



ORDINANCE NO. 502

AN ORDINANCE AMENDING MCCAMMON MUNICIPAL ORDINANCE CODE,
CONCERNING MULTIPLE ZONING ISSUES; PROVIDING FOR SEVERALBILITY AND
AN EFFECTIVE DATE.

WHEREAS, McCammon City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Idaho; and;

WHEREAS, Idaho Code empowers municipalities of the state to enact all ordinances and rules that they consider necessary of operations within the municipality, including zoning and development issues and regulations; and

WHEREAS, the City finds it is in the best interest of the community and its citizens to sometimes update and clarify sections of the City Code in order to better inform the general public or to clarify sections that may not be understood correctly; and

WHEREAS, a public hearing was held, and notice thereof published in the Idaho State Journal, a newspaper of general circulation in the City of McCammon, describing the proposed amendment and providing the time and place of such public hearing; and

WHEREAS, the McCammon City Council received all competent evidence offered in support of and in opposition to said proposed amendment in said meeting and it appearing that the proposed amendments are in accord with the City's goals and will promote health, safety, and the general welfare of the community; and

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF MCCAMMON:

Section 1. Repealer. Any provision of the McCammon Municipal Ordinance Code found to be in conflict with this ordinance is hereby repealed.

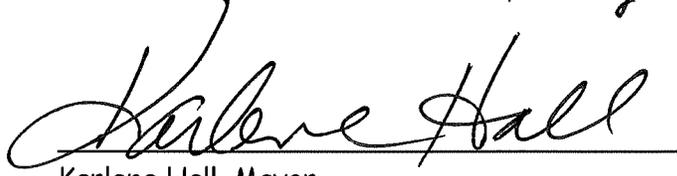
Section 2. The McCammon Municipal Ordinance, Title 16, Zoning, is hereby amended to update, better clarify, define and implement sections concerning numerous zoning issues, as outlined in Attachment A, attached hereto and incorporated hereby, to better conform to the goals and aspirations of the McCammon City Comprehensive Plan.

Section 3. All other titles, chapters and sections not otherwise amended hereby shall remain unchanged, in full force and effect.

Section 4. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 5. Effective date. This ordinance shall take effect immediately upon its adoption and posting.

PASSED, ADOPTED AND ORDERED POSTED this 14th day of July, 2021.


Karlene Hall, Mayor

Attest:


Sherri Bordeaux, City Clerk

Attachment A

16.08.010 Use Districts Designated

For the purpose of promoting pride of ownership, health, safety, morals and general welfare within its area of jurisdiction, the city is divided into the following use districts:

R-1 Single-family residential
R-2 Combined residential
C1 Neighborhood commercial
C2 Service commercial
M-1 Light industrial
A Agricultural
MU Mixed use

HISTORY

Amended by Ord. 480 on 12/5/2018, Amd. Ord. 502, 7-2021

16.08.020 Boundaries Determination

The boundaries of the use districts shall be determined and defined by the adoption of a map on which are shown the boundaries of use districts so adopted for each portion of McCammon.

(Ord. 223 Ch. 1 § 1(B), 1978)

16.08.030 Land Use--Conformity Required

Land or premises shall be used, unless otherwise provided in this title, only in conformity with the regulations set forth in this title for the use districts in which such land or premises are located. (Ord. 223 Ch. 1 § 1(C), 1978)

16.08.040 Buildings And Structures--Conformity Required

No building or structure shall be erected or structurally altered or used, unless otherwise provided in this title, except in conformity with the regulations set forth in this title for the use districts in which such building or structure is located.

(Ord. 223 Ch. 1 § 1(D), 1978)

16.08.050 Minimum Easement Requirements

For the purpose of insuring orderly development and to provide adequate access for fire fighting equipment and other services to all buildings, no residence or commercial building shall be erected or moved onto any lot, tract or parcel of land in any use district adopted under the provisions of this title unless the lot, tract or parcel of land has thirty feet of frontage on a public right-of-way and has reasonably efficient access thereto for vehicular traffic and has been legally subdivided; and provided further that a building permit may be issued for construction of a residence on a private easement where, in the opinion of the City Council, the following conditions have been reasonably met:

1. Minimum easement width of twenty feet;
2. Maximum easement length of four hundred feet;
3. Minimum turn-around radius of forty feet;
4. Maximum grade of ten percent;
5. The easement must serve land which otherwise would have no access to a public road.

(Ord. 223 Ch. 1 § 1(E), 1978)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.12 Official Zoning Map

16.12.010 Boundaries Established

16.12.020 Amendments

16.12.010 Boundaries Established

The boundaries of the use districts shall be established and clearly indicated upon the zoning map adopted as part of this title.

(Ord. 223 Ch. 1 § 2(A), 1978)

16.12.020 Amendments

1. All amendments of the official zoning map shall follow the procedure set out in Chapter 16.56.
2. Areas are to be classified according to the established use districts and such zoning shall give due consideration as conformity with an adopted comprehensive plan and its stated goals and objectives where these exist.

(Ord. 223 Ch. 1 § 2(B, C), 1978)

16.16 Single-Family Residential Zone (R-1)

16.16.010 Purpose

16.16.020 Permitted Uses

16.16.030 Conditional Uses For R-1 Zone

16.16.040 Building Height Regulations

16.16.050 Yard Setback Requirements

16.16.060 Lot Area Requirements

16.16.070 Accessory Uses

16.16.080 Off-Street Parking Requirements

16.16.010 Purpose

The purpose of the R-1 single-family residential zone is to preserve residential neighborhoods, to prevent overcrowding of the land and to encourage the development to low density areas which are best suited for residential purposes.

(Ord. 223 Ch. 1 § 3 (part), 1978)

16.16.020 Permitted Uses

Uses permitted in the R-1 zone are as follows:

1. One single-family dwelling (not to include mobile homes);
2. Truck gardening and other horticultural uses not operated as a commercial-enterprise;
3. Home occupations as defined in Chapter 16.04;
4. Accessory uses as regulated in Section 16.16.070;
5. Temporary buildings as uses necessary for construction purposes for a period not to exceed one year;
6. Schools;
7. Churches;
8. One sign not to exceed four square feet in area pertaining to the lease or sale of buildings or premises where the sign is located. This provision shall also apply to political signs during campaign periods. Signs for home occupations shall be limited to two square feet in areas, shall be unlighted and attached flush to the building;
9. One animal unit for every ~~one-half acre~~ fifteen thousand square feet of property. An animal unit is defined as:
 1. One horse or cow, or
 2. Three Two sheep, or
 3. Six fowl or poultry; four fowl or poultry may be allowed on lots of at least 4200 sq ft,
 4. No swine will be permitted in this zone.
10. ~~One mobile home on one individual lot, providing that they satisfy the following standards and regulations:~~
 1. ~~Bear the insignia of approval of the U.S. Department of Housing and Urban Development (HUD) certifying that the mobile home complies with the Federal Mobile Home Construction and Safety Standards in effect on June 1, 1999, and as subsequently amended; or the mobile home has been issued a certificate of compliance from the administrator of the Division of Building Safety of the state certifying that it has been rehabilitated and meets the rehabilitation requirements of Idaho Code Section 44-2503 in effect on June 1, 1999, and as subsequently amended;~~
 2. ~~Be multi-sectional and have a floor space of at least one thousand square feet;~~
 3. ~~Meet all setback requirements set forth in this chapter;~~
 4. ~~Be closed perimeter foundation;~~
 5. ~~Have a pitched roof, and~~
 6. ~~Have an exterior siding and roofing similar in color, material and appearance to that of neighboring dwellings;~~
 7. ~~Mobile homes installed and occupied before June 1, 1999 are exempt from the requirements of subsections J(1) J(2), J(4), J(5) and J(6) of this section but must meet all other relevant requirements set forth in the Municipal Code.~~
 8. ~~No person may keep or maintain two or more mobile homes on any single lot or building site unless in an approved mobile home park.~~

(Ord. 406 § 1, 1999; Ord. 241 § 3(A), 1981; Ord. 223 Ch. 1 § 3(A), 1978)

(Ord. No. 465, § 2, 1-9-2013, Amd. Ord. 502, 7-2021)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.16.030 Conditional Uses For R-1 Zone

The City Council may, after proper notice and public hearing as prescribed in Chapter 16.60, permit the following uses where such are deemed essential or desirable to the public convenience or welfare. The commission shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood from damage, hazard, nuisance or other detriment:

1. Nonprofit community clubhouse;
2. Rest and convalescent home;
3. Building for governmental or public utility functions.
4. Parks and playgrounds;
5. Home based day care facility.

(Ord. 406 § 2, 1999; Ord. 241 § 3(B), 1981; Ord. 223 Ch. § 3(B), 1978, Amd. Ord. 502, 7-2021)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.16.040 Building Height Regulations

Any building or structure or portion thereof hereafter erected shall not exceed two and one-half stories or ~~twenty~~-thirty five feet in height.

(Ord. 223 Ch. 1 § 3(C), 1978, Amd. Ord. 502, 7-2021)

16.16.050 Yard Setback Requirements

1. **Front Yard.** No building or structure shall be erected nearer than ~~thirty~~ twenty-five feet from the right-of-way line of the street; provided, when lots comprising fifty percent or more of the frontage between two intersecting streets are already developed with buildings having front yards with a variation of not much more than twenty feet in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage. In no case shall a front yard of more than thirty-five feet be required.
2. **Side Yard.** No building shall be erected closer than ten feet to any side property line; except corner lots shall maintain a twenty foot side yard adjacent to the street which intersects the street upon which the building fronts.
3. **Rear Yard.** There shall be a rear yard having a depth of not less than twenty feet. An exception shall be permitted where a garage, or other accessory structure is located adjacent to an alley, in which case the backyard (alley facing) setback shall be a minimum of ten feet.
4. **Building projections** such as eaves, bay windows, and chimneys may extend a maximum of two feet (2') into designated setbacks (side, rear or front). Non-enclosed porches, steps and decks less than thirty inches (30") in height from finished grade may extend a maximum of six feet (6') into the required front and rear setbacks, and may extend a maximum of two feet (2') into required side yard setbacks.

(Ord. 223 Ch. 1 § 3(D), 1978 , Amd. Ord. 502, 7-2021)

16.16.060 Lot Area Requirements

1. The minimum lot area for each residential structure shall be nine thousand square feet and a lot width at the established building line of not less than seventy-five feet.

2. No more than thirty-five percent of the lot area may be covered by buildings or structures.

(Ord. 223 Ch. 1 § 3(E), 1978)

16.16.070 Accessory Uses

Accessory uses are permitted in constructed either at the same time or subsequent to the main building. Such uses shall be limited to one story in height and shall not encroach upon the front or side yards.

(Ord. 223 Ch. 1 § 3(F), 1978)

16.16.080 Off-Street Parking Requirements

1. For each single-family residence, ~~one~~ two spaces as defined in Chapter 16.04, sufficient in size for a garage or carport.
2. For other uses in the R-1 zone, refer to Chapter 16.48.

(Ord. 223 Ch. 1 § 3(G), 1978, Amd. Ord. 502, 7-2021)

16.20 Combined Residential Zone (R-2)

16.20.010 Purpose

16.20.020 Permitted Uses

16.20.030 Conditional Uses For R-2

16.20.040 Building Height

16.20.050 Yard Setback Requirements

16.20.060 Lot Area Requirements

16.20.070 Accessory Uses

16.20.080 Off-Street Parking

16.20.090 Service Connections

16.20.010 Purpose

The purpose of the R-2 combined residential zone is to provide medium density residential development, well designed and properly located in the community pattern adjacent to shopping, recreation, cultural and other community facilities.

(Ord. 223 Ch. 1 § 4(part), 1978)

16.20.020 Permitted Uses

The uses permitted in the R-2 zone are as follows:

1. Those uses allowed in the R-1 district as regulated therein;

2. Two-family and multiple-family dwellings limited to not more than four units; including townhomes.
3. Accessory uses as regulated in Section 16.16.070;
4. One mobile home on an individual lot, providing that they satisfy the following standards and requirements:
 1. Bear the insignia of approval of the U.S. Department of Housing and Urban Development (HUD) certifying that the mobile home complies with the Federal Mobile Construction and Safety Standards in effect June 1, 1999, and as subsequently amended; or the mobile home has been issued a certificate of compliance from the administrator of the Division of Building Safety of the state certifying that it has been rehabilitated and meets the rehabilitation requirements of Idaho Code Section 44-2503, and as subsequently amended,
 2. Meet all setback requirements set forth in this chapter,
 3. Have a floor space of at least seven hundred one thousand square feet, and
 4. Be placed on foundation or skirted within thirty days of placement on the lot,
 5. Have a pitched roof, and
 6. Have an exterior siding and roofing similar in color, material and appearance to that of neighboring dwellings,
 7. Mobile homes installed and occupied before June 1, 1999 are exempt from Subsection (D)(1) of this section.
 8. No person may keep or maintain two or more mobile homes on any single lot or building site unless in an approved mobile home park.

(Ord. 406 § 3, 1999; Ord. 241 § 4(A), 1981; Ord. 223 Ch. 1 § 4(A), 1978)
 (Ord. No. 465, § 3, 1-9-2013, Amd. Ord. 502, 7-2021)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.20.030 Conditional Uses For R-2

The City Council may, after proper notice and public hearing as prescribed in Chapter 16.60, permit the following uses where such uses are deemed essential or desirable to the public convenience or welfare. The Council shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood from damage.

1. Those uses requiring conditional use permits and as regulated therein in the R-1 district;
2. Multiple-family dwellings limited to not more than six units; ~~and one-half stories or twenty-five feet in height.~~
3. Boarding and rooming house;
4. Convalescent home; nursing home;
5. Homes for ambulatory aged; rest home; elderly housing;
6. Hospital;
7. One sign not to exceed four square feet in area pertaining to the lease or sale of buildings or premises where the sign is located. This provision shall also apply to political signs during campaign periods. Signs for home occupations shall be limited to two square feet in areas, shall be unlighted and attached flush to the building;
8. ~~Mobile home courts designed for permanent residency, not overnight use.~~

(Ord. 241 § 4(B), 1981; Ord. 223 Ch. 1 § 4(B), 1978, Amd. Ord. 502, 7-2021)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.20.040 Building Height

Any building or structure or portion thereof hereafter erected shall not exceed two and one-half stories or ~~twenty~~-thirty five feet in height.

(Ord. 223 Ch. 1 § 4(C), 1978, Amd. Ord. 502, 7-2021)

16.20.050 Yard Setback Requirements

1. Front Yard. No building or structure shall be erected nearer than twenty feet from the right-of-way line of the street; provided, when lots comprising fifty percent or more of the frontage between two intersecting streets are already developed with buildings having front yards with a variation of not more than fifteen feet in depth, the average of such front yard depth for the entire frontage. In no case shall a front yard of more than thirty feet be required.
2. Side Yard. No building shall be erected closer than ~~ten~~ six feet to any side property line; except corner lots shall maintain a twenty-foot side yard adjacent to the street which intersects the street upon which the building fronts. Townhomes shall have no setback requirement where they share a common wall.
3. Rear Yard. There shall be a rear yard having a depth of not less than ~~twenty~~ fifteen feet. An exception shall be permitted where a garage or other accessory structure is located adjacent to an alley, in which case the backyard (alley facing) setback shall be a minimum of ten feet.
4. For attached townhomes, side yard setbacks are required only for end units.
5. Building projections such as eaves, bay windows, and chimneys may extend a maximum of two feet (2') into designated setbacks (rear or front). Non-enclosed porches, steps and decks less than thirty inches (30") in height from finished grade may extend a maximum of six feet (6') into the required front and rear setbacks, and may extend a maximum of two feet (2') into required side yard setbacks.

(Ord. 223 Ch. 1 § 4(D), 1978, Amd. Ord. 502, 7-2021)

16.20.060 Lot Area Requirements

1. The minimum lot area for single-family shall be four thousand two hundred square feet and two-family dwellings: ~~seven~~ eight thousand square feet; ~~except corner lots shall contain at least eight thousand square feet.~~ and a lot width at the established building line of not less than fifty feet for a single-family dwelling, not less than thirty feet for each townhome in a multi-unit building.
2. The minimum lot area for each dwelling unit above that required for two-family dwellings shall be ~~one~~ four thousand two hundred square feet of land area for each additional unit.
3. Not more than ~~thirty five~~ forty-five percent of the lot area may be covered by buildings or structures.

(Ord. 223 Ch. 1 § 4(E), 1978, Amd. Ord. 502, 7-2021)

16.20.070 Accessory Uses

Accessory uses are permitted if constructed either at the same time or subsequent to the main building. Such uses shall be limited to one story in height and shall not encroach upon the front

or side yards.

(Ord. 223 Ch. 1 § 4(F), 1978)

16.20.080 Off-Street Parking

1. For up to four units on a single lot, ~~one~~ two spaces for each unit as defined in Chapter 16.04, sufficient in size for a garage or carport.
2. For other uses and additional residential units in the R-2 zone, refer to Chapter 16.48.

(Ord. 223 Ch. 1 § 4(G), 1978, Amd. Ord. 502, 7-2021)

16.20.090 Service Connections

Multifamily dwelling units on a single parcel may have one service connection serving all units. Single-family units/townhomes (including mobile homes) must have individual service connection independent of other dwelling units. Service connections include sewer and water.

(Ord. 223 Ch. 1 § 4(H), 1978, Amd. Ord. 502, 7-2021)

16.24 Commercial Zone (C)

16.24.010 Purpose

16.24.020 Permitted Uses

16.24.030 Conditional Uses

16.24.040 Building Height

16.24.050 Yard Setback Requirements

16.24.060 Lot Area Requirements

16.24.070 Accessory Uses

16.24.080 Off-Street Parking

16.24.010 Purpose

The purpose of the C commercial zone is to provide distinct zones regulated to provide local commercial service needs and to restrict incompatible uses which may be better located in other districts due to size of the shopping center location within the community, residential neighborhood areas being served and other factors.

(Ord. 223 Ch. 1 § 5 (part), 1978)

16.24.020 Permitted Uses

Uses permitted in the C zone are as follows:

1. Restaurants;
2. Clinics;
3. Commercial and private off-street parking lot for passenger automobiles;
4. Nursery school, school for students of art, dancing, dramatics, music, business or secretarial work;

5. Government or public utility facilities of a nonindustrial character;
6. Theater, indoor;
7. Mortuaries;
8. Automobile service station;
9. Boarding and rooming houses;
10. Radio, television and FM broadcasting stations including aerials when made an integral part of a principal building;
11. Signs ~~including outdoor advertising~~, excluding billboards and animated signs which are deemed to have a deteriorating influence on surrounding properties. Signs of a questionable nature shall be considered by conditional use permit methods upon instigation by the City Council and as prescribed in Chapter 16.60;
12. Accessory uses to uses allowed;
13. Same as R-2 zone.

(Ord. 241 § 5(A), 1981; Ord. 233 Ch. 1 § 5(A), 1978, Amd. Ord. 502, 7-2021)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.24.030 Conditional Uses

The City Council may, after proper notice and public hearing, as prescribed in Chapter 16.60, permit the following uses where such uses are deemed essential or desirable to the public convenience or welfare. The Council shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood from damage, hazard, nuisance or other detriment.

1. Bowling alley, dance hall or similar commercial establishments for public gatherings or recreational use;
2. Automobile and truck repair shop;
3. Auction establishment;
4. Travel trailer park;
5. Automobile sales lot, surfaced;
6. Church;
7. Club or lodge;
8. Drive-in theater;
9. Hospital;
10. School;
11. Multiple-family dwellings;
12. Sale of heavy building materials and machinery;
13. Storage warehouse.

(Ord. 223 Ch. 1 § 5(B), 1978)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.24.040 Building Height

Any building or structure or portion thereof hereafter erected shall not exceed five stories or forty-five feet in height unless approved by conditional use permit.

(Ord. 223 Ch. 1 § 5(C), 1978)

16.24.050 Yard Setback Requirements

1. No front or side yard shall be required except that when a building or group of buildings abuts upon a residential ~~district~~ property, a yard shall be provided on the side of a lot abutting the residential district having a width of not less than ten feet.
2. There shall be a rear yard with a depth of not less than fifteen feet when abutting upon a residential zone. The rear yard may be used for off-street parking and loading.

(Ord. 223 Ch. 1 § 5(D), 1978, Amd. Ord. 502, 7-2021)

16.24.060 Lot Area Requirements

There shall be no minimum lot size except residential use shall have the same area requirements as set forth in R-2 zone.

(Ord. 223 Ch. 1 § 5(E), 1978)

16.24.070 Accessory Uses

Accessory uses are permitted if constructed either at the same time or subsequent to the main building. Such uses shall be limited to two stories in height and shall not encroach upon required setback areas.

(Ord. 223 Ch. 1 § 5(F), 1978)

16.24.080 Off-Street Parking

1. For up to four residential units on a single lot, ~~one~~ two space for each unit as defined in Chapter 16.04, sufficient in size for a garage or carport.
2. For other uses and additional residential units in the C commercial zone, refer to Chapter 16.48.
3. Parking area landscaping shall be ten percent (5%) of the parking surface with plans approved by the City Council.
4. All landscaped areas shall be planted with live plant material and shall include an appropriate automatic irrigation system. The owner, tenant and any agent shall be jointly and individually responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance.

(Ord. 223 Ch. 1 § 5(G), 1978, Amd. Ord. 502, 7-2021)

16.26 Neighborhood Commercial Zone (C2)

16.26.010 Purpose

- 16.26.020 Permitted Uses
- 16.26.030 Conditional Uses
- 16.26.040 Building Height
- 16.26.050 Yard Setback Requirements
- 16.26.060 Lot Area Requirements
- 16.26.070 Accessory Uses
- 16.26.080 Off-Street Parking

16.26.010 Purpose

The purpose of the C2 neighborhood commercial zone is to preserve and promote the historic nature and character of the original downtown area while enhancing the walkability of the district and to restrict future commercial development to those usages that would be suitable and compatible with being intermingled with residential properties.

1. Existing and new commercial buildings should enhance the historic downtown area, while allowing for smaller parking lots and signage. High density residential housing will also be allowed.
2. Proposed work shall be compatible with the property or structure itself, as well as the surrounding neighborhood. Consideration shall be given to exterior design, site layout, proportion, detail, scale, color, texture, and materials.
3. Landscaping shall be compatible with the historic character of the property itself, as well as with the surrounding neighborhood or district.
4. The style, materials, size and location of signs shall be compatible with the historic character and scale of the property or structure as well as to the surrounding neighborhood or district.

(Amd. Ord. 502, 7-2021)

16.26.020 Permitted Uses

Uses permitted in the C2 zone are as follows:

1. Restaurants;
2. Stores;
3. Clinics;
4. Offices;
5. Nursery school, school for students of art, dancing, dramatics, or music;
6. Government or public utility facilities of a nonindustrial character;
7. Theater, indoor;
8. Automobile service station;
9. Boarding and rooming houses, hotels and motels;
10. Same as R-2 zone.

(Amd. Ord. 502, 7-2021)

16.26.030 Conditional Uses

The City Council may, after proper notice and public hearing, as prescribed in Chapter 16.60, permit the following uses where such uses are deemed essential or desirable to the public convenience or welfare. The Council shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood from damage, hazard, nuisance or other detriment.

1. Bowling alley, dance hall or similar commercial venues for public gatherings or recreational use;
2. Church;
3. Club or lodge;
4. Hospital;
5. School;
6. Multiple-family dwellings and apartments;

(Amd. Ord. 502, 7-2021)

16.26.040 Building Height

Any building or structure or portion thereof hereafter erected shall not exceed five stories or forty-five feet in height unless approved by conditional use permit.

(Amd. Ord. 502, 7-2021)

16.26.050 Yard Setback Requirements

Residential uses shall follow the set back requirements as set forth Chapter 16.20.050, R-2 zone. For all other uses:

1. No front or side yard shall be required except that when a building or group of buildings abuts upon a residential property, a yard shall be provided on the side of a lot abutting the residential property having a width of not less than ten feet.
2. There shall be a rear yard with a depth of not less than fifteen feet when abutting upon a residential zone. The rear yard may be used for off-street parking and loading.

(Amd. Ord. 502, 7-2021)

16.26.060 Lot Area Requirements

Single family residences and duplexes shall have the same area requirements as set forth in Chapter 16.20.060, R-2 zone; townhomes shall allow one unit for every twenty-five hundred square feet of lot size, condos/apartments shall allow one unit for every fifteen hundred square feet of lot size. All other uses shall have no minimum lot size.

(Amd. Ord. 502, 7-2021)

16.26.070 Accessory Uses

Accessory uses are permitted if constructed either at the same time or subsequent to the main building. Such uses shall be limited to two stories in height and shall not encroach upon required setback areas.

(Amd. Ord. 502, 7-2021)

16.26.080 Off-Street Parking

1. For residential units, two spaces for each unit as defined in Chapter 16.04, sufficient in size for a garage or carport, shall be required.
2. Because of the special physical constraints in the neighborhood commercial zone, off street parking requirements as required in Chapter 16.48 for commercial/mixed-use buildings may be adjusted or waived, with council approval, for any permitted use.
3. Parking area landscaping shall be included in the parking surface with plans approved by the City Council.
4. All landscaped areas shall be planted with live plant material and shall include an appropriate automatic irrigation system. The owner, tenant and any agent shall be jointly and individually responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance.

(Amd. Ord. 502, 7-2021)

16.26.090 Signage

Total Sign Area Allowed: One and one-half (1^{1/2}) square feet of sign area shall be permitted for each of the first twenty five feet (25') of business frontage. An additional one-half (^{1/2}) square foot of sign area shall be permitted for each linear foot of business frontage over twenty five feet (25'). This allowance may be utilized for any combination of the following signs:

1. Wall Signs: Wall signs shall be architecturally compatible and integrated with the building, shall be flat against the wall to which they are mounted, shall not extend above such wall. One wall sign no more than twenty four (24) square feet per sign face is permitted.
2. Projecting Sign: One projecting sign no more than sixteen (16) square feet per sign face is permitted. The sign face shall require a ten foot (10') clearance from the sidewalk and may not exceed an overall height from the sidewalk of fifteen feet (15'). Projecting signs may overhang a public sidewalk up to five feet (5').
3. Awning Signs: Awning signs are permitted providing all general regulations are met and the awning is architecturally compatible with the structure(s) on which it is placed. The area of signage on awnings shall be calculated on the copy area only. A minimum clearance of seven feet (7') to the valance and eight feet (8') to the frame is required. The awning shall not have any internal lighting.
4. Suspended/Hanging Signs: Suspended/hanging signs may accessorize awning structures and may not exceed four (8) square feet in size and shall have a minimum clearance of seven feet (7') to the sidewalk. Such signs are intended for the information of pedestrians.
5. Window Signs: Window signs may be applied, painted or affixed to or in the window of a building as long as they occupy no more than fifty percent (50%) of the total window area and the area of such signage is calculated toward the total sign area allowed on site.

6. Changeable Copy Or Portable Signs: Changeable copy or portable signs are allowed in the downtown district. Each business is allowed one changeable copy sign. The sign shall be placed either in the business entryway or along sidewalk. No illumination shall be allowed for the changeable copy signs.
7. Door Signage: The door signage shall not exceed six (6) square feet nor be included in the total amount of permitted signage. The telephone number and/or website address shall be located on the door only.
8. Pylon signs are not permitted.
9. Plastic/acrylic faced light-box signs are not permitted.

(Amd. Ord. 502, 7-2021)

16.28 Light Industrial Zone (M-1)

16.28.010 Purpose

16.28.020 Permitted Uses

16.28.030 Conditional Uses For M-1

16.28.040 Building Height

16.28.050 Yard Setback Requirements

16.28.060 Lot Area Requirements

16.28.070 Accessory Uses

16.28.080 Off-Street Parking

16.28.010 Purpose

The M-1 district is established to provide for and encourage the grouping together of light industrial uses capable of being operated under such standards as to location and appearance of buildings and the treatment of the land about them, that they will be unobtrusive and not detrimental to surrounding commercial or residential uses.

(Ord. 223 Ch. 1 § 6 (part), 1978)

16.28.020 Permitted Uses

Uses permitted in the M-1 zone are as follows:

1. Those uses allowed and conditional uses permitted in the C1 district except multiple-family dwellings, school, churches and hospital;
2. Manufacturing, assembling, fabricating, processing, packing, repairing or storage uses which have not been declared a nuisance by statute, resolution or any court of competent jurisdiction and provided these uses shall not cause:
 1. Unreasonable dust, smoke, gas, fumes, noise, vibration or odor beyond the boundaries of the site on which such use is conducted,
 2. Hazard of fire, explosion or other physical damage or any adjacent building or plant growth,
 3. Pollution of surface water due to manufacturing or unregulated runoff from the industrial site;
 3. Wholesaling, warehousing, storage and distribution;
 4. Contracting equipment, maintenance or operating equipment of public agencies or public utilities or materials and equipment of a similar nature including lumber, coal, sand and gravel yards;

5. Food processing;
6. Laundry and dry cleaning of an industrial character;
7. All agricultural uses allowed in A zone.

(Ord. 223 Ch. 1 § 6(A), 1978, Amd. Ord. 502, 7-2021)

16.28.030 Conditional Uses For M-1

The City Council may, after proper notice and public hearing as prescribed in Chapter 16.60, permit the following uses where such uses are deemed essential or desirable to the public convenience or welfare. The Council shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood from damage, hazard, nuisance or other detriment:

1. Boarding kennel;
2. Broadcasting tower for radio or television;
3. Storage, for wholesale or for distribution in bulk of any flammable liquid above or below ground;
4. Grain elevator and bulk storage such as for potatoes, hay and other similar uses;
5. Sewage treatment plant and similar facilities.

(Ord. 223 Ch. 1 § 6(B), 1978)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.28.040 Building Height

Any building or structure or portions thereof hereafter erected shall not exceed five stories or forty-five feet, whichever is greater unless permitted to exceed this height by a conditional use permit.

(Ord. 223 Ch. 1 § 6(C), 1978)

16.28.050 Yard Setback Requirements

1. Front Yard. The front yard setback shall be a minimum of twenty feet when a lot abuts, touches or adjoins, or is across the street from a residential district, otherwise, no front yard setback is required.
2. Side Yard. The side yard shall be a minimum of twenty feet when a lot abuts, touches or adjoins a residential district, otherwise, no side yard setback is required.
3. Rear Yard. The rear yard shall be a minimum of twenty feet when a lot abuts, touches or adjoins a residential district, otherwise, no rear yard setback is required.

(Ord. 223 Ch. 1 § 6(D), 1978)

16.28.060 Lot Area Requirements

There shall be no minimum lot size.

(Ord. 223 Ch. 1 § 6(E), 1978)

16.28.070 Accessory Uses

Accessory uses are permitted.

(Ord. 223 Ch. 1 § 6(F), 1978)

16.28.080 Off-Street Parking

Refer to Chapter 16.48.

(Ord. 223 Ch. 1 § 6(G), 1978)

16.32 Agricultural Zone (A)

16.32.010 Purpose

16.32.020 Permitted Uses

16.32.030 Conditional Uses For A Zone

16.32.040 Building Height

16.32.050 Yard Setback Requirements

16.32.060 Lot Area Requirements

16.32.070 Off-Street Parking

16.32.080 Floodplain

16.32.090 Livestock

16.32.010 Purpose

The purpose of the A agricultural zone is to set aside land to properly guide growth of the fringe areas of the community deemed to be important for preservation at rural standards. The provisions of this section shall also apply to the area of city impact. All development within the area of city impact shall require a conditional use permit.

(Ord. 223 Ch. 1 § 7 (part), 1978)

16.32.020 Permitted Uses

Uses permitted in the A zone are as follows:

1. Agriculture (includes growing crops, providing grazing land for livestock and horses);
2. Golf course;
3. Single-family dwelling as regulated in the R-1 zone;
4. Accessory uses as regulated in Section 16.16.070;
5. Home occupations, as defined in Chapter 16.04.

(Ord. 223 Ch. 1 § 7(A), 1978)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.32.030 Conditional Uses For A Zone

Conditional uses permitted with a time limit in certain cases and footage to be determined by usage:

1. Airport;
2. Cemetery;
3. Commercial kennel, animal hospital;
4. Broadcasting tower for radio or television;
5. Mining, dredging and excavations of sand, soil, gravel or other aggregate;
6. Public utility installation;
7. Private amusement park, ball park, race track or similar uses;
8. Public building, school, hospital or church;
9. Development other than agricultural, within the area of city impact.

(Ord. 241 § 6 (part), 1981; Ord. 223 Ch. 1 § 7(B), 1978)

HISTORY

Amended by Ord. 480 on 12/5/2018

16.32.040 Building Height

Any building or structure or portion thereof hereafter erected shall not exceed two and one-half stories, or thirty-five feet in height unless a greater height is approved by conditional use permit.

(Ord. 223 Ch. 1 § 7(C), 1978)

16.32.050 Yard Setback Requirements

1. Front Yards. No building or structure shall be erected nearer than thirty feet from the right-of-way line of the street.
2. Side Yard. No building shall be erected closer than ten feet to any side property line; except corner lots shall maintain a twenty-foot side yard adjacent to the street which intersects the street upon which the building fronts.
3. Rear Yard. There shall be a rear yard having a depth of not less than twenty feet.

(Ord. 223 Ch. 1 § 7(D), 1978)

16.32.060 Lot Area Requirements

The minimum lot area shall be ~~nine~~ fifteen thousand square feet.

(Ord. 223 Ch. 1 § 7(E), 1978, Amd. Ord. 502, 7-2021)

16.32.070 Off-Street Parking

1. For each single-family residence, ~~one~~ two spaces as defined in Chapter 16.04, sufficient in size for a garage or carport.
2. For other uses in the A zone, refer to Chapter 16.48.

(Ord. 223 Ch. 1 § 7(G), 1978, Amd. Ord. 502, 7-2021)

16.32.080 Floodplain

No residential structure shall be permitted within the one-hundred-year floodplain area as defined by the Federal Flood Insurance Administration.

(Ord. 223 Ch. 1 § 7(H), 1978)

16.32.090 Livestock

No swine will be permitted within the city limits.

(Ord. 241 § 6 (part), 1981)

16.34 Mixed Use Zone (MU)

16.34.010 Purpose

16.34.020 Uses

16.34.030 Site Development Standards

16.34.040 Special Regulations

16.34.050 Hours Of Operation

16.34.060 Businesses And Uses

16.34.070 Fencing

16.34.080 Landscaping

16.34.090 Lighting

16.34.100 Noise

16.34.110 Odor

16.34.120 Screening

16.34.130 Signage

16.34.140 Access

16.34.150 Design Consideration

16.34.010 Purpose

The purpose of the mixed use zone (MU) is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for commercial use opportunities while preserving the attractiveness of the area for residential use and to ensure compatibility. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating development and redevelopment to comply with established standards for compatibility and buffering as set forth in this article. It also encourages the assembly of properties in a unified plan to create a coordinated and harmonious development. This will promote outstanding design without unsightly and unsafe development. Specific measures to mitigate negative impacts of mixed use developments include standards for fencing, landscaping, lighting, noise, odor, screening, signage, vehicular access and design consideration which will be required at the time of design and site approval.

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.020 Uses

1. All uses in a mixed use zone shall be reviewed or considered by the city council. Uses deemed inappropriate because of being adverse or having a potential negative impact on people, uses or property in the development area shall not be allowed. Possible potential uses would include:

Accessory retail sales and services when located within a principal building.

Adult daycare centers.

Amusement enterprises (including Bowling alley, Dance studio, Gymnasium, Park and playground, Recreation facilities (private and public), Roller skating rink, Theater, Indoor movie, Performing arts production facility with live performance).

Animal service (including Doggie daycare, conducted in a completely enclosed building, Grooming for cats and dogs, Hospital, small animal only and services conducted in a completely enclosed building).

Art galleries.

Assisted living facility.

Bed and breakfast.

Car wash, manual and professional.

Child daycare/preschool centers.

Church, place of worship.

Cleaning (Dry cleaning/laundromat).

Clinics (Medical and dental offices/clinics, Optometrist, optician or oculist, Physician or surgeon).

Community gardens.

Day spa (bath and massage establishment).

Dwelling unit above first floor commercial or office.

Financial institutions with or without drive-through facilities.

Hotel/motel.

Library.

Multi-family dwellings (condo/townhouse).

Museum.

Nature preserves/conservation areas.

Nursery school and preschool.

Office, research related.

Offices (Accountant, Employment agency, Government offices, Legal, Medical, Professional, Real estate agency, Travel agency).

Parking (park and ride lots not allowed), (Off-site parking, Structure).

Public/private utility buildings and structures.

Public/private utility transmission wires, lines, pipes and poles.

Reception center/wedding chapel.

Restaurant (with or without drive-through facilities) (Cafe or cafeteria, Catering establishment, Delicatessen, Ice cream parlor).

Retail goods establishments.

Retail service establishments.

Single-family attached/detached dwellings.

Transportation terminals (bus and rail).

Vending carts on private property.

2. Not permitted in this zone would be sexually oriented business (SOB) per subsection of this code or clubs, lounges, taverns or any establishment whose primary propose is the sale of alcoholic beverage.

HISTORY

Adopted by Ord. 480 on 12/5/2018
 16.34.030 Site Development Standards

1. Residential uses shall conform to minimum lot sizes, setbacks, heights and coverage as set forth in the R-2 Combined Residential zone.
2. Commercial uses shall conform to minimum lot sizes, setbacks, heights and coverage as set forth in the C-1 Commercial zone.
3. Industrial uses shall conform to the minimum lot sizes, setbacks, heights and coverage as set forth in the M-1 Light Industrial Zone.

Commercial

Minimum lot area	None
Minimum lot width	None
Minimum yard setbacks	
Front	50 feet, except if city council deems a different setback is necessary
Corner side	20 feet, except if city council deems a different setback is necessary
Interior side	None, except if city council deems a reasonable set back is necessary
Rear	None, except if city council deems a reasonable setback is necessary
Building height	
Minimum	1 story
Maximum	None, except if city council deems a height restriction is necessary
Maximum lot coverage	Not over 45 percent of the lot area by buildings or accessory buildings

Residential

Density	No more than 13 dwelling units per acre including townhouse and condominiums
Lot area	Single family or two family dwelling a minimum of 12,000 square feet
Other dwelling types, including townhouses and condominiums, no minimum lot area but density requirement listed above must be adhered to in all cases	
Lot width	Each lot shall have a minimum width of 100 feet, which include single family, two family, townhouses and condominiums
Setbacks	
Main buildings	
Front	30 feet from front property line
Side	10 feet minimum for each side except 20 feet minimum for side

	fronting on a street
Rear	30 feet from rear property line
Detached accessory buildings and garages	
Front	30 feet from all front lot lines
Side/rear	Same as for dwelling, except when the structure is at least 10 feet behind the main building or 10 feet behind a line extending from the rear corners of the main building to the side lot lines parallel to the rear lot line(s); the side and rear setbacks may be reduced to 1 foot; provided, that the structure must be at least 20 feet from main buildings on adjacent lots; and on corner lots the minimum setback for a side facing a street is 20 feet and minimum rear setback adjacent to a side lot line is 10 feet

HISTORY

Adopted by Ord. 480 on 12/5/2018, Amd. Ord. 502, 7-2021

16.34.040 Special Regulations

1. Per the City Council discretion, at the preliminary review stage commercial and residential ratios may be imposed for the uses on the property.
2. Per the City Council discretion open space and trail connections throughout the project site may be required.
3. Approval of uses shall be reviewed and approved by the City Council prior to issuance of a business license.

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.050 Hours Of Operation

Hours of operation are to be set by the City Council after considering the impact to surrounding areas. General guidelines could include, but are not limited to, businesses not to be open before six o'clock (6:00) A.M. or after eleven o'clock (11:00) P.M.

(Ord. 647, 7-19-2005)

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.060 Businesses And Uses

The uses in this article shall be permitted only under the following conditions: no outside storage except for two (2) business delivery vehicles, three-quarter (3/4) ton or smaller (unless otherwise specified by the City Council).

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.070 Fencing

Fencing may be required per the City Council discretion for use as a buffer to adjacent properties. Fences shall be decorative, durable and of a height set forth in the site plan approval.

(Ord. 647, 7-19-2005)

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.080 Landscaping

All front, corner side, and rear (that abuts a public street) yards shall be maintained as landscaped yards. Twenty percent (20%) of the total site excluding parking area shall be landscaped with landscaping plans approved by the City Council.

1. Parking area landscaping shall be ten percent (10%) of the parking surface with plans approved by the City Council.
2. All landscaped areas planted with live plant material shall include an appropriate automatic irrigation system. The owner, tenant and any agent shall be jointly and individually responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance.

(Ord. 647, 7-19-2005)

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.090 Lighting

Lighting shall be low intensity, shielded from uses on adjoining lots and directed away from adjacent property in a residential zone or an adjacent residential use. Lighting cannot impact residential uses. All parking luminaries except those required for security must be extinguished one hour after the end of business hours. The exception for security lighting applies to twenty five percent (25%) of the total luminaries used. A higher percentage of security lighting may be approved at the discretion of the City Council.

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.100 Noise

The noise level emanating from any use or operation shall not exceed the state health department standards of the area measured at the property line.

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.110 Odor

No use shall be permitted which creates an objectionable odor in such quantity as to be readily detectable beyond the boundaries of the site.

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.120 Screening

Screening shall be approved by the City Council to minimize noise and visibility from on-site parking areas, adjacent public streets and adjacent residentially zoned property.

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.130 Signage

Signage shall be approved by the City Council.

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.140 Access

The number of access points along public streets shall be minimized by sharing and linking parking areas with adjacent properties. Reciprocal ingress and egress, circulation and parking agreements shall be required to facilitate the ease of vehicular movement between adjoining properties. On corner sites, access points shall be located as far from the corner as reasonably possible per discretion of the public works director from the point of intersection of the property lines. Vehicular circulation shall be designed to limit the intrusion of traffic in to residential areas and minimize access on streets used by schoolchildren.

(Ord. 647, 7-19-2005)

HISTORY

Adopted by Ord. 480 on 12/5/2018

16.34.150 Design Consideration

Per the City Council discretion, the development shall provide on-site amenities and appropriate buffering to adjacent properties and uses. The scale of the development shall be in character with the surrounding land uses and the development shall have a residential character if adjacent to residential areas. Any properties currently abutting a residential street or residents shall create and maintain the residential nature.