alter, repair, move, convert or demolish any building or structure in the city or cause the same to be done without first obtaining a separate building permit for each such building or structure from the city building official.

(B) Certificate of Occupancy Required: It shall be unlawful to use, occupy, or permit the use or occupancy of any building, premises, or part thereof, thereafter created, erected, changed, converted, or wholly or partly altered, or enlarged in its use or structure, until a certificate of occupancy has been issued stating that the proposed use of the building and/or land conforms to the requirements of this title, and with all conditional provisions that may have been imposed.

1. A temporary certificate of occupancy may be initially issued for a period not to exceed six (6) months.

a. A nonrefundable fee, and refundable retainer, as determined by the adopted master fee schedule, shall be collected prior to issuance of a temporary certificate of occupancy.

b. One extension may be granted for an additional three (3) months upon new application and payment of additional

nonrefundable fee.

c. Temporary Certificates expire at five o'clock (5:00) P. M. on the date listed.

d. In the event a temporary certificate expires without completion of the Required Improvements, the entire retainer amount shall be forfeited to the City of Twin Falls. In addition to the retainer forfeiture, the City may also initiate revocation proceedings of any permit, license, or any other approval, according to their respective revocation procedures.

(C) Application For Permit: To apply for a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose by the city building official, who shall determine the acceptability of the request in conformance with the building code, and who shall thereupon issue or deny the application. (Ord. 2024-012, 9-9-2024)

10-13-2: CERTIFICATE OF APPROPRIATENESS:

(A) Permit Required: For those properties located within the Twin Falls downtown historic district and the Twin Falls City Park historic district, before applying for a building permit, the property owner shall apply for and receive a certificate of appropriateness from the Twin Falls historic preservation commission.

1. 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 these districts 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 "design guidelines" as they exist or as amended for compliance before issuing a certificate of appropriateness. The historic preservation commission shall make its determination within ten (10) business days after submission of the application. 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.

2. A certificate of appropriateness shall be required whether or not a building permit is required.

3. Appeal: 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. 2017-009, 2-27-2027; amd. Ord. 2024-012, 9-9-2024)

10-13-3: VARIANCES:

(A) Definition: Variance is a modification of the requirements of this title as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings or other title provisions affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots and public ways.

(B) Authority To Grant: The commission may authorize in specific cases such variance from the terms of this title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title would result in unnecessary hardship. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this title would result in unnecessary hardship or the loss of a building or site that is on a national, state or local register of historic places or sites.

(C) Application: A variance from the terms of this title shall not be granted by the commission unless and until a written application for a variance is submitted to the administrator and the commission containing:

1. Name, address and phone number of applicant.

2. Legal description of property.

3. Description of nature of variance requested. (Ord. 2012, 7-6-1984)

4. A narrative statement and documentation demonstrating that the building or site is on a national, state or local register of historic places or sites or that the requested variance conforms to all the following standards:

a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

b. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.

c. That special conditions and circumstances do not result from the actions of the applicant.

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.

e. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

A variance shall not be granted unless the commission makes specific findings of fact based directly on the particular evidence presented to it which support conclusions that the above mentioned standards and conditions have been met by the applicant. (Ord. 2466, 2-6-1995)

(D) Supplementary Conditions And Safeguards: Under no circumstances shall the commission grant an appeal or

variance to allow a use not permissible under the terms of this title in the district involved, or any use expressly or by implication prohibited by the terms of this title in said district. In granting any appeal or variance, the commission may prescribe appropriate conditions and safeguards in conformity with this title. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this title. (Ord. 2012, 7-6-1984)

(E) Public Hearing: Prior to granting a variance permit, at least one public hearing before the commission in which interested persons shall have the opportunity to be heard shall be held. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. (Ord. 3091, 3-2-2015)

(F) Action By Commission: Within thirty (30) days after the public hearing the commission shall either approve, conditionally approve, or disapprove the request for appeal of variance.

Upon granting or denying an application the commission shall specify:

1. The regulations and standards used in evaluating the application.
2. The reasons for approval or denial.
3. The actions, if any, that the applicant could take to obtain a permit.

The applicant or any affected person may appeal the decision of the commission to the council, provided a written appeal is submitted to the council within fifteen (15) days from the commission's decision.

(G) Notification To Applicant: Within ten (10) days after a decision has been rendered, the administrator shall provide the applicant with written notice of the action on the request.

(H) Appeal To Council: Upon receipt of an appeal from the action of the commission, the council shall set a hearing date under the same provisions as the commission hearing to consider all information, testimony and commission's minutes of the public hearing to reach a decision to uphold, conditionally uphold or overrule the decision. (Ord. 2012, 7-6-1984; amd. Ord. 2024-012, 9-9-2024)

10-13-4: SPECIAL USE:

(A) Definition: A special use is a use otherwise prohibited by the terms of this title in a given zone, but which may be allowed with conditions under specific provisions of this title and when not in conflict with a comprehensive plan.

(B) Authority To Grant: The commission may authorize in specific cases special uses, subject, however, to the minimum conditions and requirements of the zoning district in which they are located and subject to additional conditions and requirements necessary to protect the best interest of affected persons and the city as a whole.

(C) Application: An application for special use permit shall be filed with the administrator by at least one owner or lessee of property for which such special use is proposed or for which an expansion of more than twenty five percent (25%) over the original square footage approved through the special use permit process or a total increase in square footage over ten thousand (10,000) square feet, whichever is less, or relocation of an existing special use is proposed. At a minimum, the application shall contain the following information:

1. Name, address and phone number of applicant.
2. Legal description of property.
3. Description of existing use.
4. Zoning district.
5. Description of proposed special use.
6. A plan of the proposed site for the special use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards and such other information as the commission may require to determine if the proposed special use meets the intent and requirements of this title.
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to a comprehensive plan.

(D) Standards Applicable To Special Uses: The commission shall review the particular facts and circumstances of each proposed special use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
2. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
3. 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.

4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. 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.
6. 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.
7. 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.
8. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
9. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

(E) Restrictions: In granting any special use, the commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title. (Ord. 2124, 10-15-1984)

(F) Public Hearing: Upon receipt of the application for a special use, the commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. (Ord. 3091, 3-2-2015)

(G) Action By Commission: Within thirty (30) days after the public hearing, the commission shall either approve, conditionally approve or disapprove the application as presented. If the application is approved or approved with modifications, the commission shall direct the administrator to issue a special use permit listing the specific conditions specified by the commission for approval.

Upon granting of 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.

Prior to granting a special use permit, the commission may request studies from the planning staff or public agencies concerning social, economic, fiscal and environmental effects of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permit.

Upon granting or denying an application the commission shall specify:

1. The regulations and standards used in evaluating the application.
2. The reasons for approval or denial.
3. The actions, if any, that the applicant could take to obtain a permit.

The applicant or any affected person who appeared in person or in writing before the commission may appeal the decision of the commission to the council, provided a written appeal is submitted to the council within fifteen (15) days from the commission's action. (Ord. 2620, 8-2-1999)

(H) Notification To Applicant: Within ten (10) days after a decision has been rendered the administrator shall provide the applicant with written notice of the action on the request. (Ord. 2124, 10-15-1984)

(I) Transfer, Review And Discontinuance Of Special Use Permits: A special use permit is not transferable from one parcel of land to another, but may be transferable from one owner to another, provided all conditions of the special use permit continue to be met except special use permits issued for in home daycare services and for home occupations which are not transferable from one owner to another.

Special uses which have not been established within one year of the date of issuance of the special use permit, may be reviewed by the commission to determine if the facts and circumstances have changed; the commission may call for a new special use permit application.

A special use which has been discontinued for a period of one year shall not be reestablished without a new special use permit. (Ord. 2620, 8-2-1999)

(J) Appeal To The Council: Upon receipt of an appeal from the action of the commission, the council shall set a hearing date, under the same provisions as the commission hearing, to consider all information, testimony and the commission's minutes of the public hearing to reach a decision to uphold, conditionally uphold or overrule the decision of the commission. (Ord. 2124, 10-15-1984)

(K) Conditional Approval: If a special use permit is approved on condition that certain improvements be made to the subject property, no permit shall be issued until the applicant has provided proof that the conditions have been complied with. If the applicant fails to provide proof of compliance within six (6) months of approval, the special use permit shall be void. (Ord. 2773, 12-15-2003; amd. Ord. 2024-012, 9-9-2024)

10-13-5: REVOCATION OF ZONING PERMITS:

(A) Any privilege, permit or license, hereinafter called permit, granted pursuant to this title, including any permit granted prior to the passage of this section, and with the exception of rezone requests, may be revoked for the following reasons:

1. When a significant change in the use which does adversely impact neighboring developments occurs.
2. For violation of supplementary conditions, safeguards and/or restrictions imposed by the city council or the planning and zoning commission at the time the permit was granted.
3. Use of a zoning permit or certificate for a use other than the use for which said permit or certificate was issued.

(B) A petition for revocation may be initiated in the following manner:

1. By adoption of a motion by the commission for revocation of the permit.
2. By adoption of a motion by the council for revocation of the permit.
3. By the filing of a petition by an aggrieved property owner or person who has an existing interest in property within the area affected by the contested use.

(C) Notice of initiation of revocation proceedings shall be provided to the permit holder in writing within fifteen (15) days of the filing of the petition for revocation or the passage of a motion initiating revocation proceedings. Notice shall include the following:

1. The name of the party or parties petitioning for a permit revocation.
2. The date and time of passage of a motion to revoke by the zoning body, or the date of filing of the petition to revoke.
3. The change in circumstances which has been alleged to have occurred and the adverse impact which said change in circumstances is expected to have.
4. The supplementary conditions, safeguards and restrictions alleged to have been violated. (Ord. 2045, 7-6-1982)

(D) A public hearing on the motion or petition to revoke shall be held before the appropriate zoning body. The permit holder, city staff and/or any aggrieved party may present testimony or other evidence at said hearing. Said hearing shall be held within forty five (45) days of the filing of a petition for revocation or the passage of a motion initiating revocation proceedings. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. (Ord. 3091, 3-2-2015)

(E) The decision of the zoning body hearing a revocation proceeding shall be based on the record. If said zoning body finds substantial evidence on the record that continuance of the use in question will result in a significant adverse impact on the surrounding developments or other affected parties, and that the permit holder is unable or unwilling to alleviate the adversity, or if said zoning body finds substantial evidence on the record that conditions, safeguards or restrictions imposed by the commission or council have been violated, the zoning body may revoke the permit in question.

(F) A permit which has been revoked may be reinstated only by reapplying for said permit. (Ord. 2045, 7-6-1982)

(G) Within ten (10) days after a decision has been rendered, the administrator shall provide the permit holder with written notice of the action taken.

Upon receipt of a decision from the planning and zoning commission, an aggrieved party may appeal to the city council. The council shall set a hearing date and shall hold a public hearing pursuant to the provisions provided herein. (Ord. 2620, 8-2-1999; amd. Ord. 2024-012, 9-9-2024)

CHAPTER 14

ZONING AMENDMENTS

SECTION:

10-14-1: Authority To Amend

10-14-2: Initiation Of Zoning Amendments

10-14-3: Amendment Application, Contents

10-14-4: Commission Action

10-14-5: Public Hearing

10-14-6: Approval Or Denial Of Amendment

10-14-7: Action By Council

10-14-8: Resubmission Of Application

10-14-9: Zone Boundary Change; Publication Of Notice

10-14-1: AUTHORITY TO AMEND:

Whenever the public necessity, convenience, general welfare or good zoning practices require, the council may, by ordinance, after receipt of recommendation thereon from the commission and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property. (Ord. 2012, 7-6-1981)

10-14-2: INITIATION OF ZONING AMENDMENTS:

Amendments to this title may be initiated in one of the following ways:

(A) By adoption of a motion by the commission.

(B) By adoption of a motion by the council.

(C) By the filing of an application by a property owner or a person who has an existing interest in property within the area proposed to be changed or affected by said amendment. (Ord. 2012, 7-6-1981)

10-14-3: AMENDMENT APPLICATION, CONTENTS:

Applications for amendments to the official zoning map adopted as part of this title shall be provided by the administrator and shall contain at least the following information:

(A) Name, address and phone number of applicant.

(B) Proposed amending ordinance, approved as to form by the council.

(C) Present land use.

(D) Present zoning district.

(E) Proposed use.

(F) Proposed zoning district.

(G) A vicinity map at a scale approved by the administrator showing the property lines, thoroughfares, existing and proposed zoning and such other items as the administrator may require.

(H) A list of all property owners and their mailing addresses who are within three hundred feet (300') of the external boundaries of the land being considered.

(I) A statement on how the proposed amendment relates to a comprehensive plan, availability of public facilities and compatibility with the surrounding area.

(J) A fee as established by the council. (Ord. 2012, 7-6-1981)

Notes

1. See section 10-3-2 of this title.

10-14-4: COMMISSION ACTION:

Zoning districts, zoning subdistricts and overlay districts 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 (Ord. 2012, 7-6-1981)

(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. (Ord. 3091, 3-2-2015)

10-14-5: PUBLIC HEARING:

The commission shall hold a public hearing and make recommendations on proposed zoning amendments. Zoning amendments may consist of text or map revisions.

(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.

(B) Zoning Map Amendment: The commission, prior to recommending a zoning map amendment that is in accordance with a comprehensive plan 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. (Ord. 3091, 3-2-2015)

10-14-6: APPROVAL OR DENIAL OF AMENDMENT:

Within sixty (60) days from the receipt of the proposed amendment, the commission shall transmit its recommendation to the council. The commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for amendments are in accordance with a comprehensive plan and established goals and objectives. (Ord. 2012, 7-6-1981)

10-14-7: ACTION BY COUNCIL:

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)

10-14-8: RESUBMISSION OF APPLICATION:

No application for a reclassification of any property which has been denied by the council shall be resubmitted in either substantially the same form or with reference to substantially the same premises for the same purposes within a period of one year from the date of such final action; unless there is an amendment in a comprehensive plan which resulted from a change in conditions as applying to the specific property under consideration. (Ord. 2012, 7-6-1981)

10-14-9: ZONE BOUNDARY CHANGE; PUBLICATION OF NOTICE:

Whenever a zoning district boundary change is contemplated by the city, notice of said proposed zoning district boundary change and the hearing thereon shall be by publication in the Times-News once a week for three (3) consecutive weeks, with at least one of said publications being fifteen (15) days prior to the date set for hearing on the proposed zoning district boundary change and for which said notice is given. (Ord. 2012, 7-6-1981)

CHAPTER 15

ANNEXATION REGULATIONS

SECTION:

10-15-1: Commission Recommendation Required

10-15-2: Public Hearing

10-15-1: COMMISSION RECOMMENDATION REQUIRED:

Prior to annexation of an unincorporated area, the council shall request and receive a recommendation from the commission on the proposed plan and zoning ordinance changes for the unincorporated area. The council shall not hold a public hearing, give notice of a proposed hearing, nor take action upon the plan, amendment or repeal until recommendations have been received from the commission. (Ord. 2012, 7-6-1981)

10-15-2: PUBLIC HEARING:

(A) The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed plan and zoning changes. (Ord. 2012, 7-6-1981)

(B) 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 proposal with its recommendations to the council. (Ord. 3091, 3-2-2015)

(C) The council, prior to adoption, amendment or repeal of the plan or zoning ordinance, shall conduct at least one public hearing using the same notice and hearing procedures as the commission.

Following the hearing of the council, if the council makes a material change in the plan or zone, further notice and hearing shall be provided before the council adopts the plan or zone

(D) Concurrently or immediately following the adoption of an ordinance of annexation, the council shall amend the planning and zoning regulations as shall be found to be necessary. (Ord. 2012, 7-6-1981)

CHAPTER 16

VACATIONS AND DEDICATIONS

SECTION:

10-16-1: Petition Procedure

10-16-2: Publication and Filing Costs

10-16-1: PETITION PROCEDURE:

(A) Petition Required: Any property owner desiring to vacate an existing subdivision, plat or part thereof or within one mile of the boundaries of the City, or within the City "area of impact", public right of way or easement, or desiring to dedicate a street right of way or easement shall complete and file a petition with the Administrator.

(B) The petition for vacation shall set forth the particular circumstances of the request to vacate; contain a legal description of the platted area or property to be vacated and the names of the persons affected thereby. In the case where lots have been sold in a platted area, the petition should include an acknowledged written statement from each of the owners of the aforesaid sold lots indicating whether or not they are in agreement with the proposed vacation.

(C) Administration Action: Upon receipt of the completed petition, the Administrator shall affix the date of petition acceptance thereon. The Administrator shall place the petition on the agenda for consideration at the next regular meeting of the Commission.

(D) Public Hearing: The Commission shall hold a public hearing and make recommendations on all petitions for vacation of an existing subdivision, plat or part thereof inside or within one mile of the boundaries of the City, or within the City "area of impact", and notice of said public hearing shall be given, by certified mail with return receipt, at least ten (10) days prior to the date of the public hearing to all property owners within three hundred feet (300') of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two (2) consecutive weeks in the official newspaper of the City, the last of which shall not be less than seven (7) days prior to the date of said hearing.

(E) Commission Recommendation: Within sixty (60) days from the receipt of the petition for vacation, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

(F) Action by Council: The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Quit Claim Deed for the vacated rights of way in such proportions as are prescribed by law.

(G) Petition for dedication shall set forth the particular circumstances of the request to dedicate; contain a legal description of the property to be dedicated and the names of the persons affected thereby.

(H) No Commission action is required for dedication.

(I) Council Action: When considering a petition for dedication procedures, the Council may approve, deny or modify the petition. When a dedication is approved, the required street improvements shall be constructed or a bond furnished, assuring the construction, prior to acceptance of the dedication. To complete the acceptance of any dedication of the land, the owner shall furnish to the Council a deed describing and conveying such lands to be recorded with the County Recorder.

10-16-2: PUBLICATION AND FILING COSTS:

All publications and filing costs shall be at the expense of the petitioner. (Ord. 2012, 7-6-81)

	A	B	C
1	Use or Item	Definition	Use Category
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
3	ACCESS EASEMENT	An easement across one or more adjacent properties to allow vehicular access to an otherwise inaccessible area at any time.	0
4	ACCESSORY Building	A <i>Building</i> that is incidental and subordinate to the principal allowed use of a property and located on the same lot as the principal allowed use. Commonly described as: car port, deck, covered patio, garage, garden shed, tool shed, shop, and other similarly described terms.	10
5	ACCESSORY USE	A use that is incidental and subordinate to the principal allowed use of a property and located on the same lot or property as the principal allowed use.	0
6	Addiction Treatment Facility	An establishment or facility used primarily for the purposes of temporary inpatient treatment of individuals recovering or suffering from alcohol, drug, substance or other addictions. This Definition excludes "Group Homes" as defined herein.	5
7	Administrative or Professional Office - Major	A facility or establishment designed, or primarily intended, for occupancy of fifty (50) or more persons to transact the clerical affairs of a business, industry, service, profession or other organization. This definition does not include offices otherwise defined herein, or offices incidental and accessory to another business, or sales activity, that is the principal use.	8
8	Administrative or Professional Office - Minor	A facility or establishment designed, or primarily intended, for occupancy of forty-nine (49) or fewer persons to transact the clerical affairs of a business, industry, service, profession or other organization. This definition does not include offices otherwise defined herein, or offices incidental and accessory to another business, or sales activity, that is the principal use.	8
9	ADMINISTRATOR	Planning and Zoning Director, or their designatee.	0
10	Adult Establishments	Any Business which falls under Idaho State Statute 67-6533 or as amended.	11
11	Agricultural	Farming, including plowing, tillage, cropping, storage, installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products; grazing or raising of livestock (except dairies and feed lots); aquaculture, sod production; orchards; Christmas tree plantations; nurseries; and cultivation of natural products as part of a recognized commercial enterprise.	1
12	Agritourism Activity	An accessory use/secondary activity carried out on an active farm or ranch that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational farming programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, farm animal petting zoos, short term farm festivals, corn mazes, "harvest-your-own" events, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an Agritourism activity whether or not the participant paid to participate in the activity.	1
13	Airport Supplemental Uses	Land uses on Joslin Field, Magic Valley Regional Airport that support and/or supplement the fundamental operations and services of the airport.	11
14	Airport/Heliport	Any area of land or water used or intended for landing, takeoff, or maintenance of aircraft, including appurtenant area used or intended for airport buildings, facilities, and rights of way.	11
15	ALLEY	See definition of Street. A right-of-way, which gives a primary or secondary means of vehicular access to the rear or side of properties otherwise abutting a street, and which may be used for public pedestrian, vehicular or utility access.	0
16	APPLIANCE REPAIR	The repair of a household or office device operated by natural gas or electrical current, or mechanical means.	4
17	ARCHITECTURAL PROJECTION	Any projection which is not intended for occupancy and which extends horizontally beyond the face of an exterior wall of a building, but shall not include signs. Examples of such projections are cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, etc. For carports or canopies the architectural projection shall be measured from the support posts unless said posts are located more than three feet (3') from the outer edge of the carport or canopy roof. In such case a maximum of three feet (3') shall be considered the architectural projection.	0
18	AREA OF IMPACT	The area surrounding the city as established by mutual agreement with the county in conformance with state law.	0
19	AREA OF SPECIAL FLOOD HAZARD	The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.	0

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
20	Artisan's Workshop - Minor	Establishments primarily engaged in the preparation, display, and direct retail of individually crafted artwork or other goods by the use of hand tools or consumer grade mechanical equipment. Such uses include small scale businesses creating artwork, furniture, jewelry, pottery, and similar items.	4
21	Artisan's Workshop - Major	Establishments primarily engaged in the preparation, display, and direct retail of individually crafted artwork or other goods by the use of hand tools or consumer grade mechanical equipment. Such uses include small scale businesses creating artwork, furniture, jewelry, pottery, and similar items. This definition includes any use which involves "classified areas" as defined in the current Building Code. This definition excludes uses involving assembly line or automated production equipment.	4
22	Assembly	An establishment or premises used for the gathering of persons for various functions.	2
23	Assisted Care / Living Facility - MAJOR	Any facility licensed and/or certified by the state, which provides mental or physical health services for sixteen (16) or more individuals for illness, disease, physical or mental infirmity. This Definition excludes "Group Homes" and "Certified Family Homes" as defined by State Statute; or hospitals, emergency rooms, or medical clinics.	5
24	Assisted Care / Living Facility MINOR	Any facility licensed and/or certified by the state, which provides mental or physical health services for three (3) to fifteen (15) individuals for illness, disease, physical or mental infirmity. This Definition excludes "Group Homes" and "Certified Family Homes" as defined by State Statute; or hospitals, emergency rooms, or medical clinics.	
25	Athletic Arena or Stadium	An area generally used for sporting events such as baseball, basketball, football, rodeo, soccer, swimming, tennis, or other competitions; facilities may have improved seating facilities for spectators, PA System, and or lighting.	9
26	Auction Services and/or Public Sales Establishment	A location or business primarily used for the public sale of equipment, goods, merchandise, vehicles or wares to the highest bidder.	4
27	Auto and Automobile	See <i>Vehicle</i> , and other related definitions.	0
28	Bar	An establishment primarily designed for serving alcoholic drinks (after obtaining the proper licensing), typically offering other nighttime entertainment including but not limited to: music, dancing, billiards, darts and similar social games.	4
29	Barber Shop/Beauty Salon/MediSpa	Any establishment or place of business within which the practice of barbering, cosmetology, permanent makeup, or other personal health treatments are engaged in or carried on by one or more aestheticians, barbers, cosmetologist, massage therapists, or similar licensed professionals. Excludes any practice including surgery or other medical practice otherwise defined.	4
30	BASE FLOOD	The flood having a one percent (1%) chance of being equaled or exceeded in any given year.	0
31	BASEMENT	A portion of living space in a dwelling unit all or at least one-half (1/2) of its height below the average level of the adjoining ground.	0
32	Bed & Breakfast Facility	A small scale lodging establishment providing between 4 to 7 guest rooms. Owner or operator occupied.	7
33	BEST MANAGEMENT PRACTICES (BMPs)	Those methods, or practices to prevent or reduce water pollution and include, but are not limited to, structural and nonstructural controls, and operation and maintenance procedures. BMPs can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters.	0
34	BLOCK	A group of lots, tracts or parcels within well defined boundaries, usually streets.	0
35	Body Art Studio	An establishment where the practice of physical body adornment by artists using but not limited to the techniques of body piercing and tattooing. (This definition excludes those establishments offering Ear Piercing exclusively.)	4
36	Botanical Gardens and Arboretums	A public or private facility, where admittance may or may not be fee based, for the demonstration and observation of the cultivation of flowers, fruits, vegetables, ornamental plants, or other vegetation, which is maintained by a trained/certified professional. (This definition excludes residential gardens incidental, or accessory, to dwelling units.)	2
37	BUILDING	Any structure having a roof supported by columns or by walls and intended or used for shelter, housing or enclosure of persons, animals, plants, chattels, or property of any kind.	0
38	BUILDING LINE	See definition of Line, Building.	0
39	BUILDING OFFICIAL	The building official or other city employee appointed by the City Manager.	0
40	Bus Terminal	A location of multiple originating or terminating transit routes, where passengers board or alight/disembark transit buses.	11

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
41	Campground or Recreational Vehicle Park	Any area that is designed or improved for occupancy by visitors or transients using recreational vehicles, motor homes, mobile trailers, or fabric tents for temporary lodging, or sleeping purposes. This definition excludes manufactured housing communities.	7
42	CANYON RIM	The point below which the final slope toward Rock Creek or the Snake River exceeds thirty percent (30%) for a distance of ten (10) or more feet. The "final slope", as the term is used herein, excludes minor breaks in the canyon wall which have a slope of less than thirty percent (30%) but are: a) inaccessible from existing streets, and/or b) less than one hundred feet (100') in width. There may be multiple rims meeting this definition, and the requirements of the canyon rims overlay district apply to all such rims. The location of the rim shall be determined before any excavation or grading preparatory to development occurs. Any developer may, prior to filing an application for approval, request that the city engineer delineate the rim on his or her property.	0
43	CANYON RIM SETBACK	The shortest distance between the canyon rim and the exterior wall, or support post, of any building for which a canyon rim setback is required.	0
44	Car Wash	A facility or establishment designed for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment, either through a mechanical or production line process, or by hand with equipment provided on-site.	4
45	CEMETERY	Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery for which perpetual care and maintenance is provided.	3
46	Centralized Sewer Facilities	Large-scale public sewer systems (municipal wastewater treatment plants) are centralized systems.	0
47	Centralized Water Facilities	Large-scale public water systems (municipal water sources and distribution lines) are centralized systems.	0
48	Certified Family Home		
49	Certified Landscaping Installer		
50	CHANGE OF USE	A change of use from one <i>Land Use Category</i> to another.	0
51	CITY	The City of Twin Falls.	0
52	CITY MANAGER	The City Manager, or their designee.	0
53	College, University, Trade, or Private Boarding School	An institution dedicated to the education of students at the respective level of the institution, where the students generally live on or near the institution's campus, and pay for the course they attend.	3
54	COMMERCIAL USE	A structure or area used or intended for the selling, bartering or swapping of any merchandise, commodities, objects or the rendering of services to the general public. Dwelling - Multi Unit Uses (5 Units or more) are included in this definition. Home Occupations are exempted from this definition.	0
55	COMMISSION	The City of Twin Falls Planning and Zoning Commission.	0
56	COMMON WALL	A wall located upon or at the division line between adjoining premises and use, intended to be used or available to be used by both owners of such premises in the construction or maintenance of improvements on their respective properties.	0
57	COMMON, INTEREST IN	Every interest created in favor of several persons in their own right is an interest in common, unless acquired by them in partnership, for partnership purposes or unless declared in its creation to be a joint interest or unless acquired as community property.	0
58	Community Garden	A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or household.	1
59	COMPREHENSIVE PLAN	The policy document that guides the planning and zoning decisions of the City of Twin Falls. The comprehensive considers previous and existing conditions, trends, desirable goals and objectives, or desirable future situations for various planning components.	0
60	Conditional Use Permit		
61	CONDOMINIUM OWNERSHIP	An estate consisting of: a) an undivided interest in common in real property in an interest or interests in real property or in any combination thereof, together with b) a separate interest in real property, in an interest or interests in real property, or any combination thereof.	0
62	CONDOMINIUM PLAT	The drawing of a division of real property into individual interests in common together with a separate interest in the real property for the purpose of establishing condominium ownership together with the declaration that is filed according to law with the county recorder.	0

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
63	Convention Center	A facility designed to accommodate 500 or more persons used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions; along with accessory functions including temporary displays, food and beverage preparation and service.	2
64	COUNCIL	The City of Twin Falls City Council.	0
65	COUNTY	Twin Falls County, Idaho and its governing board.	0
66	COVENANT	A written promise or pledge.	0
67	Crematorium	An enclosed facility wherein human or animal remains are cremated in a cremation chamber (retort of a crematory).	6
68	Customer Area		
69	Daycare Business	The care and supervision, provided for compensation, during part of a day, for a child or children not related by blood or marriage to the owner of the daycare business, in a place other than the child's own home. This term includes preschools, nursery schools, play schools, kindercare and any like or similar operation. Daycare businesses are categorized as "centers", "facilities" or "homes", as defined in this section, according to Idaho health and welfare regulations.	0
70	Daycare Center	A <i>Daycare Business</i> providing care for thirteen (13) or more children on the premises at any one time. A daycare center is required to be licensed by the Idaho department of health and welfare.	5
71	Daycare Facility	A <i>Daycare Business</i> providing care for no more than twelve (12) children on the premises at any one time and having not more than two (2) employees. Required by Idaho State Law to have a fire inspection.	5
72	Daycare Home	A <i>Daycare Business</i> providing care for six (6) or fewer children on the premises at any one time, having not more than one employee in addition to the owner/operator, and operating between the hours of seven o'clock (7:00) A.M. and six o'clock (6:00) P.M.	5
73	DEDICATION	The setting apart of land or interest in land for use by the public by ordinance, resolution or entry in the official minutes as by the recording of a plat. Dedicated land becomes public land upon the acceptance by the local governing authority.	0
74	Detention Center	A facility established in conjunction with a law enforcement or public safety building, used primarily for the detention of adult or juvenile persons while being processed for arrest or detention by law enforcement.	3
75	DEVELOPED	Property for which a certificate of occupancy, or letter of completion, has been issued to occupy a building on the property and/or where any <i>Required Improvements</i> have been made on the private property.	0
76	DEVELOPER	The owner, or his legally authorized agent, of lands that are being platted, mapped, or developed.	0
77	DEVELOPMENT	Lands within the boundaries of an area that is platted or mapped in accordance with this title that are intended to be improved by the construction or addition of buildings or other structures; by mining, dredging, filling, grading, paving, excavation or drilling.	0
78	DORMITORY	A building specifically designed for a long-term stay by students of a college, university, or nonprofit organization for the purpose of providing rooms for sleeping purposes. One common kitchen and some common gathering rooms for social purposes may also be provided.	7
79	Drive-Thru	An area or location intended to be used for sales and/or services to patrons who remain in their vehicles.	4
80	Dry Cleaning/Laundering Plant	A building, portion of a building, or a premises used, or intended to be used, for cleaning of apparel, clothing, fabrics, textiles, or other articles of any sort. Such cleaning method may or may not involve volatile solvents including, but not limited to solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and any other incidental process or chemical.	4
81	Dry Cleaning/Laundering Service	An establishment or business maintained for the pickup and delivery of items, materials or laundry, without the maintenance or operation of any laundry or dry cleaning equipment or machinery on the premises.	4
82	Dwelling - Live/Work Unit	A dwelling unit located within the same building as the primary non-residential land use of the property.	10
83	Dwelling UNIT	Space within a building designed with permanent cooking, sleeping and sanitation needs of one Household.	0
84	Dwelling units existing at the time this Title was adopted	A residential unit that was built, constructed or existed prior to the adoption of Ordinance #2012 (AD 1981)	10

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
85	Dwellings - Accessory Dwelling Unit (ADU)	A dwelling unit, located on the same property as the primary residence; either attached or detached and may or may not have direct access to or from the primary dwelling.	10
86	Dwellings - Attached Single Dwelling Unit (Townhouse)	A Building containing one (1) dwelling unit , built on a separate lot or parcel, sharing one or more common walls.	10
87	Dwellings - Detached Single Dwelling Unit	A Building containing one (1) dwelling unit, built on a separate lot or parcel, separated from other dwelling units by a Yard on all four (4) sides.	10
88	DWELLINGS-- MULTI- Dwelling Unit	A Building containing three (3) or more <i>Dwelling Units</i> designed for <i>Households</i> living independently of each other.	10
89	DWELLINGS - TWO Dwelling Unit	A building containing two (2) dwelling units designed exclusively for occupancy for two (2) households living independently of each other.	10
90	EASEMENT	A right of use for a stated purpose, falling short of ownership, granted by a property owner to the public or to another person and restricting the property owner's use of the property.	0
91	Electric Power Generating Plant	A facility, regardless of fuel or energy source, whose primary function is the creation of electricity to any electrical distribution system or transmission grid.	6
92	Emergency Service Stations	A facility or premises which houses: communication equipment, emergency response personnel, equipment, gear, vehicles, and any other items pertinent to the protection of the health, safety and welfare of the general public.	3
93	ENGINEER	A professional engineer registered in the state of Idaho.	0
94	EQUESTRIANWAY	A public way designed to be used for horseback riding.	0
95	Equipment and Machinery, Major	High-capacity mechanical devices for moving earth or other materials, and/or mobile power units including but not limited to: carryalls, graders, loading and unloading devices, cranes, drag lines, trench diggers, tractors, augers, bulldozers, concrete mixers and conveyers, harvesters, combines, or other major agricultural equipment/implements, and similar devices operated by mechanical power, as distinguished from manpower.	4
96	Equipment and Machinery, Minor	Bulky nonvehicular items, for agricultural, commercial, construction, or industrial purposes which individually can be transported in or with a common passenger vehicle. Such items include but are not limited to: barrels, construction or mechanical hand tools, lawn and garden equipment, party supplies and similar goods and equipment.	4
97	Event Center - Major	A facility designed to accommodate between 100 and 500 people used for conferences, seminars, product displays, recreation activities, and/or entertainment functions, along with accessory functions including temporary outdoor displays, food, and beverage preparation; and service for on-premises consumption. This definition excludes "Night Club."	2
98	Event Center - Minor	A facility designed to accommodate fewer than 100 people used for conferences, seminars, special occasion gatherings, and other similar gatherings on a commercial basis. Accessory functions include food, and beverage preparation and service for on-premises consumption. This definition excludes "Night Club."	2
99	FAÇADE MOUNTED	Directly attached or affixed to the elevation of a building, tank, or other structure.	0
100	FARM	An area being primarily used for the purpose of producing food, fiber, seed stock, fodder or oil producing crops.	1
101	Farm – animals on pasture	Any premises on which a primary use is the breeding, raising, or maintaining of animals for sale or where the primary income from the premises is derived from such uses. This definition excludes Poultry or Pigs.	1
102	Farm – plants and trees	Any premises on which a primary use is the growing of crops, flowers, plants, or trees, for off-premise consumption, use, or sale.	1
103	FEEDLOTS AND DAIRIES	A parcel, or parcels of land under the same ownership or management, with more than five (5) animals per acre or a total of fifty (50) animals, whichever is less.	1
104	Financial Institution	An establishment which the primary function is to advise, hold, invest, loan (secured), save, or transfer monies for individuals or other establishments. Such establishments may include but are not limited to banks, credit unions, savings and loan offices, and mortgage loan offices. Automated teller machines (ATMs) are considered accessory to the primary business. This definition does not include payday, cash advance or check advance loan service establishments.	4
105	FINISH FLOOR	Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "finish floor".	0
106	Fish Hatchery	Any property on which a primary use is the hatching and raising of fish for the purpose of harvesting and sale. This definition excludes recreational fishing operations.	1

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
107	FLOOD PLAIN REGULATIONS	The codes, ordinances and other regulations relating to the use of land and construction within the channel and flood plain areas, including zoning ordinances, subdivision regulations, building codes, housing codes, setback requirements, open area regulations and similar methods of control affecting the use and development of the areas.	0
108	Food Processing	Any facility or premises primarily engaged in producing food or seed products by way of the <i>Manufacturing Process</i> .	6
109	Food Products	A substance that can be used or prepared for use as food for human or animal consumption.	0
110	FRONT	The front of a building shall be the wall so designated by the building official which best conforms to the intent of this title. The front property line shall be the lot line most nearly parallel to the front of a building. In designating the front of a building, the administrator shall base their decision on the location of the door which provides the principal access into the building and/or the location of the traffic way which provides the principal access to the property. The decision of the administrator may be appealed.	0
111	FRONTAGE, ENTIRE	All the property fronting on one side of a street between intersecting streets, or between a street and right of way, waterway, end of dead end street or city boundary, measured along the street line. An intersecting street shall determine only the boundary of the frontage on the side of the street which it intersects.	0
112	Fuel Pumps	A pump, generally located at a fueling station or point, which is used to fill a vehicle's fuel tank.	0
113	Fuel sales (bulk)	Any establishment or premises primarily engaged in the storage and sale of large (Semi Truck/Tanker) quantities of fuel to end users or distributors.	6
114	Fuel/Charging Station	An establishment which sells fuel for vehicles or a location which provides an electrical hook-up for charging electric vehicles.	4
115	Fuel/Charging Station Store	A retail store that has the primary use of facilitating vehicle fuel and charging sales, however other products such as groceries, snack foods, beer and wine to consume off-site, tobacco products, and toiletries are also sold. This definition does not include "Truck Stop", "Car Wash", or "Vehicle Repair Services".	4
116	Fun Center - Major	A facility or establishment primarily designed for entertainment activities with a total occupant load of fifty (50) individuals or more, or provides any activities outdoors (such activities include, but are not limited to: billiards, bingo, bowling, card/poker games, darts, escape/puzzle rooms, ice or roller skating, swimming and video arcades/virtual reality simulators).	9
117	Fun Center - Minor	A facility or establishment primarily designed for entertainment activities with a total occupant load of forty-nine (49) individuals or less and entirely indoors (such activities include, but are not limited to: billiards, bingo, bowling, card/poker games, darts, escape/puzzle rooms, ice or roller skating, swimming and video arcades/virtual reality simulators).	9
118	Fun Park	An establishment, location, or premises where three (3) or more of the following take place on the same or adjacent properties: amusement rides, Fun Center (Major/Minor), Go-Carts, Miniature Golf Course, Zip Lines, or other similar activities.	9
119	Funeral Chapel	An establishment which provides space for human funeral services, but which does not contain facilities for the preparation, cremation or storage of human remains. See also " <i>Mortuary</i> ".	2
120	Furniture/Upholstery Repair	The fixing, mending or reconditioning of furniture, such as chairs, desks, tables or other items used to make a house or office suitable for living or working.	4
121	Gasoline Stations	See Fuel/Charging Station	4
122	Golf Course - Miniature	See Miniature Golf Course	9
123	Golf Course/Country Club	An establishment or facility for the playing of golf at which there may be a clubhouse including rest rooms and locker rooms, and which may include, swimming, outdoor recreation, related retail sales, restaurant and cocktail lounge. This definition excludes miniature golf course.	9
124	Golf Driving Range	An establishment or facility equipped with distance markers, clubs, balls, and tees for practicing golf skills, and which may include a snack-bar and proshop. This definition excludes miniature golf course.	9
125	GOVERNMENT FACILITIES	Facilities owned, operated, or maintained by a Public agency for the benefit of the general population.	0
126	Grain & Seed Processing	See <i>Food Processing</i>	6

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
127	Group Home	Any group residence in which eight (8) or fewer unrelated persons with disabilities or elderly persons reside and who are supervised at the group residence in connection with their disability or age related infirmity, including resident staff. No more than two (2) of such staff shall reside in the dwelling at one time. This definition shall be consistent with Idaho State Statute 67-6531 or as amended.	10
128	Gun Club	See <i>Sport Shooting Range</i>	9
129	Gym	See <i>Health/Fitness Facility</i>	4
130	Handcrafted Furniture	Furniture which is created by a craftsman and/or apprentices using hand tools and not in or by an assembly line or a mechanized process or industrial machines.	0
131	Hazardous Materials	Any item, material, or product classified hazardous by the Twin Falls Fire Marshal.	0
132	Health/Fitness Facility - Major	An establishment or facility primarily designed for patrons to use equipment or space for the purpose of physical exercise or training; with a total maximum occupant load of fifty (50) individuals or more.	4
133	Health/Fitness Facility - Minor	An establishment or facility primarily designed for patrons to use equipment or space for the purpose of physical exercise or training under the direction/supervision of a coach or trainer; with a total maximum occupant load of forty-nine (49) individuals or less.	4
134	HEIGHT	The total vertical distance measured from the average elevation of the natural grade of the building pad or structural footprint.	0
135	Heliport	See <i>Airport/Heliport</i>	11
136	Helistop	A facility, accessory to a primary use, for boarding, landing and discharging passengers and/or cargo. A helistop does not include refueling or maintenance but may include a storage facility for one (1) helicopter.	11
137	HIGHWAY	A street designated as a highway by an appropriate state or federal agency.	0
138	HOME OCCUPATION	A service, excluding daycare, offered by the resident of a household unit; or the sale of items handcrafted on the premises by the resident of a household unit; providing the service, sale or handcrafting is performed only by the resident therein and providing the area used in performing the home occupation does not exceed four hundred (400) square feet in area and providing there is no exterior indication of the home occupation. Services which generate no traffic to the premises and for which use no vehicles which would not normally be found incidental to a residential use shall be exempt from this definition.	8
139	HOSPITAL	An institution providing comprehensive health care services, primarily for inpatient and medical or surgical care of the sick or injured, including outpatient departments, training facilities, central service facilities and staff offices.	5
140	HOTEL	Any building containing more than 8 <i>Sleeping Units</i> designed to be rented or hired out by guests where all units are accessed by an internal hallway.	7
141	HOUSEHOLD	An individual, or two (2) or more individuals related by blood, marriage, legal adoption or guardianship, or a group of four (4) or less persons who are unrelated and reside together for more than thirty (30) days.	0
142	Idaho Licensed Design Professional	A individual with a current liscence to practice their profession as an engineer, architect, or landscape architect.	0
143	IMPROVEMENT	Any alteration to the land or other physical construction associated with subdivision and building site developments; including, but not limited to: grading, asphalt/concrete parking or access, curb, gutter, sidewalk, landscaping, water/sewer/stormwater lines.	0
144	Indoor	Within a building, or structure which has a roof, and which is enclosed on at least 85 percent of its perimeter with solid exterior walls/doors.	0
145	Industrial USE	The fabricating or assembling of materials into finished or partially finished products by hand or by the use of machinery, the disassembly or deconstruction of materials, or any establishment or premises engaged in the <i>Manufacturing Process</i> . Or any use which is located in this category on the Land Use Charts. This definition excludes home occupations, activities creating products in which the process does not yield any vapor, liquid or solid waste materials, and <i>Artisan Workshops</i> .	0
146	ISPMC	Idaho State Public Works Construction	
147	Judicial Facility	A facility or establishment, with ancillary facilities such as court rooms, meeting rooms, and offices, where judicial proceedings take place, including temporary holding facilities for individuals who require detainment.	3
148	Junkyard	See " Wrecking, Salvage, and Junk Yards"	6
149	Kennel	Any lot, building, structure, enclosure or premises where more than four (4) dogs or four (4) cats over the age of four (4) months are raised, kept, housed, or boarded, excluding Licensed Veterinary Clinic.	1

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
150	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	6
151	LATTICE TOWER	A support structure that consists of a network of crossed metal braces, forming a tower that is usually triangular or square in cross section. Roof mounted towers not exceeding two feet (2') in width in any cross section and not exceeding fifty feet (50') in height shall not be considered lattice towers.	0
152	Laundromat, Self Serve	An establishment which provides equipment such as washing mashines and dryers, where individuals can launder personal property, where water is the main solution and no chemicals are utilized in the process, as with dry cleaning.	4
153	LESSEE	A person holding a legally enforceable lease, a tenant.	0
154	Library	A public, nonprofit facility in which literary, musical, artistic, or reference materials such as, but not limited to, books, manuscripts, computers, recordings, or films are kept for use by, or loaning to, patrons of the facility, but are not normally offered for sale.	3
155	LINE, BUILDING	One of four (4) perpendicular lines established by the adminstrator for the purpose of measuring setbacks. The lines shall be established parallel to the predominate building walls and shall pass through the most exterior point on the building walls, excluding architectural features not intended for occupancy.	0
156	LINE, PROPERTY	The legal boundary of a parcel of real property.	0
157	Livestock Sales	A commercial establishment wherein livestock is collected for sale or auctioning	1
158	LOADING SPACE	An off street space on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials; and which abuts upon a street, alley or other appropriate means of access.	0
159	LOT	Unless otherwise defined, a parcel of land, legally recognized, with sufficient size to meet the minimum requirements of this title for use, dimensional standards and off street parking and which is owned by a single person with a separate interest or a group of persons with a separate interest together with an interest in common in the real property.	0
160	LOT AREA	The total area of a lot measured on a horizontal plane within the boundary lines exclusive of public and private roads, and easements of access to other property.	0
161	LOT, CONDOMINIUM	For the purposes of a condominium, a lot shall be the farthest exterior boundary of the real property upon which the project is situated.	0
162	LOT, CORNER	A lot situated at the intersection of two (2) or more streets.	0
163	LOT, DEPTH	The horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.	0
164	LOT, INTERIOR	A lot other than a corner lot.	0
165	LOT, PLATTED	A lot or individual parcel shown on a plat.	0
166	Machine Shop	A facility, or building, where wood and metal working machines are used; such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair shops; and mechanical/engine overhaul or repair shops. This definition includes businesses where the Machine Shop is the primary function, as well as businesses which utilize a Machine Shop as an accessory/subordinate use.	6
167	MAINTENANCE EASEMENT	An easement granted for the purpose of providing access for repair and maintenance of appurtenant property.	0
168	MANAGEMENT BODY	A person or group of persons created in accordance with this title to manage a development and maintain all common areas.	0
169	MANUFACTURED HOME	Per Idaho Statute 39-4105-(8): a structure, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 U.S.C. section 5401 et seq.	0
170	Manufactured homes sales	An establishment which displays and sells dwelling units which fall under the manufactured home definition found herein.	4

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
171	Manufacturing Process	Subjecting natural resources to some special process or treatment which changes the physical state or chemical composition of matter, the second step in use of a natural resource; examples include petroleum refining, retorting and refining, ore smelting, coal crushing and cleaning, saw mill, alfalfa pellet mills, food bottling/canning/packaging. Mass production or creation of glass, ceramic, or plastic materials; gravel crushing, cement manufacture, asphalt or concrete batch plants also included.	0
172	Manufacturing, Heavy	Establishments or premises engaged in the <i>Manufacturing Process</i> . Any activity or process engaged in the storage of <i>Hazardous Materials</i> needed for the manufacturing process.	6
173	Manufacturing, Light	The manufacture, predominantly from previously prepared materials, of finished products or parts, including fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products.	6
174	Manufacturing, Medium	Establishments or premises engaged in the <i>Manufacturing Process</i> which do not engage in the storage of <i>Hazardous Materials</i> needed for the manufacturing process.	6
175	Medical Clinic, Major	An establishment where patients are admitted for examination or treatment by physicians, dentists, other health care professionals, or similar professions; where the business operates outside <i>Normal Business Hours</i> , otherwise known as an In-patient Clinic	5
176	Medical Clinic, Minor	An establishment where patients are admitted for examination or treatment by physicians, dentists, other health care professionals, or similar professions and where the business operates within <i>Normal Business Hours</i> . Otherwise known as an Out-patient Clinic.	5
177	Mineral Extraction	The exploration for or extraction of surface or subterranean compounds and materials; this includes oil and gas exploration and production, and/or the mining of metallic and nonmetallic minerals, sand, gravel, and rock.	6
178	MOBILE HOME	ID State Statute 39-4105 (9); a factory-assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation.	0
179	MOBILE HOME PARK	Any tract of land that is divided into rental spaces under common ownership or management for the purpose of locating two (2) or more mobile/manufactured homes for dwelling purposes.	10
180	MONUMENT	Any permanent marker either of concrete, galvanized iron pipe, or iron steel rods, used to identify any tract, parcel, lot or street lines, as specified in Idaho Code.	0
181	Mortuary	An establishment which provides space for human funeral services, and may contain facilities for the preparation, cremation, or temporary storage of human remains.	4
182	Motel	Any building containing more than 8 <i>Sleeping Units</i> designed to be rented or hired out by guests where all units are accessed by external walkways.	7
183	Municipality	The City of Twin Falls	0
184	Museum/ Learning Center - Major (>100)	A building, facility, or institution designed to accommodate more than 100 people which is devoted to the procurement, care, study, and exhibition of books, art, and/or other objects of historical or scientific value. Such as Aquariam, Planetarium, Childrens Exploration Center, and other similar uses.	2
185	Museum/ Learning Center - Minor (<100)	A building, facility, or institution designed to accommodate 100 or fewer people which is devoted to the procurement, care, study, and exhibition of books, art, and/or other objects of historical or scientific value. Such as Aquariam, Planetarium, Childrens Exploration Center, and other similar uses.	2
186	Night Club	An establishment which is designed, or intended, to provide floor space used for the purposes of recreational dancing; usually projecting loud music, where admission or cover charge can be directly collected, or some other form of compensation is obtained. May or may not serve alcohol, provided the proper licenses are obtained.	4
187	NONCONFORMING BUILDING	A building or structure not conforming to the provisions of this title but which was lawfully existing or under construction at the time of the adoption of this title.	0
188	NONCONFORMING USE	A use not conforming to the provisions of this title but which was lawfully existing at the time of adoption of this title.	0
189	NONRESIDENTIAL USE	Any structure, activity, or use not included in the definition of "residential use" contained in this section.	0
190	Normal Business Hours	Between 7:00 AM and 10:00 PM	0
191	Nursery – Major	The growing, storage, and/or sale of ground cover (bark, rock, ect), plants, shrubs, soils, trees, vines, or other similar materials, in bulk or wholesale volumes, including the use of a <i>Storage Yard</i> .	1

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
192	Nursery – Minor	The retail handling of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products in small quantities to the consumer. This definition excludes establishments with a <i>Storage Yard</i> .	1 or 4
193	Occupant Load	The number of persons for which the means of egress of a building or portion thereof is designed	
194	OFF PREMISES SIGN	A sign mounted on property other than that occupied by the use being advertised by said sign. This definition shall exclude signs located within an approved ZDA advertising a nonresidential use or nonresidential uses located within that ZDA and approved as part of a master sign plan through the ZDA process.	0
195	ON PREMISES SIGN	A sign mounted on property that is occupied by the use being advertised by said sign.	0
196	Open Air Market	An establishment or premises designed to accommodate an open area where individuals, or groups of individual sellers, offer various items for sale to the public. Commonly referred to as a Farmers Market or Flea Market. This definition excludes Rummage and Garage Sales.	4
197	ORIGINAL PARCEL OF LAND	A lot or tract as recorded on any plat or record on file in the office of the county recorder, or an unplatted contiguous parcel of land held in one ownership and of record at the effective date hereof. In cases of "unrecorded matters of fact", the commission shall use its best judgment to determine a fair designation.	0
198	OWNER	Any person or group of persons having legal title to real property which is subject to this title.	0
199	Paint Booth	A booth or other area which has been designed, or used, for the primary purpose of applying paint, powdercoat, laquer, or similar materials to furniture, parts, vehicles, or other items for commercial purposes.	4
200	Park	Any parcel or parcels of land available for the benefit of the patrons or the general public for athletic, cultural, educational, active/passive recreational uses. May or may not contain <i>Athletic Arena, Field, or Stadium</i> .	0
201	Parking Lot	An area, excluding a street or other public way, which the primary use is to contain <i>Parking Spaces</i> for licensed vehicles on a temporary basis, and available whether for free or for compensation. Parking Lots shall be accessory to a primary land use.	0
202	PARKING SPACE	An enclosed or unenclosed surfaced area, together with access and maneuvering space sufficient to permit a standard automobile to be parked within the surfaced area, permanently reserved for the temporary parking of one vehicle. The size of said space to meet the <i>Minimum Standards for Parking Lot Design</i> found herein.	0
203	Parking Structure	A multi-level structure designed to accommodate vehicular parking spaces.	11
204	Pawnshop	An establishment primarily engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the sale of such property.	4
205	Payday Loan / Check Cashing Service	An establishment primarily engaged in the providing loans to individuals in exchange for personal checks as collateral.	4
206	PEDESTRIANWAY	A public way designed to be used as a walkway for pedestrians.	0
207	PERFORMANCE BOND	An amount of money or other negotiable security paid by the subdivider, or his surety, to the City which guarantees that the subdivider will perform all actions required by the governing body regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of an approved plat, the subdivider or his surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approved plat.	0
208	PERMANENT	More than six (6) months.	0
209	PERSON	Any individual or any corporation, joint venture, limited partnership, partnership, firm, association, trustee or other similar entity or organization.	0
210	Pet Grooming	A business or entity engaged in the practice of cleaning, grooming, and/or maintaining the appearance of pets for customers.	4
211	Photography studios	An establishment or workspace designed primarily to take, develop, print and duplicate photographs. Typically owner operated, smaller in scale, not containing commercial grade or large machinery for developing large volumes of photographs.	4
212	PLAT	The drawings, certifications, descriptions and approvals of a division or proposed division of real property into two (2) or more lots, blocks, parcels, sites, plots, units, common areas, limited common areas or other descriptive designations of real property for the purpose of offering for sale, lease or development either on the installment plan or upon any and all other plans, terms and conditions to any person having a separate interest or an individual interest in common together with a separate interest in any or all of the real property, as set forth by Idaho Code, or as amended.	0

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
213	Playground	A recreational area containing one or more various play structures, courts, fields and similar apparatus. Not typically used for organized competitions.	9
214	PREMISES	A parcel of land, or contiguous parcels of land, with appurtenances, buildings, or structures, which are under one ownership or control.	0
215	Print Shop – Major	A facility which provides printing service for periodical and magazine type publications which require complex collating and binding and at a level or volume which requires a printing press.	4
216	Print Shop – Minor	A facility for the reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, and facsimile sending and receiving.	4
217	PRIVATE	Belonging to an individual or group of persons, not by a public entity.	0
218	PROHIBITED SIGN	Signs that do not comply with this, or other applicable ordinances, and any sign otherwise prohibited within this title or other applicable ordinances.	0
219	PROJECT (CONDOMINIUM)	The entirety of the property divided or to be divided into condominiums.	0
220	PROPERTY (CONDOMINIUM)	The land described in the declaration recorded, together with any building, improvement or structure thereon, and every easement or right appurtenant thereto, and all personal property intended for use in connection therewith or for the use, benefit or enjoyment of the condominium owners.	0
221	PUBLIC	Federal, state, local government or political subdivisions thereof.	0
222	PUBLIC VIEW	A view from any public right of way or access easement.	0
223	PUBLIC WAY	Any right of way or easement dedicated or platted across real property owned by the person dedicating or platting the public way and intended for the general or special use of the public; or any right of way or easement legally obtained by the city through the use thereof providing such public way has not been vacated by the city council.	0
224	Pump Station - Irrigation	A facility, including pumps and equipment, which supplies water to a pressurized irrigation system.	11
225	Pump Station - Sewer	See <i>Sewer Lift Station</i>	11
226	Racetracks	A facility or premises containing a course designed, or primarily intended for participants to compete against one another, against time, or some other form of showmanship or competition using animals, vehicles, or other mechanical device. The competitions may include but are not limited to aerial, aquatic, asphalt (or other hard surface) or dirt tracks. This definition includes areas where participants train or practice for such events described above. This definition excludes <i>Track and Field</i> facilities associated with Schools.	6
227	REAL PROPERTY	Real estate consisting of: a) lands, possessory rights to land, ditch and water rights, and mining claims, both lode and placer; b) that which is affixed to land; and c) that which is appurtenant to land.	0
228	REAR	The rear of a building and rear property line shall be the wall and lot line most nearly parallel to the front wall and lot line.	0
229	Recycling Center	An establishment or premises primarily designed or intended for recyclable waste to be collected and sorted for processing. It may or may not be open to the public for personal deposit of recyclable materials. These facilities typically handle but are not limited to such materials as metals, plastics, paper, cardboard, wood, and organic waste.	6
230	Recycling Plant	A plant or establishment designed for reprocessing used or abandoned materials by manipulating or transforming the materials to a condition where they may be reused. This process typically occurs by means of the manufacturing process. (Excludes Wrecking, Salvage, or Junk Yards)	6
231	Religious Facility	A site used by a religious group primarily for religious worship and related religious services.	2
232	RESIDENTIAL USE	Any detached single-household, attached single-household, duplex, multi-household (4 units or less), agricultural, or other structure, activity, or use occupied or operated primarily to provide the cooking, sleeping, and sanitary needs of an individual or household. This definition includes those uses which are incidental and subordinate to the primary use of the property as a dwelling.	0
233	Restaurant	A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building and where food sales constitute a majority of the gross sales. May include Bakery's, Deli's, and similar common terms. Beer and Wine Sales by the drink are considered an accessory or incidental use to a Restaurant.	4
234	Retail Shop	An establishment or business whose primary function is the selling of goods, wares, or merchandise directly to the end consumer; with a designed occupant load of forty-nine (49) persons or less.	4

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
235	Retail Store - Major	An establishment or business whose primary function is the selling of goods, wares, or merchandise directly to the end consumer; with a designed occupant load of two hundred and one (201) persons or more.	4
236	Retail Store - Minor	An establishment or business whose primary function is the selling of goods, wares, or merchandise directly to the end consumer; with a designed occupant load between fifty (50) to two hundred (200) persons.	4
237	RIGHT OF WAY	A strip of land dedicated or reserved for use as a public way, which normally includes streets, sidewalks and other public utilities or service areas.	0
238	ROOF PROJECTIONS	Chimneys, smokestacks, church spires, flagpoles, radio and telecommunications facility or towers, masts, cooling towers, elevator shafts and other similar projections.	0
239	SCHOOL	Any facility or establishment providing full time instruction, including accessory facilities traditionally associated with a program of study, which meets the accreditation, licensing or requirements of the appropriate governing entity.	3
240	Seamstress/Tailor	An individual whose occupation is altering or repairing fabric or textile products.	4
241	Service Shop (Service - Minor)	An establishment or business whose primary function is the rendering of services or assistance, as opposed to a tangible product, directly to the end consumer; with an occupant load of forty-nine (49) persons or less. All activities shall take place indoors.	6
242	Service Store (Service - Major)	An establishment or business whose primary function is the rendering of services or assistance, as opposed to a tangible product, directly to the end consumer; with an occupant load of fifty (50) persons or more. This definition includes Service businesses where any activity takes place outdoors.	6
243	SETBACK	The distance from a property line, centerline, canyon rim, right of way, or structure within which a building is prohibited.	0
244	Sewage treatment plant	A facility designed for the collection, removal, treatment, and disposal of waterborne sewage generated within a given service area.	6
245	Sewer Lift Station	See "Utility Collection Facility"	6
246	Shelter home	A building or part of a building used for the temporary housing or relocation of abused, vulnerable, or homeless individuals. Qualified supervision and care shall be provided for those housed in the facility. This Definition excludes "Group Homes" as defined herein.	5
247	SIDE	The side of a building and side property line shall be the wall and lot line most nearly perpendicular to the front wall and lot line.	0
248	SIGN	Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. This definition includes the signs defined herein.	0
249	Skating Rink	An area designed primarily for the purpose of offering skating on ice, or other surface.	9
250	Slaughterhouse	An establishment or facility used for the purpose of slaughtering and/or packaging of meat for future sale or further processing.	6
251	Sleeping Unit	A room or space in which people sleep, which can also include permanent provision for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.	0
252	Smoking Lounge	An establishment primarily designed for smoking/vaping indoors.	4
253	Solar/Photovoltaic Panel	A panel designed to absorb the sun's rays as a source of energy for generating electricity or heating.	0
254	SPECIAL USE PERMIT	A permit granted by the commission for a use that is otherwise prohibited, but may be allowed under specific provisions when not in conflict with a comprehensive plan.	0
255	Sport Shooting Range	Shooting Range as defined by State Statute 55-2604, or as amended. (An area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or an other similar sport shooting.	9
256	Stable, Commercial	An establishment primarily engaged in providing a building or premises where horses, ponies and/or other large animal, except dogs or cats, are sheltered, fed, and/or kept for hire.	1
257	STANDARD SPECIFICATIONS	The specifications as specified in this title or as officially adopted by the city.	0
258	STATE	State of Idaho.	0
259	Storage Facility, Self-service	An establishment primarily engaged in the business of renting self-contained units or spaces, within a building or structure, for the storage of private property on a temporary basis.	6
260	Storage Yard	An outdoor, or open air, yard used to store items, materials, merchandise, or other property of the business, or owner, that operates and maintains the yard. This definition excludes "Impound", "Wrecking, Salvage or Junk Yard", "Parking Lot", and "Vehicle/Equipment Storage Yard".	6

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
261	STORM WATER DETENTION FACILITY	Those methods or devices that temporarily collect and hold the stormwater runoff and release the water at a metered rate over time.	0
262	STORMWATER	Stormwater runoff, snowmelt, and surface runoff and drainage.	0
263	Stormwater RETENTION FACILITY	Those methods or devices that collect and hold the stormwater runoff for dissipation through infiltration and/or evaporation.	0
264	STREET	Provides access to adjacent properties, the dedication of which has been officially accepted. The term "street" also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, land, place and other such terms.	0
265	Street - (A) Alley	A minor street providing secondary access at the side or back of a property otherwise abutting a street.	0
266	Street - (B) Local	A street which has the primary purpose of providing access to abutting properties.	0
267	Street - (C) Collector	A street designated for the purpose of carrying traffic from local streets to other collector streets and/or arterial streets.	0
268	Street - (D) Arterial	A street designated for the purpose of carrying fast and/or heavy traffic.	0
269	Street - (E) Loop	A local street with both terminal points on the same street of origin.	0
270	Street - (F) Cul-De-Sac	A street connected to another street at one end only as provided with a turnaround space at its terminus.	0
271	Street - (G) Frontage	A local street parallel to and adjacent to an arterial street to provide access to abutting properties.	0
272	Street - (H) Partial	A dedicated right of way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.	0
273	Street - (I) Stub Street	A street which terminates without provisions for a turnaround area.	0
274	Street - (J) Half Street	A street comprised of one-half (1/2) of the width required to conform with a standard city street section.	0
275	Street - (K) Private	A street constructed per the City of Twin Falls revisions to ISPWC that acts as a street that serves more than one parcel and is maintained by a non-public entity.	0
276	STREET GRADE	The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street shall be taken as the street grade.	0
277	STRUCTURAL ALTERATIONS	Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.	0
278	STRUCTURE	Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences and billboards, but exclude utility poles and streetlights.	0
279	SUBDIVIDER	The individual, firm, corporation, partnership, association, syndicate, trust or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this title. The subdivider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient property rights in the property to represent the owner.	0
280	SUBDIVISION	The result of an act of dividing an original lot, tract or parcel of land into two (2) or more parts for the purpose of transfer of ownership or development; which shall also include the dedication of public streets and other rights of way and the addition to, or creation of, a cemetery.	0
281	SURVEYOR	A land surveyor or professional engineer registered in the State of Idaho.	0
282	Swimming Pool	An artificial basin designed for the purpose of containing a body of water offering the possibility of use for swimming for fitness, leisure, or recreational purpose, which is not readily portable in design or construction.	0
283	Taxidermy studio	A building or facility where a taxidermist prepares, preserves, stuffs and/or mounts any of the dead bodies of any wildlife or any part thereof not personally harvested by the individual performing taxidermy services.	6
284	Testing laboratories, Major	An establishment designed primarily for the objective analytical data collection and/or testing of a product or a process; where any testing activities take place outdoors, or where any special equipment, beyond a normal office environment, is utilized or where hazardous materials are present.	6
285	Testing laboratories, Minor	An establishment designed primarily for the objective analytical data collection and/or testing of a product or a process; where all testing activities take place indoors and no special equipment, beyond a normal office environment, is utilized.	6
286	Textile products	Any cloth or goods produced by weaving, knitting, or felting.	0
287	Theater	A building or establishment primarily designed for showing motion pictures, or live dramatic, dance, musical, or other performances.	4

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
288	TOTAL STRUCTURE (CONDOMINIUM)	The structure within which is contained all of the units of the condominium.	0
289	TOWNHOUSE	A single-household dwelling with no side yards between abutting dwellings.	10
290	TRAFFICWAY	A public way or a private way whose primary use is for movement of motorized vehicles.	0
291	Tree		
292	Tree - Class One	Small trees which do not generally reach over 25-30' in height and width. Spacing, 20-30' between trees. Good for under power lines or smaller planting areas.	
293	Tree - Class Three	Many are long lived and attain large height and trunk diameter. Make sure you have ample room to accommodate it at maturity. May reach 70'+ in height and width. Spacing, 40-60' between trees.	
294	Tree - Class Two	Usually considered medium sized trees mostly planted for their shade and excellent use in the landscape and parkway plantings. Reaching 30-40+' height and width. Spacing, 30-40' between trees.	
295	Tree - Conifers	Provide year round greenery, screening and serve as excellent wildlife shelters. Generally, they should not be pruned and will need large growing areas away from buildings, sidewalks and driveways. Spacing varies with species.	
296	Truck Stop	An establishment or premises, typically a Refueling Station, where truck drivers park for resting purposes. Often including other secondary services such as: food, groceries, showers, sleeping rooms, ect.	6
297	UNDEVELOPED	A property for which a certificate of occupancy or letter of completion has not been issued and/or for which no <i>Required Improvements</i> have been made.	0
298	UNPLATTED lands	Any area for which a plat has not been recorded according to law.	0
299	USE	An activity or purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.	0
300	Utility Collection/Distribution Facility - Major	A building, structure, or area used by a single provider for utility distribution to customers covering more than 3,000 square feet.	11
301	Utility Collection/Distribution Facility - Minor	A building, structure, or area used by a single provider for utility distribution to customers that are over 3 feet tall or covering between 300 and 3,000 square feet.	
302	Utility Collection/Distribution Line	Electric, gas, communication, water, sewer, irrigation, and drainage lines providing local distribution or collection service. This includes below ground utility boxes, and above ground boxes up to three (3) feet tall.	11
303	UTILITY POLE	A telephone, power, light, or cable television pole. Light poles shall include street, stadium and security light poles.	0
304	Variance	Permission to deviate from the literal standards of the zoning ordinance or city code. Only granted if applicable to and following procedure found in Twin Falls City Code and Idaho State Law.	0
305	VEHICLE	Any device in, upon, or by which any person or personal property is or may be transported. Including but not limited to cars, trucks, motorcycles, 4-wheelers, RV's, snowmobiles, trailers, utility vehicles and any vehicle required to be licensed by the State of Idaho. Excludes bicycles, equipment, impliments, machinery and similar items.	0
306	Vehicle IMPOUND FACILITY	A facility that provides temporary outdoor storage for three (3) or more vehicles that are to be claimed by titleholders or their agents, provided that no vehicle shall be stored at said facility for more than forty five (45) days and must remain mechanically operable and licensed at all times, or a parcel of land or a building that is used for the storage of wrecked motor vehicles usually awaiting insurance adjustment or transport to a repair shop and where motor vehicles are kept for a period of time not exceeding fourteen (14) days. (Ord. 2773, 12-15-2003)	6
307	Vehicle Rental Facility	An establishment, facility, or location used for the storage and/or display of vehicles for rental purposes. All vehicles held on the premises shall be licensed and in operating condition.	4
308	Vehicle Repair Services, Major	A site or location used for major vehicle rebuilding or reconditioning. This includes engine rebuilding/replacement, major reconditioning of worn or damaged vehicles, and collision service (body, frame, or fender straightening, repair or painting). All repair work shall be conducted within enclosed buildings, and all vehicles shall be stored inside a building, or approved screened area.	6
309	Vehicle Repair Services, Minor	A site or location used for minor vehicle maintenance and repair. This includes muffler shops, oil change stations, tire sales/installations, wheel and brake shops. All repair work shall be conducted within enclosed buildings and all vehicles shall be stored inside a building, or approved screened area.	6

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
310	Vehicle Sales	An establishment, facility, or location used for the display and/or storage of more than two (2) vehicles for sale. Includes retail and/or wholesale.	4
311	Vehicle Sales - Heavy Trucks	An establishment, facility or location used for the display and/storage of more than two (2) Semi Trucks and/or Semi Trailers	4
312	Vehicle Sales – Temporary	See State requirement for Temporary Supplementary Sales Lot	4
313	Vehicle WRECKING	The dismantling or wrecking of two (2) or more used motor vehicles, mobile homes or trailers.	0
314	Veterinary Clinic, Major	An establishment, building or portion of a building, primarily designed for the care, observation, and/or treatment of animals where any treatment and/or boarding takes place outside.	1
315	Veterinary Clinic, Minor	An establishment, building or portion of a building, primarily designed for the care, observation, and/or treatment of animals where all treatment and/or boarding takes place inside.	1
316	VICINITY MAP	A drawing which sets forth by dimensions or other descriptive means the relationship of a proposed development to other nearby developments, trafficways or other landmarks within the general area in order to better locate and orient the area in question.	0
317	WALL - Building	The full width or length of a building, including recessed windows or doors.	0
318	Warehouse/Distribution Center	An establishment or facility primarily used for receiving, rerouting, transferring and/or storing goods or items for delivery to retailers, or directly to consumers.	6
319	Water Treatment Plant	A facility which produces drinking water for public consumption or "industrial water" for manufacturing or other business operations. Treatment includes but is not limited to filtering out sediment and disease-causing organisms, or chemical treatment, to remove excess minerals or other contaminants.	6
320	Wildland-Urban Interface	Areas where homes are built near or among lands prone to wildland fire.	0
321	Wind Turbine	A structure designed to primarily provide electricity by way of wind power for sale on the electrical grid.	11
322	Wireless Communications Facility (WCF)	A location or equipment used for the transmission or reception of radio frequency (RF) signals, or other wireless communications or signals, for commercial communications purposes; typically consisting of one or more antennas, a tower or attachment support structure, transmission cables, and other transmission equipment. May or may not include an equipment enclosure or cabinets. This definition includes small cell technologies and associated equipment.	11
323	Wireless Communications Tower	Any pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, or masts; intended primarily for the purpose of mounting equipment for the transmission of radio, wireless, or other electromagnetic signals.	11
324	Wireless Communications Tower, Colocation	A visually unobtrusive installation method because the equipment is attached to an existing structure.	
325	Wireless Communications Tower, Stealth or Alternative	A telecommunications tower designed to be indistinguishable by the casual observer from its surrounding environment, or unobtrusively blend into its surrounding environment.	11
326	WRECKING, Salvage AND JUNK YARDS	Any area where vehicle wrecking is carried out and/or accumulation of parts thereof, are stored in the open; or any land, building or structure used for the wrecking or storing of such motor vehicles; or property containing any dismantled, abandoned, nonoperating, junked, damaged or destroyed household goods and equipment, motor vehicles, machinery or miscellaneous property.	6
327	YARD	An open space on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title.	0
328	YARD, FRONT	A yard extending between side lot lines across the front of a lot and from the front lot line to the nearest part of a building, excluding architectural projections. Any street frontage is considered a front yard.	0
329	YARD, REAR	A yard extending between side lot lines across the rear of the lot and from the rear lot line to the rear of the principal building, excluding architectural projections.	0
330	YARD, SIDE	A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards, excluding architectural projections.	0
331	ZIP LINE	An aerial trail system providing recreation and educational activities that preserves and protects the natural environment and habitat by enabling people to traverse terrain by means of cable and trolley.	9

	A	B	C
2	100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).	0
332	ZONING DEVELOPMENT AGREEMENT	A written commitment by a property owner or developer concerning the use or development of a subject parcel. A zoning development agreement may be required as a condition of rezoning and/or development of a subject parcel when a property is located adjacent to major arterial or collector streets and/or where a variety of uses may be desired in a preplanned environment with more flexible standards than normally apply to the use of land in a standard zoning district.	0
333	Zoo	An area, building(s), or structure(s) containing animals, on exhibition for viewing by the public.	6

DRAFT

CHAPTER 2

ZONING DEFINITIONS

SECTION:

10-2-1: Definitions

10-2-1: DEFINITIONS:

For the purposes of this title certain words used herein shall mean what is indicated in this chapter. (Ord. 2124, 10-15-1984)

The present tense includes the future tense, and the singular number includes the plural and the plural number includes the singular.

The word "shall" or "will" is a mandatory requirement, the word "may" is a permissive requirement.

The word "used" or "occupied" include the words "intended, designed or arranged to be used or occupied".

ACCESS EASEMENT: An easement across one or more adjacent properties to allow vehicular access to an otherwise inaccessible area at any time. (Ord. 2012, 7-6-1981)

ACCESSORY BUILDING, ATTACHED: An accessory building that is attached to or within ten feet (10') of a dwelling. (Ord. 2124, 10-15-1984)

ACCESSORY BUILDING, DETACHED: An accessory building which is located a minimum of ten feet (10') from a dwelling. The footprint of the building shall be used to determine the maximum permitted size of a detached accessory building. (Ord. 2741, 11-4-2002)

ACCESSORY USE OR STRUCTURE: A use or structure that is incidental and subordinate to the principal allowed use of a property and located on the same lot as the principal allowed use.

ADMINISTRATOR : A person who is legally vested with the right of administration of this ordinance. (Ord. 2012, 7-6-1981)

AGRICULTURAL LAND: Land used for the raising of plant crops and animals on pasture, but excluding feedlots and dairies. (Ord. 2275, 7-17-1989)

AGRITOURISM ACTIVITY: An accessory use/secondary activity carried out on an active farm or ranch of ten (10) acres or more that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational farming programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, farm animal petting zoos, short term farm festivals, corn mazes, "harvest-your-own" events, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an agritourism activity whether or not the participant paid to participate in the activity. (Ord. 2018-007, 8-20-2018)

ALLEY: See definition of street.

ANIMAL, SMALL AND LARGE: An animal shall be considered small if it is a domestic pet normally kept in a house and weighs less than one hundred fifty (150) pounds at maturity. All other animals shall be classed as large animals.

APARTMENT HOTEL: A building or portion thereof designed for or containing both individual guestrooms or suites of rooms and dwelling units.

APPLIANCE REPAIR: The repair of a household or office device operated by gas or electrical current.

APPROVED: Unless otherwise indicated, shall mean by the Council. All approvals delegated herein to administrative personnel of the City are subject to review and final determination by the Council. (Ord. 2012, 7-6-1981)

ARCHITECTURAL PROJECTION: Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building but shall not include signs. Examples of such projections are cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, etc. For carports or canopies the architectural projection shall be measured from the support posts unless said posts are located more than three feet (3') from the outer edge of the carport or canopy roof. In such case a maximum of three feet (3') shall be considered the architectural projection. (Ord. 2124, 10-15-1984)

AREA OF IMPACT: The area surrounding the city as established by mutual agreement with the county in conformance with state law. (Ord. 2012, 7-6-1981)

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year. (Ord. 2045, 7-6-1982)

AUTOMOBILE AND RECREATIONAL VEHICLE RENTAL/STORAGE YARDS: Parking and/or storage of new and/or used automobiles and recreation vehicles, which may or may not be capable of immediate operation under their own power. (Ord. 2741, 11-4-2002)

AUTOMOBILE IMPOUND FACILITY: A facility that provides temporary outdoor storage for three (3) or more vehicles that

are to be claimed by titleholders or their agents, provided that no vehicle shall be stored at said facility for more than forty five (45) days and must remain mechanically operable and licensed at all times, or a parcel of land or a building that is used for the storage of wrecked motor vehicles usually awaiting insurance adjustment or transport to a repair shop and where motor vehicles are kept for a period of time not exceeding fourteen (14) days. (Ord. 2773, 12-15-2003)

AUTOMOBILE, MOBILE HOME, TRAVEL TRAILER AND FARM IMPLEMENT REPAIR: The repair of automobiles, mobile homes, travel trailers and farm implements.

AUTOMOBILE, MOBILE HOME, TRAVEL TRAILER AND FARM IMPLEMENT SALES AREAS: An open area, other than a street used for the display, sale or rental of new or used automobiles, mobile homes, travel trailers, or farm implements but not including repair work except minor incidental repair of same to be displayed, sold or rented on the premises.

AUTOMOBILE WRECKING: The dismantling or wrecking of two (2) or more used motor vehicles, mobile homes or trailers. (Ord. 2012, 7-6-1981)

AUTOMOBILE WRECKING YARD AND JUNKYARD: Any area where automobile wrecking is carried out and/or accumulation of parts thereof, are stored in the open; or any land, building or structure used for the wrecking or storing of such motor vehicles or property containing any dismantled, abandoned, nonoperating, junked, damaged or destroyed household goods and equipment, motor vehicles, machinery or miscellaneous property. (Ord. 2773, 12-15-2003)

BASE FLOOD: The flood having a one percent (1%) chance of being equaled or exceeded in any given year. (Ord. 2045, 7-6-1982)

BASEMENT: A portion of living space in a dwelling unit all or at least one-half ($\frac{1}{2}$) of its height below the average level of the adjoining ground. (Ord. 2012, 7-6-1981)

BEST MANAGEMENT PRACTICES (BMPs): Those methods, or practices to prevent or reduce water pollution and include, but are not limited to, structural and nonstructural controls, and operation and maintenance procedures. BMPs can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters. (Ord. 2481, 5-1-1995)

BICYCLEWAY: A public way designed for the use of nonmotorized vehicles.

BLOCK: A group of lots, tracts or parcels within well defined boundaries, usually streets. (Ord. 2012, 7-6-1981)

BUILDING: Any structure having a roof supported by columns or by walls and intended or used for shelter, housing or enclosure of persons, animals, plants, chattels, or property of any kind. (Ord. 2124, 10-15-1984)

BUILDING LINE: See definition of Line, Building. (Ord. 2012, 7-6-1981)

BUILDING OFFICIAL: The building official or other city employee appointed by the building official. (Ord. 2957, 12-8-2008)

BUSINESS PARK: A development approved through the ZDA process that contains a number of separate manufacturing, commercial, office and supporting uses and open space. (Ord. 3082, 12-8-2014)

CALL CENTER: An operational center set up to utilize telecommunication and computer technologies to automate various high volume inbound and/or outbound telephone activities and services. (Ord. 2710, 12-3-2001)

CANYON RIM: The point below which the final slope toward Rock Creek or the Snake River exceeds thirty percent (30%) for a distance of ten (10) or more feet. The "final slope", as the term is used herein, excludes minor breaks in the canyon wall which have a slope of less than thirty percent (30%) but are: a) inaccessible from existing streets, and/or b) less than one hundred feet (100') in width. There may be multiple rims meeting this definition, and the requirements of the canyon rims overlay district apply to all such rims. The location of the rim shall be determined before any excavation or grading preparatory to development occurs. Any developer may, prior to filing an application for approval, request that the city engineer delineate the rim on his or her property.

CANYON RIM SETBACK: The shortest distance between the canyon rim and the exterior wall of any building for which a canyon rim setback is required. (Ord. 2466, 2-6-1995)

CARPORT, ATTACHED: Having all or part of one wall common to the dwelling or to a covered porch attached to the dwelling or located within ten feet (10') of a dwelling.

CARPORT, DETACHED: A roofed structure of which all sides and ends are not enclosed and which is located a minimum of ten feet (10') from a dwelling. (Ord. 2124, 10-15-1984)

CASHIER'S BOOTH: A building not exceeding sixty (60) square feet which is used solely for the receipt of money from automotive and petroleum products and which contains no items for sale. (Ord. 2072, 7-5-1983)

CEMETERY: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery for which perpetual care and maintenance is provided. (Ord. 2012, 7-6-1981)

CHANGE OF USE: A change of use from one of the following categories to another:

(A) Agricultural.

- (B) Agricultural processing.
- (C) Communications and utilities.
- (D) Cultural facilities.
- (E) Governmental facilities.
- (F) Manufacturing.
- (G) Medical facilities.
- (H) Miscellaneous.
- (I) Parks.
- (J) Public assembly.
- (K) Residential.
- (L) Retail trade.
- (M) Services.
- (N) Sports facilities.
- (O) Transportation.
- (P) Wholesale facilities. (Ord. 2526, 5-20-1996)

CITY: The city of Twin Falls.

CITY MANAGER: The city manager or other city employee appointed by the city manager. (Ord. 2957, 12-8-2008)

COLLOCATION: The use of a single support system on the ground by more than one carrier or several support systems on an existing building or structure by more than one carrier. (Ord. 2678, 1-16-2001)

COMMERCIAL USE: A structure or area intended for the selling, bartering or swapping of any merchandise, commodities, objects or services.

COMMISSION: The city of Twin Falls planning and zoning commission².

COMMON AREA: Lands or real estate intended for the common use of a group of persons all of whom have an undivided common interest in the real estate.

COMMON AREA (CONDOMINIUM): The separate interest in a condominium.

COMMON AREA, LIMITED: A common area within a condominium ownership that is restricted in use to include only a part of the group of persons who have a common interest in a condominium project.

COMMON, INTEREST IN: Every interest created in favor of several persons in their own right is an interest in common, unless acquired by them in partnership, for partnership purposes or unless declared in its creation to be a joint interest or unless acquired as community property.

COMMON WALL: A wall located upon or at the division line between adjoining premises and use, intended to be used or available to be used by both owners of such premises in the construction or maintenance of improvements on their respective properties.

COMPREHENSIVE PLAN: The overall guiding document for all development within the legal jurisdiction of the city.

CONCESSION: A building or structure having less than three hundred (300) square feet of area that is used for the sale of food, beverages and/or souvenirs.

CONDOMINIUM OWNERSHIP: An estate consisting of: a) an undivided interest in common in real property in an interest or interests in real property or in any combination thereof, together with b) a separate interest in real property, in an interest or interests in real property, or any combination thereof.

CONDOMINIUM PLAT: The drawing of a division of real property into individual interests in common together with a separate interest in the real property for the purpose of establishing condominium ownership together with the declaration that is filed according to law with the county recorder. (Ord. 2012, 7-6-1981)

COTTAGE BUSINESS: A small, individually owned business or concern that functions without altering the residential character of the neighborhood and which does not create any negative impacts on the public health, safety, and general welfare of the adjacent property owners. (Ord. 2657, 6-19-2000)

COUNCIL: The city of Twin Falls city council.

COUNTY: Twin Falls County, Idaho and its governing board.

COVENANT: A written promise or pledge. (Ord. 2012, 7-6-1981)

CULTURAL ACTIVITIES: Activities, programs, displays or performances, presented for the enjoyment, education or other benefit of the general public, involving art, music, literature, live theater, craft shows, history or humanities. (Ord. 2851, 3-6-2006)

DAYCARE SERVICE: Services offered by persons who are paid to supervise or care for six (6) or more persons including the resident children, but excluding those businesses or religious institutions which provide incidental daycare service for patrons or attendees while parents are on the premises. (Ord. 2850, 2-21-2006)

DEDICATION: The setting apart of land or interest in land for use by the public by ordinance, resolution or entry in the official minutes as by the recording of a plat. Dedicated land becomes public land upon the acceptance by the local governing authority. (Ord. 2012, 7-6-1981)

DETENTION FACILITY: Those methods or devices that temporarily collect and hold the stormwater runoff and release the water at a metered rate over time. (Ord. 2481, 5-1-1995)

DEVELOPED: A developed property is a property for which a certificate of occupancy has been issued to occupy a building on the property. (Ord. 2957, 12-8-2008)

DEVELOPER: The owner, or his legally authorized agent, of lands that are being platted or mapped. (Ord. 2012, 7-6-1981)

DEVELOPMENT: Lands within the boundaries of an area that is platted or mapped in accordance with this title that are intended to be improved by the construction or addition of buildings or other structures; by mining, dredging, filling, grading, paving, excavation or drilling. (Ord. 2045, 7-6-1982)

DORMITORY: A rooming house or residence hall occupied by students.

DRIVE-IN ESTABLISHMENT: A commercial establishment, excluding gasoline service stations, in which business is conducted while the customers are vehicle occupants. (Ord. 2012, 7-6-1981)

DWELLING: A building or portion thereof designed exclusively for residential occupancy, including manufactured homes, but not including hotels, boarding and lodging houses, trailers, camp cars or trailer houses. (Ord. 2110, 7-16-1984)

DWELLING, MULTIPLE: A building or portion thereof, designed for three (3) or more households living independently of each other and including apartment hotels.

DWELLING, ONE HOUSEHOLD: A detached building containing one dwelling unit.

DWELLING, TWO HOUSEHOLD: A building designed exclusively for occupancy for two (2) households living independently of each other including duplexes, semidetached houses and separately owned shared wall dwellings.

DWELLING UNIT: Space within the dwelling designed to accommodate all normal cooking, sleeping and sanitation needs of the residents.

EASEMENT: A right of use for a stated purpose, falling short of ownership, granted by a property owner to the public or to another person and restricting the property owner's use of the property by prohibiting the construction of any permanent building or structure over the easement and by prohibiting any other stated restriction of use.

ENGINEER: A professional engineer registered in the state of Idaho.

EQUESTRIANWAY: A public way designed to be used for horseback riding. (Ord. 2012, 7-6-1981)

FACADE MOUNTED: Directly attached or affixed to the elevation of a building, tank, or other structure. (Ord. 2678, 1-16-2001)

FARM: An area twenty (20) acres or more in the area of impact which is being used for the purpose of producing food, fiber, seed stock, fodder or oil producing crops. (Ord. 2012, 7-6-1981)

FEEDLOTS AND DAIRIES: A parcel or parcels of land under the same ownership or management with more than five (5) animals per acre or a total of fifty (50) animals, whichever is less. (Ord. 2275, 7-17-1989)

FINISH FLOOR: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "finish floor".

FLOOD INSURANCE RATE MAP: The official map on which the federal insurance administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY: The official report provided by the federal insurance administration that includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood. (Ord. 2012, 7-6-1981)

FLOOD OR FLOODWATERS: A temporary overflow of water on lands not normally covered by water. (Ord. 2045, 7-6-1982)

FLOODPLAIN: The relatively flat areas or lowlands adjoining the channel of a watercourse, or areas where drainage is or may be restricted by manmade structures which have been or may be covered partially or wholly by floodwater, but shall compose an area not less than that area confined by the 50-year flood and shall not exceed that area confined by the 100-year flood. (Ord. 2012, 7-6-1981)

FLOODPLAIN REGULATIONS: The codes, ordinances and other regulations relating to the use of land and construction within the channel and floodplain areas, including zoning ordinances, subdivision regulations, building codes, housing

codes, setback requirements, open area regulations and similar methods of control affecting the use and development of the areas.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures and contents of buildings.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot (1'). (Ord. 2045, 7-6-1982)

FREESTANDING TOWER: A tower not physically attached to a building or structure. A tower is attached to the ground by a foundation. (Ord. 2678, 1-16-2001)

FRONT: The front of a building shall be the wall so designated by the building official which best conforms to the intent of this title. The front property line shall be the lot line most nearly parallel to the front of a building. In designating the front of a building, the building official shall base his decision on the location of the door which provides the principal access into the building and/or the location of the trafficway which provides the principal access to the property. The decision of the building official may be appealed to the city council for interpretation of the intent of this title and final determination of the designated front.

FRONTAGE, ENTIRE: All the property fronting on one side of a street between intersecting streets, or between a street and right of way, waterway, end of dead end street or city boundary, measured along the street line. An intersecting street shall determine only the boundary of the frontage on the side of the street which it intersects.

GARAGE, ATTACHED: A garage having all or part of one wall common to the dwelling or to a covered porch attached to the dwelling.

GARAGE, DETACHED: A garage which is completely surrounded by open space.

GARAGE, PRIVATE: A building or a portion of a building in which only motor vehicles used by the tenants of the building on the premises are stored or kept.

GOVERNING AUTHORITY: The city council of the city of Twin Falls, Idaho. (Ord. 2110, 7-16-1984)

GOVERNMENT OPEN STORAGE YARD: Storage of vehicles, equipment, and materials accessory to the operation of an owned or leased governmental facility. (Ord. 3088, 2-2-2015)

GOVERNMENTAL FACILITIES: Facilities operated or occupied by a governmental agency for the benefit of the general population. (Ord. 2379, 6-15-1992)

H-1 AND H-7(2) FACILITIES: Facilities for storage, handling, use or sale of hazardous and highly flammable or explosive materials other than flammable liquids as defined by the edition of the building code most recently adopted by the city council. (Ord. 2620, 8-2-1999)

HEIGHT: The vertical distance measured from the highest point of the top of the curb or future curb adjacent to the subject property. (Ord. 2124, 10-15-1984)

HIGHWAY: A street designated as a highway by an appropriate state or federal agency.

HILLSIDE SUBDIVISION: Any subdivision or portion thereof having an average slope of ten percent (10%) or more.

HISTORIC SITES: Sites established by the city, county, state or federal government as historic monuments that should be preserved. (Ord. 2110, 7-16-1984)

HOME OCCUPATION: A service, excluding daycare, offered by the resident of a household unit or the sale of items handcrafted on the premises by the resident of a household unit providing the service, sale or handcrafting is performed only by the resident therein and providing the area used in performing the home occupation does not exceed four hundred (400) square feet in area and providing there is no exterior indication of the home occupation. Services which generate no traffic to the premises or which use no vehicles which would not normally be found incidental to a residential use shall be exempt from this definition. In the C1, M1 and M2 zones, only existing on site residences may be used for home occupations. (Ord. 2741, 11-4-2002)

HORTICULTURAL SERVICES: Services which support horticultural activities such as quality control laboratories and soil and chemistry testing. (Ord. 2550, 6-2-1997)

HOSPITAL: An institution providing health services, primarily for inpatient and medical or surgical care of sick or injured, including outpatient departments, training facilities, central service facilities and staff offices. Hospitals are assumed to be for humans unless otherwise indicated.

HOTEL: Any building containing six (6) or more rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests. (Ord. 2110, 7-16-1984; amd. Ord. 2227, 12-21-1987)

HOUSEHOLD: An individual or two (2) or more individuals related by blood, marriage, legal adoption or guardianship, together with any servants, not to exceed ten (10) persons, or a group of four (4) or less persons who are unrelated and

reside together for more than thirty (30) days. (Ord. 2710, 12-3-2001)

HOUSEHOLD BUILDING: A single building containing one or more household units.

HOUSEHOLD UNIT: A room or group of rooms within a building containing cooking and bathroom facilities intended for use and occupancy by one family.

ILLUMINATED SIGN: A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

IMPROVEMENT: Any alteration to the land or other physical constructions associated with subdivision and building site developments. (Ord. 2110, 7-16-1984; amd. Ord. 2227, 12-21-1987)

IN HOME DAYCARE SERVICE: Daycare service in a home in which the provider lives full time and is the main on site caregiver of the service. (Ord. 2850, 2-21-2006)

INDOOR RECREATIONAL FACILITY: A building in which recreational activities such as ice or roller skating, bowling, dancing, card games, swimming, tennis, video games, billiards, bingo and other similar activities take place. (Ord. 2550, 6-2-1997)

LARGE SCALE DEVELOPMENT: A subdivision which consists of sixty (60) or more lots or dwelling units or which contains forty (40) acres or more. (Ord. 2140, 3-18-1985)

LATTICE TOWER: A support structure that consists of a network of crossed metal braces, forming a tower that is usually triangular or square in cross section. Roof mounted towers not exceeding two feet (2') in width in any cross section and not exceeding fifty feet (50') in height shall not be considered lattice towers. (Ord. 2700, 7-16-2001)

LESSEE: A person holding a legally enforceable lease.

LINE, BUILDING: One of four (4) perpendicular lines established by the building official for the purpose of measuring setbacks. The lines shall be established parallel to the predominate building walls and shall pass through the most exterior point on the building walls, excluding architectural features not intended for occupancy.

LINE, PROPERTY: The legal boundary of a parcel of real property.

LOADING SPACE: An off street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.

LOT: Unless otherwise defined, a parcel of land with sufficient size to meet the minimum requirements of this title for use, dimensional standards and off street parking and which is owned by a single person with a separate interest or a group of persons with a separate interest together with an interest in common in the real property.

LOT AREA: The total area of a lot measured on a horizontal plane within the boundary lines exclusive of public and private roads, and easements of access to other property.

LOT, CONDOMINIUM: For the purposes of a condominium, a lot shall be the farthest exterior boundary of the real property upon which the project is situated.

LOT, CORNER: A lot situated at the intersection of two (2) or more streets.

LOT, DEPTH: The horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.

LOT, INTERIOR: A lot other than a corner lot.

LOT, PLATTED: A lot or individual parcel shown on a plat.

LOT, REVERSED CORNER: A corner lot, the side street line of which is substantially a continuation of the front lot line of the lot to its rear.

MAINTENANCE EASEMENT: An easement granted for the purpose of providing access for repair and maintenance of the appurtenant property in zero lot line subdivisions.

MANAGEMENT BODY: A person or group of persons created in accordance with this title to manage a development and maintain all common areas.

MANAGEMENT BODY (CONDOMINIUM): Any person or persons managing a project, and includes the condominium owners acting themselves, a corporation or association of which the owners are members or stockholders, a body of governors or directors elected by the owners, or a management agent selected by the owners, corporation or association, or by the board, or named in the declaration. (Ord. 2110, 7-16-1984)

MANUFACTURED HOME: A structure built since June 15, 1976, that bears the seal of HUD indicating it has met the mobile home construction and safety standards of the United States department of housing and urban development (HUD standards) and is used as a permanent dwelling. Manufactured homes shall comply with the following development standards:

- (A) Shall be at least twenty four feet (24') wide, with a minimum floor area of nine hundred sixty (960) square feet.

(B) Shall have a nonmetallic, wood shake or asphalt shingle roof with a minimum slope of three to twelve (3/12) and a minimum six inch (6") eave.

(C) Shall have horizontal aluminum, simulated wood or wood siding.

(D) Shall have a foundation fascia that is similar in appearance and durability to the masonry foundation of site built dwellings and which surrounds the entire perimeter of the structure and completely encloses the space between the siding and the finished grade.

(E) Shall be permanently affixed and set upon a foundation base having an anchoring system that is totally concealed under the structure. The running gear and towing hitch shall be removed.

(F) Shall obtain a building permit from the city building department to ensure that the manufactured home is placed on site to HUD standards set forth in circular letter 2-83, dated April 8, 1983, published by the Boise service office of HUD regulating the perimeter foundation, the anchoring of the structure to its foundation and other building requirements. (Ord. 2526, 5-20-1996)

MANUFACTURING USE: The fabricating or assembling of materials into finished or partially finished products by hand or by the use of machinery, but excluding home occupations, activities creating products in which the process does not yield any vapor, liquid or solid waste materials, and crafts made in conjunction with retail business which may include, but not be limited to, ceramics, mosaics, fabrics, jewelry, leather goods, silk screening, dress designing, sculpturing and wood carving.

MARQUEE: A permanent roofed structure supported by the main building and projecting over a public way. (Ord. 2012, 7-6-1981)

MASTER DEVELOPMENT PLAN: A plan showing a carrier's expected network of wireless communication facilities within the city and its area of impact. (Ord. 2678, 1-16-2001)

MOBILE HOME: A structure of over four hundred (400) square feet in interior area that is transportable in one or more sections, built on a permanent chassis, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; not to include recreational vehicles or travel trailers. (Ord. 2045, 7-6-1982)

MOBILE HOME PARK: Any tract of land that is divided into rental spaces under common ownership or management for the purpose of locating two (2) or more mobile homes for dwelling purposes. (Ord. 2347, 9-3-1991)

MOBILE HOME, TEMPORARY: A nonself-propelled vehicle of less than four hundred (400) square feet interior area designed, constructed or intended for temporary residential use.

MONUMENT: Any permanent marker either of concrete, galvanized iron pipe, or iron steel rods, used to identify any tract, parcel, lot or street lines, as specified in section 50-1303 Idaho Code.

MULTIPLE OCCUPANCY BUILDING: A building containing more than two (2) businesses or households. (Ord. 2012, 7-6-1981)

NONCONFORMING BUILDING: A building or structure not conforming to the provisions of this title but which was lawfully existing or under construction at the time of the adoption of this title.

NONCONFORMING USE: A use not conforming to the provisions of this title but which was lawfully existing at the time of adoption of this title. (Ord. 2140, 3-18-1985)

NONRESIDENTIAL USE: Any structure, activity, or use not included in the definition of "residential use" contained in this section. A home builder model home, temporary sales trailer, and an apartment leasing office are included in this definition. (Ord. 2957, 12-8-2008)

OFF PREMISES SIGN: A sign mounted on property other than that occupied by the use being advertised by said sign. This definition shall exclude signs located within an approved ZDA advertising a nonresidential use or nonresidential uses located within that ZDA and approved as part of a master sign plan through the ZDA process. (Ord. 3082, 12-8-2014)

ON PREMISES SIGN: A sign mounted on property that is occupied by the use being advertised by said sign. (Ord. 2957, 12-8-2008)

100-YEAR FLOOD: The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year). (Ord. 2045, 7-6-1982)

OPEN SPACE: An area retaining a natural ground cover free of any buildings, structures, streets or parking areas.

ORIGINAL PARCEL OF LAND: A lot or tract as recorded on any plat or record on file in the office of the county recorder, or an unplatted contiguous parcel of land held in one ownership and of record at the effective date hereof. In cases of "unrecorded matters of fact", the commission shall use its best judgment to determine a fair designation.

ORPHANAGE: A rooming house or residence hall occupied by orphaned children.

OWNER: Any person or group of persons having legal title to real property which is subject to this title.

PARKING SPACE, AUTOMOBILE: An enclosed or unenclosed surfaced area of not less than twenty feet by nine feet (20' x 9') in size, together with access and maneuvering space sufficient to permit a standard automobile to be parked within the surfaced area, permanently reserved for the temporary parking or storage of one automobile. The total space shall be not

less than two hundred seventy (270) square feet.

PATIO, COVERED: See definition of Carport, Attached.

PEDESTRIANWAY: A public way designed to be used as a walkway for pedestrians.

PERFORMANCE BOND: An amount of money or other negotiable security paid by the subdivider or his surety to the city clerk which guarantees that the subdivider will perform all actions required by the governing body regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of an approved plat, the subdivider or his surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approved plat.

PERMANENT: Not less than six (6) months.

PERSON: Any individual or any corporation, joint venture, limited partnership, partnership, firm, association, trustee or other similar entity or organization.

PICK UP SHELTER: A structure used only by persons waiting for public transportation.

PLAT: The drawings, certifications, descriptions and approvals of a division or proposed division of real property into two (2) or more lots, blocks, parcels, sites, plots, units, common areas, limited common areas or other descriptive designations of real property for the purpose of offering for sale, lease or development, either on the installment plan or upon any and all other plans, terms and conditions to any person having a separate interest or an individual interest in common together with a separate interest in any or all of the real property. All as set forth by Idaho Code.

PORCH: A covered entrance to a building. (Ord. 2012, 7-6-1981)

PREMISES: A parcel of land or contiguous parcels of land with their appurtenances and buildings which are under one ownership or control. (Ord. 2124, 10-15-1984)

PRIVATE: Belonging to an individual or group of persons and not for the public or open to the public.

PRIVATE WAY: Any right of way or easement dedicated or platted across real property owned by the person dedicating or platting the private way and intended for the general or special use of a person or persons rather than the general public. (Ord. 2012, 7-6-1981)

PROFESSIONAL SERVICES: Services offered by persons engaged in the legal, engineering, architectural, design, planning, accounting, banking, auditing, and related professions. (Ord. 2550, 6-2-1997)

PROHIBITED SIGN: Any sign listed in section 10-9-10 of this title, signs that do not comply with this or other applicable ordinances, and signs that are otherwise prohibited. (Ord. 2957, 12-8-2008)

PROJECT: A development.

PROJECT (CONDOMINIUM): The entirety of the property divided or to be divided into condominiums.

PROPERTY (CONDOMINIUM): The land described in the declaration recorded, together with any building, improvement or structure thereon, and every easement or right appurtenant thereto, and all personal property intended for use in connection therewith or for the use, benefit or enjoyment of the condominium owners.

PUBLIC: Owned by federal, state or local government or subdivisions thereof. (Ord. 2012, 7-6-1981)

PUBLIC VIEW: A view from any public or city right of way or access easement. (Ord. 2957, 12-8-2008)

PUBLIC WAY: Any right of way or easement dedicated or platted across real property owned by the person dedicating or platting the public way and intended for the general or special use of the public; or any right of way or easement legally obtained by the city through the use thereof providing such public way has not been vacated by the city council.

REAL PROPERTY: Real estate consisting of: a) lands, possessory rights to land, ditch and water rights, and mining claims, both lode and placer; b) that which is affixed to land; and c) that which is appurtenant to land.

REAR: The rear of a building and rear property line shall be the wall and lot line most nearly parallel to the front wall and lot line. (Ord. 2012, 7-6-1981)

RECREATIONAL VEHICLE AND CAMPING PARK: Any tract of land that is divided into rental spaces under common ownership or management for the purpose of locating recreational vehicles, travel trailers or tents for dwelling purposes for a period not to exceed six (6) months. (Ord. 2550, 6-2-1997)

RELIGIOUS FACILITIES: A building intended for the worship of a God and its related facilities such as meeting halls, a household unit for persons employed in the building, and schools for religious teachings.

RELIGIOUS QUARTERS: A rooming house or residence hall occupied by persons employed by a single religious organization.

REPRODUCIBLE DRAWING: A permanent drawing prepared in black india ink or an archival photographic image process conforming to the standards established by the American National Standards Institute on a polyester material four-thousandths of an inch (0.004") thick with a matte finish.

RESERVE STRIP: A strip of land between a partial street and adjacent property, which is reserved or held in public ownership for future street extension or widening.

RESIDENCE HALL: A building without cooking facilities where one or more rooms without cooking facilities are occupied by separate households for more than thirty (30) days without board.

RESIDENTIAL HOTEL: A residence hall or rooming house having one or more rooms occupied by separate households where more than seventy five percent (75%) of the households reside for more than thirty (30) days. (Ord. 2012, 7-6-1981)

RESIDENTIAL USE: Any detached single-family, attached single-family, duplex, townhome, condominium, multi-family, agricultural, or other structure, activity, or use occupied or operated primarily to provide the cooking, sleeping, and sanitary needs of an individual or family. (Ord. 2957, 12-8-2008)

RETENTION FACILITY: Those methods or devices that collect and hold the stormwater runoff for dissipation through infiltration and/or evaporation. (Ord. 2481, 5-1-1995)

RETIREMENT HOME: A rooming house or residence hall occupied by retired persons.

RIGHT OF WAY: A strip of land dedicated or reserved for use as a public way, which normally includes streets, sidewalks and other public utilities or service areas.

ROOF PROJECTIONS: Chimneys, smokestacks, church spires, flagpoles, radio and television antennas or towers, masts, cooling towers, elevator shafts and other similar projections.

ROOMING HOUSE: A building with common cooking facilities having one or more rooms without cooking facilities occupied by separate households for more than thirty (30) days with or without board.

SANATORIUM: A private hospital, whether or not such facility is operated for profit.

SCHOOL: Any place primarily used for teaching.

SERVICE BUILDING: A permanent building or buildings designed to provide service facilities to the inhabitants or users of any development.

SERVICE ROAD: A dedicated minor way which is used for vehicular access to back or side of residential property otherwise abutting on a street.

SERVICE STATION: A building or portion thereof and land used for supplying fuel, oil and minor accessories for motor vehicles at retail direct to the customer and for making minor emergency repairs. (Ord. 2012, 7-6-1981)

SETBACK: The distance from a property line, centerline, canyon rim, right of way, or structure within which a building is prohibited. (Ord. 2620, 8-2-1999)

SHELTER HOME: Building or facility however named, operated on either a profit or nonprofit basis for the purpose of providing a home with necessary supervision for three (3) or more persons not related to the owner and who are unable to care for themselves.

SIDE: The side of a building and side property line shall be the wall and lot line most nearly perpendicular to the front wall and lot line. (Ord. 2012, 7-6-1981)

SIGN: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. This definition includes the signs defined herein. (Ord. 2957, 12-8-2008)

SPECIAL USE PERMIT: A permit granted by the commission for a permanent use that is otherwise prohibited but may be allowed under specific provisions when not in conflict with a comprehensive plan.

SPORT SHOOTING RANGE: Shooting range as defined by Idaho State Statute 55-2604, or as amended, an area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or other similar sport shooting.

SPORTING VEHICLES: Travel and tent trailers not over eight feet (8') wide or thirty two feet (32') long and capable of being towed with safety behind a passenger vehicle, campers designed to be mounted on a pickup truck, boats and accessories, recreational type snow machines required to be licensed under the laws of the state of Idaho and having a maximum seating capacity for three (3) persons and motorcycles and related items designed to be used off the highway system.

STANDARD SPECIFICATIONS: The specifications as specified in this title or as officially adopted by the city council.

STATE: State of Idaho. (Ord. 2012, 7-6-1981)

STORMWATER: Stormwater runoff, snowmelt, and surface runoff and drainage. (Ord. 2481, 5-1-1995)

STREET: A right of way which provides access to adjacent properties, the dedication of which has been officially accepted. The term "street" also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, land, place and other such terms.

(A) **Alley:** A minor street providing secondary access at the back of a property otherwise abutting a street.

- (B) Local: A street which has the primary purpose of providing access to abutting properties.
- (C) Collector: A street designated for the purpose of carrying traffic from local streets to other collector streets and/or arterial streets.
- (D) Arterial: A street designated for the purpose of carrying fast and/or heavy traffic.
- (E) Loop: A local street with both terminal points on the same street of origin.
- (F) Cul-De-Sac: A street connected to another street at one end only as provided with a turnaround space at its terminus.
- (G) Frontage: A local street parallel to and adjacent to an arterial street to provide access to abutting properties.
- (H) Partial: A dedicated right of way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.
- (I) Stub Street: A street which terminates without provisions for a turnaround area.
- (J) Half Street: A street comprised of one-half ($\frac{1}{2}$) of the width required to conform with a standard city street section.
- (K) Private: A street that is not accepted for public use or maintenance which provides vehicular and pedestrian access.

STREET GRADE: The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street shall be taken as the street grade.

STRUCTURAL ALTERATIONS: Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders. (Ord. 2012, 7-6-1981)

STRUCTURES: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences and billboards, but exclude utility poles and streetlights. (Ord. 2999, 1-24-2011)

SUBDISTRICTS, BASIC AND SECONDARY: A zoning designation that provides flexibility for the development of a homogeneous unit without compromising the health, safety or general welfare of the community.

SUBDIVIDER: The individual, firm, corporation, partnership, association, syndicate, trust or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this title. The subdivider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient property rights in the property to represent the owner. (Ord. 2012, 7-6-1981)

SUBDIVISION: The result of an act of dividing an original lot, tract or parcel of land into two (2) or more parts for the purpose of transfer of ownership or development; which shall also include the dedication of public streets and other rights of way and the addition to, or creation of, a cemetery. However, this title shall not apply to any of the following:

- (A) An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth or building setback lines of each building site below the minimum zoning requirements, and does not change the original number of lots in any block of the recorded plat;
- (B) The unwilling sale of land as a result of legal "condemnation" as defined and allowed in the Idaho Code ;
- (C) Widening of existing streets to conform to a comprehensive plan;
- (D) The acquisition of a street right of way by a public agency in conformance with a comprehensive plan; and
- (E) The exchange of land for the purpose of straightening property boundaries which does not result in the change of the present land usage. (Ord. 2901, 4-16-2007)

SURVEYOR: A land surveyor or professional engineer registered in the state of Idaho. (Ord. 2012, 7-6-1981)

THEATER, OUTDOOR: An open developed lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures, theatrical or musical productions/concerts, on a paid admission basis, to patrons seated in automobiles or on outdoor seats or on the ground. (Ord. 2016-5, 3-7-2016)

TOTAL STRUCTURE (CONDOMINIUM): The structure within which is contained all of the units of the condominium.

TOURIST COURT: A group of attached or detached buildings containing individual sleeping or living units designed for, or used temporarily by, automobile tourists or transients, with parking spaces conveniently located to each unit and including auto courts, motels or motor lodges.

TOWNHOUSE: A single-family dwelling with party walls and no side yards between abutting dwellings.

TRAFFICWAY: A public way or a private way whose primary use is for movement of motorized vehicles.

TRAILER, CAMP CAR OR TRAILER HOUSE: Any unit used for living or for sleeping purposes which is equipped with wheels or similar device used for the purpose of transporting said unit from place to place, whether by motor power or other means, and such vehicles that are used as aforesaid that have had the wheels or equipment removed.

TRANSIENT LODGING: A rooming house or residence hall having one or more rooms occupied by separate families where

less than seventy five percent (75%) of the families reside for more than thirty (30) days. (Ord. 2012, 7-6-1981)

UNATTENDED VEHICLE: A vehicle parked for more than twenty four (24) hours in one location. (Ord. 2045, 7-6-1982)

UNDEVELOPED: An undeveloped property is a property for which a certificate of occupancy has not been issued to occupy a building on the property. (Ord. 2957, 12-8-2008)

UNIT: A separate interest in real property in a condominium or townhouse ownership.

UNPLATTED AREA: Any area that has not been subdivided according to law.

USE: An activity or purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased. (Ord. 2012, 7-6-1981)

UTILITY POLE: A telephone, power, light, cable television, or flag pole. Light poles shall include street, stadium and security light poles. (Ord. 2678, 1-16-2001)

VARIANCE: A modification of the requirements of this title. (Ord. 2012, 7-6-1981)

VEHICLE: Any device in, upon, or by which any person or personal property is or may be transported. (Ord. 2957, 12-8-2008)

VICINITY MAP: A drawing which sets forth by dimensions or other descriptive means the relationship of a proposed development to other nearby developments, trafficways or other landmarks within the general area in order to better locate and orient the area in question.

WALL: The full width or length of a building, including recessed windows or doors. (Ord. 2012, 7-6-1981)

WIRELESS COMMUNICATIONS FACILITY: A facility that transmits and/or receives electromagnetic signals, including antennas, microwave dishes, parabolic antennas, directional antennas and other types of equipment for the transmission or reception of such signals, towers or similar structures supporting the equipment, equipment buildings, shelters, cabinets, and other facilities. (Ord. 2773, 12-15-2003)

YARD: An open space on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title. (Ord. 2012, 7-6-1981)

YARD, FRONT: A yard extending between side lot lines across the front of a lot and from the front lot line to the nearest part of a building, excluding architectural projections. Any street frontage is considered a front yard. (Ord. 2620, 8-2-1999)

YARD, REAR: A yard extending between side lot lines across the rear of the lot and from the rear lot line to the rear of the principal building, excluding architectural projections.

YARD, SIDE: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards, excluding architectural projections.

ZERO LOT LINE: A line created by the placement of a building line upon a side lot line or the creation of a side lot line which bisects a common wall. (Ord. 2012, 7-6-1981)

ZIP LINE: An aerial trail system providing recreation and education activity that preserves and protects the natural environment and habitat by enabling people to traverse terrain by means of cable and trolley. (Ord. 2997, 12-13-2010)

ZONING DEVELOPMENT AGREEMENT: A written commitment by a property owner or developer concerning the use or development of a subject parcel. A zoning development agreement may be required as a condition of rezoning and/or development of a subject parcel when a property is located adjacent to major arterial or collector streets and/or where a variety of uses may be desired in a preplanned environment with more flexible standards than normally apply to the use of land in a standard zoning district. (Ord. 3082, 12-8-2014; amd. Ord. 2021-010, 5-3-202)

Notes

1. See section 10-17-1 of this title.

2. See section 10-17-2 of this title.

1. IC § 7-701 et seq.



Twin Falls Planning & Zoning Commission Minutes

Wednesday, July 2, 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

Chairperson Campbell called the meeting to order at 12:00 PM

Members Attending: Campbell, Zimmerman, Weatherford, Herrgesell, Gomes

Staff Attending: Spendlove, Klaver, Green

2) Conflict of Interest Declaration

3) Consent Calendar

4) Items of Consideration

- a) Request for an Extension of timeline for the Canyon Rim Townhomes Preliminary Plat (PZ23-0100).

Staff Presentation:

Senior Planner Klaver presented the request for an Extension of timeline for the Canyon Rim Townhomes Preliminary Plat (PZ23-0100).

Per Twin Falls Municipal Code 10-12-2-3 (I) preliminary are approved for a period of two (2) years after the action by the Commission. However, the code allows for one (1) extension to be granted by the Commission for another two (2) years. For the Preliminary Plat be valid without an extension or, the applicant must submit a Final Plat application receive stamp of approval from the Planning and Zoning Administrator to be ready for City Council approval.

A simple majority vote on this item will grant the extension as requested.

City Staff does not foresee detrimental issues arising from granting this extension.

The Commission is tasked with making a final decision on this item.

PZ/Questions & Comments:

- Chairperson Campbell asked about the current rewrite and if any changes would have an impact on this project.
- Senior Planner Klaver stated he doesn't feel any changes will impact this. The ZDA approval allows this.
- Commissioner Gomes asked if this would come back.

- Senior Planner Klaver stated they have to provide construction plans and all other requirements. This is just extending the general road layout, density, lot layout and width of roads.

Discussions Followed:

The Commission doesn't see any issues with granting the extension.

MOTION: Commissioner Herrgesell moved to approve the request for an Extension of timeline for the Canyon Rim Townhomes Preliminary Plat (PZ23-0100). Commissioner Gomes seconded the motion. Roll call vote showed all members present voted.

Approved 5 to 0.

5) Public Hearings

- a) Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to “Zoning Actions” and “Appendix: Definitions”. c/o City of Twin Falls (PZ24-0121).

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 “Zoning Actions” and “Appendix: Definitions”. c/o City of Twin Falls (PZ24-0121).

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 Zoning Actions & Definition chapters of Title 10 as presented;
2. Move to recommend approval with conditions for the proposed zoning text amendment to the Zoning Actions & Definition chapters 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:

The Commission likes the new changes and feels this makes the code more user-friendly.

MOTION: Vice-Chairperson Zimmerman moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Zoning Actions" and "Appendix: Definitions". Commissioner Hergesell seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

a) July 8, 2025

7) Adjournment

The meeting adjourned at 12:57 PM

Jody Green

Jody Green, Planning Technician