

**ORDINANCE NO. 315\_2016**

**AN ORDINANCE AMENDING CHAPTER 3, OF THE SUGAR CITY, IDAHO CITY CODE TO ADD A TRANSITIONAL AGRICULTURE (TA) ZONING DISTRICT; PROVIDING FOR SEVERABILITY, REPEAL ANY ORDINANCE OR PROVISION WHICH MAY BE IN CONFLICT WITH THE AMENDMENTS HEREIN; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF SUGAR CITY, IDAHO:

Chapter 9 of the City Code of Sugar City, Idaho be and hereby is amended to add the following:

**9-3-2: ZONING DISTRICT AMENDMENTS:**

TA 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.

**9-3-6: LAND USE SCHEDULE AMENDMENTS:**

(b) Uses. Permitted and conditional uses permitted in the TA District are identified in section 9-3-6, Land Use Schedule.

TA

**Agriculture Related:**

Growing, harvesting and storing crops Y

Raising livestock Y

Agriculture related structures Y

**Residential:**

Single Family Residence Y

**Office, professional:**

Veterinary clinic, livestock	Y
Veterinary clinic, small animal	Y

**Industrial:**

Grain Storage	Y
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9-3-8: DEVELOPMENT STANDARDS AMENDMENTS:

(c) Height regulations. There shall be no height restrictions in the TA District, except as may be imposed by state or federal regulations. Wind turbines and communication towers have specific height restrictions as outlined in chapter 109, articles III and V.

(d) Setback and lot line requirements. The following are setback and lot line requirements for the TA District:

(1) Minimum lot width. 250 feet.

(2) Front yard. No building or structure shall be erected nearer than 50 feet from the right-of-way line of the street. Notwithstanding the setback in subsection (b)(1) of this section, if the property abuts a major or minor arterial roadway, the setback shall be no less than 60 feet.

(3) Side yard. No building shall be erected closer than 10 feet to any side property line, except corner lots shall maintain a 50-foot side yard adjacent to the street which intersects the street upon which the building fronts.

(4) Rear yard. There shall be a rear yard having a depth of not less than 25 feet.

(5) Exceptions. Some setback exceptions exist for specific architectural features, as outlined in section 101-10.

(e) Area/density requirements.

(1) Agriculture owners may split off the original home site on any parcel of not less than one-acre from the rest of the farm ground for the purpose of selling the farm and retaining the home.

(2) Owner of a farm may sell off any parcel of not less than one-acre of land by attaching the deed restriction giving up the developmental rights on the balance of the 16 acres. Example: A one-acre lot would require the owner give up the development rights on the

adjoining 15 acres; two-acre split would require the adjoining 14 acres be placed under a developmental restriction and so on. The parcel with the deed restriction shall state that on the deed and which parcel it is tied to. The two resulting parcels will each be counted as a parcel split. The original larger parcel can do one more such split then any further splits of the parcel will require platting. This is inclusive of the original parcel.

(f) Accessory uses. Accessory uses are permitted.

(g) Access to city streets, county roads and state highways. All access to city streets, county or state roads shall be in conformance with the Comprehensive Plan and follow all access policies and ordinances as set by the jurisdiction over the street/road/highway. Multiple accesses will be discouraged and shared access will be encouraged under these policies.

(h) Animal clinics and hospitals, veterinary offices, and kennels. These will be located at least 300 feet from any residence including motels and hotels, except for an owner's residence. The city may modify these requirements if the animals are housed in soundproof structures that screen them from view of the abutting residential property.

#### 9-3-10: OBJECTIONABLE CONDITIONS AMENDMENTS:

(i) Bulk storage of flammable liquids and gases. Bulk storage of flammable liquids and gases will:

(1) Be located at least 300 feet from a residence, motel or hotel, except for an owner's residence.

(2) Be erected with the written approval of the fire authority having jurisdiction.

(3) Have suitable loading and unloading spaces and off-street parking facilities meeting the approval of the fire authority.

(j) Chemical, pesticide, and fertilizer facilities. These facilities will have adequate fire protection, storage area, handling and disposal as approved in writing by the fire authority having jurisdiction.

**SEVERABILITY:** This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

**REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS:** All provisions of the ordinances and Municipal Code of the City of Sugar City which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

EFFECTIVE DATE: This ordinance shall be in full force and effect from and after its passage, approval, and due publication.


Enacted by the City Council and approved by the Mayor, on the 26th day of May, 2016.

CITY OF SUGAR CITY, IDAHO



DAVID OGDEN, MAYOR

ATTEST:



WENDY MCLAUGHLIN  
CITY CLERK-TREASURER

(SEAL)