

**SUGAR CITY
ORDINANCE 391_2024**

PUBLIC FACILITIES ZONE

AN ORDINANCE OF SUGAR CITY, IDAHO, ADOPTING A NEW GENERAL DEFINITION FOR PUBLIC FACILITIES ZONE IN 9-3-2, AMENDING 9-3-6 LAND USE SCHEDULE FOR PUBLIC FACILITIES AND ADOPTING A NEW SECTION 11, CHAPTER 3 OF THE TITLE 9 OF THE SUGAR CITY CODE AND DESCRIBING A PUBLIC FACILITIES ZONE AND FURTHER DESCRIBING ITS PURPOSE AND OBJECTIVES; PERMITTED USES; LOT AREA; LOT WIDTH; LOT FRONTAGE; YARD REQUIREMENTS; BUILDING HEIGHT; PERMISSIBLE LOT COVERAGE; LANDSCAPING AND LAND USE IMPACTS; CHANGE OF USE OF PUBLIC FACILITIES; SALE OF PF ZONED PROPERTY REPEALING ALL OTHER ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

NOW THEREFORE, be it ordained by the Council of the Sugar City, in the State of Idaho, as follows: That the ordinance text below is to be codified as a new Section 11, Chapter 3 under Title 9, Sugar City Code:

SECTION 1: **AMENDMENT** “9-3-2 ZONING DISTRICTS” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9-3-2 ZONING DISTRICTS

SINGLE-FAMILY RESIDENTIAL (R1): Provides stable neighborhoods of detached, single-family dwellings on larger lots, medium to large landscaped yards, low building heights, ample setbacks and side yards, predominantly off street parking, low traffic volumes, and low nuisance potentials. Maximum density shall be four (4) dwellings per acre.

MEDIUM DENSITY RESIDENTIAL (R2): Provides stable neighborhoods of detached, single-family dwellings and/or twin homes on smaller lots compatible with medium to small landscaped yards, low building heights, ample setbacks and side yards, predominantly off street parking, low to medium traffic volumes, and low nuisance potentials. Maximum density shall be five (5) dwelling units per acre.

HIGH DENSITY RESIDENTIAL (R3): Provides for high density residential use typically located near collector and arterial streets and characterized by multi-family dwellings, ample off street parking with a minimum of 2.0 spaces per unit, higher traffic volumes, open space, and low nuisance potential. Maximum density shall be sixteen (16) dwelling units per acre. All units shall be subject to approval by the Design Review Committee for the City.

MULTIPLE USE 1 (MU1): Provides for a mixture of uses such as residential coupled with business, professional and commercial. This district is intended to permit diversity within a planned community or set of uses and to encourage open space and other amenities. Residential units are small and have a minimum parking requirement of 2.0 spaces per unit. Maximum density shall be sixteen (16) dwelling units per acre. All units shall be subject to approval by the Design Review Committee for the City.

MULTIPLE USE 2 (MU2): Provides a mixture of uses such as high density residential coupled with business, professional and commercial. This district is intended to permit diversity within a planned community or set of uses and to encourage some open space and other amenities. Residential units shall have a minimum parking requirement of 2.0 spaces per unit and twenty percent (20%) open space. Maximum density shall be twenty-four (24) units per acre. All units shall be subject to approval by the Design Review Committee for the City.

OPEN (O): Provides for parks, walking trails and other recreational facilities, conservation of land and natural resources, and preservation of historic or scenic sites.

DOWNTOWN COMMERCIAL (CD): Provides for preservation and redevelopment of the city's historic center and a compact commercial space emphasizing pedestrian friendliness and a traditional downtown atmosphere. Business units are relatively small and tightly clustered.

NEIGHBORHOOD COMMERCIAL (C1): Provides for local commercial services at the perimeter of residential neighborhoods and with a primarily local clientele, for example at a street intersection or as a modestly sized strip mall. C1 districts are relatively small and businesses in them are generally small and few in number.

COMMUNITY COMMERCIAL (C2): Provides for general shopping and business needs. All businesses permitted in C1 are also permitted in C2, as are larger businesses and some that entail relatively more intense uses.

HIGHWAY COMMERCIAL (C3): Provides for travel related uses such as hotels and motels, service stations, truck stops, drive-in restaurants, and offices; also limited warehousing, commercial services, and retail sales. C3 districts are located on or near major roads to serve the motoring public.

REGIONAL COMMERCIAL (C4): Provides for a Regional Commercial Zone that includes a cohesive and complimentary mixture of land uses, including commercial, residential, recreational, and/or business park. A Regional Commercial Zone shall largely include facilities and venues that have a destination orientation and encourage use by tourists and visitors from outside the City. Uses should focus on services for tourists, visitors, and the local community. A unifying design and operating theme should unite the varied and mixed uses. Developments should promote creative property configuration with usable public and private recreation areas, parks, pedestrian areas, and open space. Developments within the Regional Commercial Zones shall comply with the development standards in Section 9-3-8.2

BUSINESS PARK (BP): Provides for technical laboratories, research and development facilities, offices and office complexes, and limited manufacturing, including small scale production, storage, and distribution. Support activities may also be permitted. Business parks are free of hazardous or objectionable levels of such elements as noise, odor, dust, smoke, or glare. Work is conducted indoors and generates minimal industrial traffic.

LIGHT MANUFACTURING (M1): Provides for manufacturing and wholesale establishments that are free of hazardous or objectionable levels of such elements as noise, odor, dust, smoke, or glare, that are operated indoors, and that generate little industrial traffic. Limited office and commercial development may be permitted as ancillary uses.

HEAVY MANUFACTURING (M2): Provides for large scale manufacturing, processing, warehousing, and major research and testing. Operations are free of hazardous or objectionable levels of such elements as noise, odor, dust, smoke, or glare. Limited office and commercial development may be permitted as ancillary uses.

TRANSITIONAL AGRICULTURE (TA): The purpose of the TA District is to permit current agricultural, large lot rural residential and other types of open land uses to be maintained and to protect agricultural land from spasmodic, disorderly and indiscriminate development. This district is also established to control the infiltration of urban type development, which could adversely affect agricultural operations, until such time as property owners desire such development.

AFTER AMENDMENT

9-3-2 ZONING DISTRICTS

SINGLE-FAMILY RESIDENTIAL (R1): Provides stable neighborhoods of detached, single-family dwellings on larger lots, medium to large landscaped yards, low building heights, ample setbacks and side yards, predominantly off street parking, low traffic volumes, and low nuisance potentials. Maximum density shall be four (4) dwellings per acre.

MEDIUM DENSITY RESIDENTIAL (R2): Provides stable neighborhoods of detached, single-family dwellings and/or twin homes on smaller lots compatible with medium to small landscaped yards, low building heights, ample setbacks and side yards, predominantly off street parking, low to medium traffic volumes, and low nuisance potentials. Maximum density shall be five (5) dwelling units per acre.

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OPEN (O): Provides for parks, walking trails and other recreational facilities, conservation of land and natural resources, and preservation of historic or scenic sites.

PUBLIC FACILITIES (PF): A zoning category for government-operated or public entity facilities, including buildings, parks, roads, and etc. to streamline their development with minimal zoning impact. Uses typical of public entities are permitted by right by submitting an application according to the Public Facilities Ordinance. Special Use permits shall be required for non-typical uses or for applications with large potential impacts. The zone has flexible lot dimensions but maintains yard and height regulations to ensure neighborhood compatibility. Transfers of PF property trigger rezoning. Public Facility applications require detailed plans and impact assessments to meet city standards.

DOWNTOWN COMMERCIAL (CD): Provides for preservation and redevelopment of the city's historic center and a compact commercial space emphasizing pedestrian friendliness and a traditional downtown atmosphere. Business units are relatively small and tightly clustered.

NEIGHBORHOOD COMMERCIAL (C1): Provides for local commercial services at the perimeter of residential neighborhoods and with a primarily local clientele, for example at a street intersection or as a modestly sized strip mall. C1 districts are relatively small and businesses in them are generally small and few in number.

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SECTION 2: AMENDMENT “9-3-6 LAND USE SCHEDULE” of the Sugar City Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

9-3-6 LAND USE SCHEDULE

Y - Permitted
S - Permitted only by special use permit

(Blank) - Not permitted

	R 1	R 2	R 3	M U	O	C D	C1	C2	C 3	R C	B P	M 1	M 2	T A
AGRICULTURE RELATED:														
Agriculture related structures				S					S			S	S	Y
Growing, harvesting and storing crops														Y
Raising livestock														Y
Other agriculture related use	S	S	S	S	S		S	S	S		S	S	S	Y
RESIDENTIAL:														
Condominium		S	S	S						Y				
Manufactured home (see SCC 9-3-8E)	Y	Y	Y	S										
Manufactured home park (see SCC Title 11)			S1	S1										
Mobile home (see SCC Title 11)			S1	S1										
Multi-family dwelling of just 2 units; twin home	S	Y	Y	S										
Multi-family dwelling of more than 2 units			Y	S			S			Y				
Patio home		Y	Y	S										
Planned unit development		S	S	S			S	S	S	Y				
Rooming/boardng house		S	S				S	S						
Shelter home (8 or fewer residents)	Y	Y	Y	S										
Single family dwelling	Y	Y	Y	S										Y
Townhouse		S	Y	S										
Vertical mixed use				S		S	S	S	S	Y				
Other residential		S	S	S		S	S	S	S					
BUSINESS COMMERCIAL:														
Arboretums and gardens										Y				
Art gallery										Y				
Assisted living facility			S	S			S							

Auction establishment				S		S	S	S	S		S			
Automotive body shop									S			Y		
Automotive repair							S	Y			Y			
Automotive sales/parts store							S	Y	S		Y			
Automotive service station				S		S	S	Y		Y	S			
Automotive storage								Y			Y			
Bakery/baked goods store				S		Y	Y	Y	Y	Y	S	Y		
Bank, savings and loan				S		Y	Y	Y	Y	Y	Y			
Barber, beauty shop				S		Y	Y	Y	Y	Y	S			
Bed and breakfast				S		S	S	S	S					
Bowling alley				S				Y	Y	Y				
Building supply outlet								S	Y			Y	Y	
Car wash				S		S	S	Y	Y			Y		
Cleaning, dry				S		S	Y	Y	S		S			
Contractor office				S		Y	Y	Y	Y		Y	Y	Y	
Convalescent/nursing home			S	S			S							
Convenience store				S		Y	Y	Y	Y	Y		S	S	
Convenience store with fuel service				S		S	Y	Y	Y	Y		S	S	
Dance, music, voice studio				S		Y	Y	Y	S	Y	S			
Daycare center				S		S	S	S	S	Y*	S	S	S	
Daycare, group	S2	S	S			S	S	S				S	S	
Daycare, home	Y	Y	Y	S		S	S	S	S		S	S	S	
Detention facilities												S	S	
Drive-in restaurant				S				Y	Y		S			
Drugstore				S		Y	Y	Y	Y	Y				
Electronic/video sales/rental				S		Y	Y	Y	Y					
Entertainment facility, indoor				S		S	S	S	S	Y				
Entertainment facility, outdoor				S				S	S	Y		S	S	
Equipment rental/sales				S			S	S	Y		S	Y	Y	
Farm equipment sales/service									Y		S	Y	Y	

Food store				S		Y	Y	Y	S	Y				
Frozen food locker				S				S	Y		S	Y	S	
Furniture repair/refinishing				S				S	Y		Y	Y	Y	
Furniture store				S		S	S	Y	Y	Y				
Gift/flower shop				S		Y	Y	Y	Y	Y				
Health club, spa, reducing salon				S		S	S	Y	S	Y	S			
Hotel/motel				S		S		S	Y	Y				
Kennel, commercial								S	S			S	S	
Laboratory: medical, dental, optical				S		S	Y	Y	S		Y			
Laundromat, self-service				S		S	Y	Y	Y					
Laundry, commercial				S				S	Y		Y	Y	Y	
Liquor store									S					
Live entertainment event				S	S	S	S	S	S	Y				
Loan firm (small or short term loans)									S					
Lumberyard, retail								S	Y			Y	Y	
Massage, tanning salon				S		Y	Y	Y	S	Y	S			
Mortuary				S			Y	Y	S					
Nursery, plants and flowers				S			S	Y	Y			S	S	
Office, professional				S		Y	Y	Y	Y	Y	Y			
Open air market										Y				
Outlet mall										Y				
Parking facility				S		S		Y	Y	Y	Y	Y	Y	
Pharmacy				S		Y	Y	Y	Y	Y	S			
Photographic studio				S		Y	Y	Y	S	Y	Y	S		
Preschool	S2	S		S		S	S	S	S		S	S	S	
Printer				S		S	S	Y	Y		Y	Y	Y	
RV, trailer park									S					
RV, trailer sales/service									Y		S	Y	Y	
Restaurant				S		S	Y	Y	Y	Y	S	S	S	
Retail stores and services				S		S	Y	Y	Y	Y	S			
Sexually oriented/adult business									S			S		

Railroad yard or shops													Y	
Recycling operation													S	
Sanitary landfill														
Terminal yard, trucking													Y	
Truck and tractor repair									S			S	Y	
Warehousing, wholesaling									S		S	Y	Y	
Wood processing plant										S			S	
Wrecking yard													S	
Other industrial								S	S		S	S	S	
AUXILIARY USES:														
Personal wireless service facility (by type of support structure):														
Guyed support tower														
Lattice frame tower														
Leased utility pole			S	S	S	Y	Y	Y	Y		Y			
Monopole tower				S	S				S		Y			
Stealth tower			S	S	S	S	S	S	Y		Y			
Virtually invisible on building or alternate support structure			S	S	S	Y	Y	Y	Y		Y			
Visible on building or alternate support structure				S	S	S	S	S	S		Y			
Wind turbine	S	S	S	S	S	S	S	S	S		S	S	S	
Other auxiliary use	S	S	S	S	S	S	S	S	S		S	S	S	
PUBLIC/QUASI-PUBLIC:														
Cemetery		S	S											
Cemetery, private														
Church	S	S	S	S			S	S	S	Y				
City park	S	S	S	S	Y	S	S	S	S	Y	S	S	S	
Golf course	S	S	S	S	S				S	Y	S			
Governmental or public service	S	S	S	S	S	S	S	S	S	Y	S	S	S	
Hospital			S	S				S	S	Y	S			
Library		S	S	S		S	S	S	S	Y	S			
Museum		S	S	S		S	S	S	S	Y	S			

Manufactured home park (see SCC Title 11)			S1	S1										
Mobile home (see SCC Title 11)			S1	S1										
Multi-family dwelling of just 2 units; twin home	S	Y	Y	S										
Multi-family dwelling of more than 2 units			Y	S		S			Y					
Patio home		Y	Y	S										
Planned unit development		S	S	S		S	S	S	Y					
Rooming/boardng house		S	S			S	S							
Shelter home (8 or fewer residents)	Y	Y	Y	S										
Single family dwelling	Y	Y	Y	S										Y
Townhouse		S	Y	S										
Vertical mixed use				S		S	S	S	Y					
Other residential		S	S	S		S	S	S	S					
BUSINESS COMMERCIAL:														
Arboretums and gardens									Y					
Art gallery									Y					
Assisted living facility			S	S		S								
Auction establishment				S		S	S	S		S				
Automotive body shop								S				Y		
Automotive repair						S	Y			Y				
Automotive sales/parts store						S	Y	S		Y				
Automotive service station				S		S	S	Y		Y	S			
Automotive storage								Y			Y			
Bakery/baked goods store				S		Y	Y	Y	Y	Y	S	Y		
Bank, savings and loan				S		Y	Y	Y	Y	Y	Y			
Barber, beauty shop				S		Y	Y	Y	Y	Y	S			
Bed and breakfast				S		S	S	S	S					
Bowling alley				S				Y	Y	Y				
Building supply outlet								S	Y			Y	Y	
Car wash				S		S	S	Y	Y			Y		

Cleaning, dry				S		S	Y	Y	S		S		
Contractor office				S		Y	Y	Y	Y		Y	Y	Y
Convalescent/nursing home			S	S			S						
Convenience store				S		Y	Y	Y	Y	Y		S	S
Convenience store with fuel service				S		S	Y	Y	Y	Y		S	S
Dance, music, voice studio				S		Y	Y	Y	S	Y	S		
Daycare center				S		S	S	S	S	Y*	S	S	S
Daycare, group	S2	S	S			S	S	S				S	S
Daycare, home	Y	Y	Y	S		S	S	S	S		S	S	S
Detention facilities												S	S
Drive-in restaurant				S				Y	Y		S		
Drugstore				S		Y	Y	Y	Y	Y			
Electronic/video sales/rental				S		Y	Y	Y	Y				
Entertainment facility, indoor				S		S	S	S	S	Y			
Entertainment facility, outdoor				S				S	S	Y		S	S
Equipment rental/sales				S			S	S	Y		S	Y	Y
Farm equipment sales/service									Y		S	Y	Y
Food store				S		Y	Y	Y	S	Y			
Frozen food locker				S				S	Y		S	Y	S
Furniture repair/refinishing				S				S	Y		Y	Y	Y
Furniture store				S		S	S	Y	Y	Y			
Gift/flower shop				S		Y	Y	Y	Y	Y			
Health club, spa, reducing salon				S		S	S	Y	S	Y	S		
Hotel/motel				S		S		S	Y	Y			
Kennel, commercial								S	S			S	S
Laboratory: medical, dental, optical				S		S	Y	Y	S		Y		
Laundromat, self-service				S		S	Y	Y	Y				
Laundry, commercial				S				S	Y		Y	Y	Y
Liquor store									S				

Lattice frame tower															
Leased utility pole			S	S	S	Y	Y	Y	Y		Y				
Monopole tower				S	S				S		Y				
Stealth tower			S	S	S	S	S	S	Y		Y				
Virtually invisible on building or alternate support structure			S	S	S	Y	Y	Y	Y		Y				
Visible on building or alternate support structure															
				S	S	S	S	S	S		Y				
Wind turbine	S	S	S	S	S	S	S	S	S		S	S	S		
Other auxiliary use	S	S	S	S	S	S	S	S	S		S	S	S		
PUBLIC/QUASI-PUBLIC:															
Cemetery			S	S											
Cemetery, private															
Church	S	S	S	S	S	S	S	Y							
City park	S	S	S	S	Y	S	S	S	S	Y	S	S	S		
Golf course	S	S	S	S	S	S		S							
Governmental or public service	S	S	S	S	S	S	S	S	S	Y	S	S	S		
Hospital			S	S				S	S	Y	S				
Library			S	S	S		S	S	S	Y	S				
Museum			S	S	S		S	S	S	Y	S				
School	S	S	S	S		S	S	S	S	Y					
Splash pad										Y					
Swimming pool/aquatic center										Y					
Waste treatment plant										S				S	
Other public or quasi-public	S	S	S	S	S	S	S	S	S		S	S	S		

Notes:

* In conjunction with another business only

¹Subject to approval and licensing as provided in SCC Title 11.

²The maximum number of children at a given time is 12.

³A public or quasi-public facility is sometimes desirable in a zoning district whose description it does not fit. These facilities may be permitted as indicated.

SECTION 3: **ADOPTION** “9-3-11 PUBLIC FACILITIES ZONE (PF)” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11 PUBLIC FACILITIES ZONE (PF) (Non-existent)

AFTER ADOPTION

9-3-11 PUBLIC FACILITIES ZONE (PF)(*Added*)

SECTION 4: **ADOPTION** “9-3-11-2 PERMITTED USES” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-2 PERMITTED USES (Non-existent)

AFTER ADOPTION

9-3-11-2 PERMITTED USES(*Added*)

The city Land Use Table does not regulate uses permitted in the Public Facilities Zone. All uses typical and deemed necessary by individual public entities (municipalities, special districts, public utilities) are allowed as a use by right. Site plan approval, encroachment permits, and building permits are still required and conformance with all other applicable city ordinances.

Activities not typical or ordinary to an individual public entity’s function require a Special Use Permit to mitigate potential impacts on adjacent landowners. Public facilities, public schools, and parks currently in existence by legal process may be modified for continued use, provided any changes are submitted to the city for administrative review and approval.

Site plans must be approved administratively by the city engineer and the Planning and Zoning administrator. Conditional approvals may include, but not limited to, parking and loading (regulations may be required), and catering to the needs of public facilities with considerations for shared and joint use arrangements. Furthermore, regulations may be set for the development and maintenance of utility and transportation networks within the zone, emphasizing efficiency, safety, and minimal disruption to existing networks. Special provisions may be required to ensure that all developments and uses within the zone adhere to health and safety standards, including emergency access, fire safety, and environmental health requirements.

SECTION 5: **ADOPTION** “9-3-11-3 LOT AREA” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-3 LOT AREA (Non-existent)

AFTER ADOPTION

9-3-11-3 LOT AREA(*Added*)

No minimum lot size.

SECTION 6: **ADOPTION** “9-3-11-4 LOT WIDTH” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-4 LOT WIDTH (Non-existent)

AFTER ADOPTION

9-3-11-4 LOT WIDTH(*Added*)

No minimum lot width.

SECTION 7: **ADOPTION** “9-3-11-5 LOT FRONTAGE” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-5 LOT FRONTAGE (Non-existent)

AFTER ADOPTION

9-3-11-5 LOT FRONTAGE(*Added*)

No minimum lot frontage.

SECTION 8: ADOPTION “9-3-11-6 YARD REQUIREMENTS” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-6 YARD REQUIREMENTS (Non-existent)

AFTER ADOPTION

9-3-11-6 YARD REQUIREMENTS(*Added*)

The following minimum yard requirements shall apply to the PF Zone:

- A. Front Yard.** Each lot, developed site, or parcel of land in the PF Zone shall have a front yard of not less than ten (10') feet from the right-of-way.
- 1. Adjacent to Residential.** Lots, sites, or parcels lying adjacent to a residential zone along the same street frontage shall have a front yard equal to that required by the provisions of the most restrictive residential zone which it abuts along said street frontage.
- B. Side and Rear Yard.**
- 1. Adjacent to Residential.** When the parcel of property in the PF Zone abuts the side or rear yard of a lot or parcel lying within a residential zone, the yard width shall be equal to that required by the provisions of the residential zone established on the abutting property.
 - 2. Otherwise, no setback requirement.**

SECTION 9: ADOPTION “9-3-11-7 BUILDING HEIGHT” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-7 BUILDING HEIGHT (Non-existent)

AFTER ADOPTION

9-3-11-7 BUILDING HEIGHT(*Added*)

- A. Permitted Building Height with Conditions.** No lot or parcel of land in the PF Zone shall have a building or structure which exceeds a height of fifty-five (55') feet, measured at the top of building's horizontal wall, unless one of the following conditions exists:
- 1. The horizontal setback of the building from the nearest residential zone**

- boundary is equal to or exceeds twice the building's height; or
2. A Special Use Permit has been granted by the Planning and Zoning Commission in accordance with the provisions of Sugar City Code. Unique characteristics of a particular building site (such as significant topographic differences between the building site and adjoining residential properties) may justify the city's zoning administrator requiring the project to undergo special use review, even though the condition outlined in (1) above is satisfied. A Special Use Permit may allow heights greater than fifty-five (55') feet.
- B. Accessory Building.** No minimum size. Accessory structures must be smaller than the primary structure.

SECTION 10: **ADOPTION** “9-3-11-8 LANDSCAPING AND LAND USE IMPACTS, AND PERMISSABLE LOT COVERAGE” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-8 LANDSCAPING AND LAND USE IMPACTS, AND PERMISSABLE LOT COVERAGE (Non-existent)

AFTER ADOPTION

9-3-11-8 LANDSCAPING AND LAND USE IMPACTS, AND PERMISSABLE LOT COVERAGE(*Added*)

- A. Landscaping: A minimum of ten (10%) percent of the site shall be landscaped.
- B. Permissible Lot Coverage: In a PF Zone, all buildings and structures shall not cover more than sixty (60%) percent of the lot or parcel of land upon which they are placed unless approved by a Special Use Permit.

SECTION 11: **ADOPTION** “9-3-11-9 CHANGE IN USE OF PUBLIC FACILITIES” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-9 CHANGE IN USE OF PUBLIC FACILITIES (Non-existent)

AFTER ADOPTION

9-3-11-9 CHANGE IN USE OF PUBLIC FACILITIES(*Added*)

A. **Change of Use.** Before any existing Public Facility use may be changed to another use, but under the same ownership, a site plan review and approval must be taken out with the City of Sugar City. This is a review by the fire district, building official, and land use planner.

1. **Administrative Permit.** Uses typical of the public entity shall be permitted by right by submitting a building application and approved administratively as provided in this chapter.

2. **Special Use Permit.** Uses not typically associated with the public entity or anticipated by the administrator to have larger impacts shall require a Special Use Permit as outlined under City Code..

B. **Mitigating Land Use Impacts.** Any change of use that creates more intense impacts may be denied by the Planning and Zoning Commission or administrator

SECTION 12: ADOPTION “9-3-11-10 SALE OF PUBLIC FACILITY ZONED PROPERTY” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-10 SALE OF PUBLIC FACILITY ZONED PROPERTY (Non-existent)

AFTER ADOPTION

9-3-11-10 SALE OF PUBLIC FACILITY ZONED PROPERTY (*Added*)

If any land zoned Public Facility (PF) is sold, gifted, or transferred to another financially unrelated party, the following must immediately be completed:

A. **Rezone.** A new zoning category must immediately be sought.

B. **Moratorium.** There will be a moratorium based on approvals of new land uses and building permits on the property until a new zoning district can be established.

SECTION 13: ADOPTION “9-3-11-11 APPLICATIONS AND REQUIREMENTS IN PUBLIC FACILITY ZONES” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-11 APPLICATIONS AND REQUIREMENTS IN PUBLIC FACILITY ZONES (Non-existent)

AFTER ADOPTION

9-3-11-11 APPLICATIONS AND REQUIREMENTS IN PUBLIC FACILITY ZONES(Added)

The following shall be required to approve facilities in Public Facility Zones.

A. Completed Application Form. A completed application form and site plan.

B. Existing Conditions Summary:

1. Vicinity map (may have a scale up to 1 inch equals 800 feet) showing the proposed sites in relation to roads and streets with their classifications and in relation to any adjacent subdivision with its name, book, and page number.
2. Tract map showing existing conditions:
 - a. Boundaries of any property to be subdivided, with dimensions and acreages.
 - b. Contour intervals indicating drainage characteristics of the land.
 - c. Location of all water features, direction of flow, areas subject to inundation, and areas of floodplain.
 - d. Other special conditions (see SCC 10-5).
 - e. Within or adjacent to the tract: locations, widths, names, and classifications of streets, railroads, rights of way, easements, public areas, structures to remain after development (including water wells), and city boundaries.
 - f. Other infrastructure.
 - g. Zoning classifications of all portions of the tract.
3. Names and addresses of owners of land that lies within three hundred feet (300 feet) of the proposed site.

C. Master Plan of the Facilities (IC 50-1302):

1. The portion of the entire tract that is intended for development.
2. Street layout with locations, widths, and names of streets, alleys, pedestrian ways, easements, and connections to adjacent streets and/or tracts. The parcel as a whole is served by all public streets adjacent to and running through the PF Zone as well as private roads and streets owned and maintained by the respective owners.
3. Parking in the PF Zone should be located in a manner which will serve the needs of the public and owners. All buildings, public improvements and other structures on the parcel should be served by parking lots, wherever situated. Utility Company Service Facility Parking need not be paved.
4. Total number of lots in the facility development and in each of its phases; each lot with its boundaries, dimensions, area, and number in accordance with this code and the Idaho Code.
5. Intended use desired and proposed sites.
6. Location, width, and use of easements.
7. Land to be reserved for public use or excluded, with the use named and whether any land or facility is intended for dedication to the City.

- 8. Land intended for public or quasi-public facilities, with the use named and whether or not the land is intended for dedication to the City.
- 9. Description of hazardous or unusual development features, such as hillside or floodplain, planned unit development, cemetery, or manufactured buildings (see SCC 10-5).
- 10. Plan for phased development, if applicable.
- 11. Infrastructure not elsewhere specified.
- 12. A draft of restrictive covenants, if applicable.
- 13. Other features or factors relevant to consideration of the application.

D. Utility Services Plan:

- 1. Summary of utility services to be provided by public utility companies or by the City.
- 2. Design and operation of sanitary sewage facilities.
- 3. Design, operation, volume, and quality of water facilities and supply (IC 50-1334).
- 4. Design and operation of system for storm water and other drainage.
- 5. Design and operation of common pressurized irrigation system.
- 6. Summary of data relevant to District 7 Health Department and the soil conservation service.

E. Impact Study An impact study may be required for any particular issues including, but not limited to: transportation and traffic; water, drainage, and sanitary sewer; city services; natural, environmental, and historical features; and demographic and commercial factors. Requirements for the impact study are related to the size of the Public Facility Development, and possible land uses in it.

F. Draft Development Agreement: A draft development agreement, submitted in both electronic and hard copy formats. The draft shall address the master plan and/or development phase or phases, as applicable.

SECTION 14: ADOPTION “9-3-11-1 PURPOSE AND OBJECTIVES” of the Sugar City Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

9-3-11-1 PURPOSE AND OBJECTIVES (Non-existent)

AFTER ADOPTION

9-3-11-1 PURPOSE AND OBJECTIVES(*Added*)

This zone is intended to reduce the effect that the location of public facilities may have on

zoning in residential, commercial, or industrial areas. Typical uses will be allowed in other zones to accommodate public facilities in appropriate areas without undue difficulty initially; however, it is intended that the Public Facilities (PF) Zone be applied to all such facilities for ease of recognition and accurate statistical indexing. It is also the intention of the PF Zone to create a zoning designation where all land uses typically needed by public agencies are permitted as a use by right without further review by the city planning and zoning commission. A special use permit process is provided in the rare case of an exception being proposed.

To qualify for this zone, a public facility can be any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated or funded by a governmental body or public entity. It can also mean a street, plaza, pedestrian mall, and any improvements to a street, plaza, or pedestrian mall, including street furniture and beautification, park, parking facility, recreational facility, right-of-way, structure, waterway, bridge, lake, pond, canal, utility line or pipe, building, and access routes to any of the foregoing, designed and dedicated to use by the public generally, or used by a public agency.

Public facilities can include but are not limited to, centers for seniors, persons with disabilities, youth, and childcare centers, community centers, homeless shelters, housing for people with special needs, libraries, health clinics, and neighborhood fire stations. Parks and recreational facilities are also considered public facilities. They can include buildings, property, recreation areas, roads, and various services such as flood control, irrigation, power, sewage, water, education, etc.

SECTION 15: REPEALER CLAUSE All ordinances of Sugar City that conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict. Specifically, the 9-3-6 LAND USE SCHEDULE - Public Facility/Quasi Public Facility of Sugar City Ordinance is hereby repealed and replaced with this ordinance.

SECTION 16: SEVERABILITY CLAUSE The provisions of this ordinance are severable, and if any provision or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of this ordinance.


PASSED AND ADOPTED BY THE SUGAR CITY COUNCIL FEBRUARY 08, 2024.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Joy M Ball	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Catherine Nielsen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Glenn Dayley	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Carter Stanford	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer

Steven Adams, Mayor, Sugar City



Wendy McLaughlin, City Clerk, Sugar
City

