

CITY CODE

OF

GARDEN CITY

IDAHO

1988



STERLING CODIFIERS, Inc.

35 West Commercial
Weiser, Idaho

TITLE 8
PLANNING AND ZONING

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- l) applicable standard measurement procedures published by the American Standards Institute, New York, the Manufacturing Chemists' Association, Inc., Washington, D.C., the United States Bureau of Mines and the health authority.

8-7-5: **UNIQUE LAND USES:** Certain unique land uses pose special problems that may have detrimental influences on surrounding land uses. The following performance standards for such unique land uses shall be adhered to in addition to all other provisions of this Title:

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| Accessory Building | <p>A. Will not be located in any required front yard area; and</p> <p>B. Will not be located closer than five feet (5') from any side or rear property line.</p> |
| Animal clinic, animal hospital, veterinary office and commercial kennel | <p>A. Will be located at least three hundred feet (300') from any residence including motels and hotels, except for an owner's residence. The Administrator may modify these requirements if the animals are completely housed in sound-proof structures that completely screen them from view of the abutting residential property; and</p> <p>B. Will comply with all State and local regulations relative to such an operation, and maintain adequate housekeeping practices designed to prevent the creation of a nuisance and to reduce to a minimum the factors of noise and odor.</p> |
| Animal commercial feedlots, meat packing, processing plant and slaughterhouse facilities | <p>A. Will be located, when housing animals, feedlot or holding pens, not less than six hundred feet (600') from any residence, except for an owner's residence. Such facilities shall have a minimum setback of thirty feet (30') from any property line;</p> <p>B. Will be designed and located with full consideration to their proximity to adjacent use, their effect upon adjacent and surrounding properties, and to the reduction of such nuisance factors as odor; and</p> <p>C. Will be adequately maintained with housekeeping practices to prevent the creation of a nuisance, and shall also be subject to the health authority requirements as to the elimination of waste materials and the maintenance of water quality control.</p> |
| Bulk storage of flammable liquids and gases, above ground and for resale | <p>A. Will be located at least three hundred feet (300') from a residential zone, a residence, motel or hotel, except for an owner's residence;</p> <p>B. Will be erected subject to the approval of the Cole-Colister Fire District; and</p> |

Bulk storage of flammables (cont.)

C. Will have suitable loading and unloading spaces and off-street parking facilities subject to the approval of the Cole-Colister Fire District.

Chemical, pesticide and fertilizer storage and manufacturing

A. Will have adequate fire protection, storage area, handling and disposal as approved by the Cole-Colister Fire District.

Contractor's yard

A. Shall have a visual barrier around areas utilized for storage of equipment; and

B. Shall be limited to storage, maintenance and processing incidental to contracting work. There shall be no general industrial or commercial uses.

Drive-in restaurant

A. Will be enclosed on the property line with landscaping and fencing, except for ingress and egress, to prevent trash from moving onto other properties;

B. Will have a six foot (6') high sight-obscuring fence along the property line that adjoins a residence;

C. Will provide for adequate trash receptacles; and

D. Will avoid the direction of night lighting toward any residence.

Filling, grading, lagooning, dredging or other earth-moving activity

A. Will result in the smallest amount of bare ground exposed for the shortest time feasible;

B. Will provide temporary ground cover such as mulch;

C. Will use diversions, silting, basins, terraces and other methods to trap sediment;

D. Will provide lagooning in such a manner as to avoid creation of fish trap conditions;

E. Will not restrict a floodway, channel or natural drainageway;

F. Will construct and stabilize sides and bottom of cuts, fills, channels and artificial watercourses to prevent erosion or soil failure;

G. Will not have below-grade excavation except for drainageways within fifty feet (50') of any lot line or public right of way; and

H. Will restore topsoil or loam to a depth of not less than four inches (4").

- Gravel pits, rock quarries, sand and clay pits and other natural resources of commercial value
- A. The extent and method of rehabilitation shall be determined in advance of issuing a zoning certificate with due consideration given to what is suitable and compatible with the surrounding area;
- B. Upon depletion of the area, all temporary buildings and structures, except property line fences and structures for the loading, measuring or weighing of salable material in storage, shall be entirely removed from the property; and
- C. Safety fencing shall be erected around all pits that create a safety hazard.
- Home occupation
- A. No more than one person other than members of the family residing on the premises shall be engaged in such occupation;
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty five percent (25%) of floor area of the dwelling unit shall be used in the conduct of the home occupation;
- C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four (4) square feet in area, nonilluminated and mounted flat against the wall of the principal building;
- D. No significant traffic shall be generated by such home occupation, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Title,¹ and shall not be located in a required front yard; and
- E. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
- Mobile home park²
- A. Will be designed, constructed, operated and maintained so as 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;

1. See Chapter 8 of this Title.

2. See Title 7, Chapter 4 of this Code.

Mobile home park
(cont.)

B. Can be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal and schools;

C. Will be consistent with the intent and purpose of this Title and the Comprehensive Plan;

D. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads;

E. Will not result in the destruction, loss or damage of natural, scenic or historic features of major importance;

F. Will meet the minimum health standards as set forth by the Idaho State Department of Health and Welfare; and

G. Will have a minimum total area for the mobile home park of sixty thousand (60,000) square feet.

Outdoor storage of
commercial and industrial
materials

A. Will be screened from view from any existing adjoining residence or residentially zoned area, whether or not such property is separated by an alleyway or street; and

B. Will not be located in any front yard setback area.

Riding stables and
schools

A. Will locate all stables or loafing sheds not nearer than one hundred feet (100') from any residence, except for an owner's residence. All facilities shall be set back a distance of thirty feet (30') from any property line;

B. Will be designed and located with full consideration being given to their proximity to adjacent uses and their effect upon adjacent and surrounding properties, as to the storage of horse trailers and the factors of noise and odor; and

C. Will require that the owner or operator of such use shall have a continuous obligation to maintain adequate housekeeping practices to prevent the creation of a nuisance.

Rifle and pistol range

A. Will be designed with a backstop;

B. Will be designed to avoid a line of fire that is directed towards any residence or business within one mile;

C. Will incorporate landscaping that is compatible with the surrounding landscaping; and

D. Will provide supervision and security measures during periods of use.

Sanitary landfill

- A. Will conform to time limits for daily operation as defined by the City Council;
- B. Will provide a bond, for privately owned sites, to insure compliance with the provisions of the zoning certificate;
- C. Will provide for a paved street to the facility; and
- D. Will be supervised during the hours of operation. (Ord. 443, 12-17-81)

Wrecking yard

- A. Will be completely enclosed by a solid eight foot (8') high sight-obscuring fence;
- B. Will not result in the storage of automobile, junk or salvage materials that are visible from any public right of way;
- C. Will not result in the storage of automobiles or use of equipment that exceeds the height of the fence; and
- D. Will have such landscaping that is appropriate with the surrounding area. (Ord. 443, 12-17-81; 1988 Code)