

Chapter 4

USE DISTRICTS AND REGULATIONS



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11-4-1: ESTABLISHMENT OF DISTRICTS; OFFICIAL ZONING MAP:



A. Official Zoning Map:

1. The city is hereby divided into zones, or districts, as shown on the official zoning map that, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this title.
2. The official zoning map shall be identified by the signature of the mayor, attested by the city clerk, and bearing the seal of the city. If, in accordance with the provisions of this chapter and Idaho Code section 67-6501, the local land use planning act, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the city council, with an entry on the official zoning map as follows:

On (date), by official action of the city council, the following (change) changes were made in the official zoning map (brief description of nature of change);

which entry shall be signed by the zoning administrator or mayor and attested by the city clerk.

3. No changes of any nature shall be made in the official zoning map or matter shown thereon, except in conformity with the procedures set forth in this chapter. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this chapter.
4. Regardless of the existence of purported copies of the official zoning map that may from time to time be made or published, the official zoning map that shall be located in the office of the city clerk, shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the city.

B. Replacement Of Official Zoning Map:

1. In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the city council may by resolution adopt a new official zoning map that shall supersede the prior official zoning map.
2. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the zoning administrator or mayor, attested by the city clerk, and bearing the seal of the city under the following words:

Unless the prior official zoning map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

(2003 Code § 11-04-01)

11-4-2: RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES:  

Where uncertainty exists as to the boundaries of districts as shown on the official zone map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines. No boundary of a use district can divide a platted line.
- C. Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- E. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline, shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections A through E of this section, the city council shall interpret the district boundaries. (2003 Code § 11-04-02)

11-4-3: APPLICATION OF DISTRICT REGULATIONS:



The regulations set by this chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

- A. No building, structure or land shall hereafter be used or occupied, and no building, structure, or part thereof, shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

- B. No building or other structure shall hereafter be erected or altered:
 - 1. To exceed the height;
 - 2. To accommodate or house a greater number of families;
 - 3. To occupy a greater percentage of lot area. A ten percent (10%) variance of this percentage may be granted by the zoning administrator when evidence of undue hardship is presented;
 - 4. To have narrower or smaller rear yards, front yards, side yards or open spaces. Front yard setback may average the setbacks of existing houses on each side, unless otherwise prohibited by this chapter;
 - 5. On property that has not been legally platted.

- C. No part of a yard, or other open space, or off street parking or loading space required about or in connection with any building for the purpose of complying with this chapter, shall be included as part of a yard, open space, or off street parking or loading space similarly required for any other building.

- D. No yard or lot existing at the time of passage of this chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date hereof shall meet at least the minimum requirements established by this chapter.

- E. All territory that may hereafter be annexed to the city shall be zoned by the city council with appropriate recommendations by the planning and zoning commission at the time of annexation. (2003 Code § 11-04-03)

11-4-4: SCHEDULE OF DISTRICT REGULATIONS:



- A. Adopted: District regulations shall be set forth in the schedule of district regulations, hereby adopted by reference and declared to be a part of this chapter, and in section 11-4-8 of this chapter. Land or premises shall be used, unless otherwise provided in this chapter, only in conformity with the regulations herein set forth for the zones or use districts in which such land or premises is located. No building or structure shall be erected or structurally altered or used, unless otherwise provided in this chapter, except in conformity with the regulations herein set forth for the zone or use district in which such building or structure is located.
- B. Intent: The following zoning districts are hereby established. For the interpretation of this chapter, the zoning districts have been formulated to realize the general purpose as set forth in this chapter and to conform with the comprehensive plan and its stated goals and objectives. In addition, the specific purposes of each zoning district shall be as stated. No residence or commercial building shall be erected or moved onto any lot, tract or parcel of land in any use district or zone adopted under the provisions of this chapter unless said lot, tract or parcel of land has been legally platted and a building permit is issued in accordance with the Building Code.
- C. Interpretation:
1. The interpretation and application of the provisions of this title shall be by the Zoning Administrator/Building Director. An appeal of an interpretation of such official shall be submitted to the Planning and Zoning Commission, who, unless otherwise provided, is authorized to interpret this title, and such interpretation shall be considered final. Uses are permitted within the various zones as described in this chapter and as otherwise provided herein.
 2. It is recognized that all possible uses and variations of uses that might arise cannot reasonably be listed or categorized. Mixed uses/sites, or any use not specifically mentioned or about which there is any question, shall be administratively classified by comparison with other uses identified in the zones described in this Code. If the proposed use resembles identified uses in terms of intensity and character, and is consistent with the purposes of this title and the individual zone classification, it shall be considered as a permitted/non-permitted use within a general zone classification, subject to the regulations for the use it most nearly resembles. If a use does not resemble other identified allowable uses within a zone, it may be permitted as determined by the hearing body in public hearing as an amendment to this title. (2003 Code § 11-04-04)

11-4-5: CITY USE DISTRICTS:

The official schedule of district regulations is divided into the following use groups: Transitional Agricultural, Rural Ranchette, Low Density Residential, Medium Density Residential, Mobile Home Residential, High Density Residential, Mixed Use, Neighborhood Business District, Downtown Business District, General Business District, Highway Business District, Project Redevelopment Option, Light Industrial, and Heavy Industrial.

- A. Transitional Agriculture (TAG):** The purpose in establishing the Transitional Agriculture Zone is to set aside land to properly guide growth of the fringe areas of the community deemed to be important for preservation of rural standards. Being inside the Impact Area, it is assumed these areas will someday be incorporated into the City, therefore they are transitional. (2003 Code § 11-04-05) (**County Work Meeting to Create Parity**)
- B. Rural Ranchette (RR):** The purpose of establishing the Rural Ranchette Zone is to promote and maintain a single-family residential neighborhood that protects animal rights as part of allowed uses. The purpose is to preserve areas of land where small acreage including domestic farm animals may be kept within the City limits and the impact area. The zone also includes residential uses for handicapped and elderly persons up to eight (8) as referenced by Idaho Code section 67-6531. (Ord. 2178, 3-5-2019) (**County Work Meeting to Create Parity**)
- C. Low Density Residential 1 (LDR1):** The purpose in establishing the LDR1 Zone is to promote and maintain single-family residential neighborhoods, with conditions favorable to family living, and to encourage the development of low-density areas of land that are best suited for residential purposes to prevent overcrowding of the land. The zone shall also include residence for the handicap or elderly up to eight (8) persons as referenced by Idaho Code section 67-6531. The maximum allowed density is 6 units per acre.
- D. Low Density Residential 2 (LDR2):** The purpose in establishing the LDR2 Zone is to promote and maintain single-family residential neighborhoods, with conditions favorable to family living, and to encourage the development of low-density areas of land that are best suited for residential purposes to prevent overcrowding of the land. An Accessory Dwelling Unit is allowed with a CUP. The zone shall also include residence for the handicap or elderly up to eight (8) persons as referenced by Idaho Code section 67-6531. The maximum allowed density in LDR2 is 8 units per acre.
- E. Medium Density Residential 1 (MDR1):** The purpose in establishing the MDR1 Zone is to provide low to medium density land use for one- and two-family residential development. The maximum allowed density is 15 units per acre.
- F. Medium Density Residential 2 (MDR2):** The purpose in establishing the MDR2 Zone is to provide low to medium density land use for one- and two-family residential development. An Accessory Dwelling Unit is allowed with a CUP. The maximum allowed density is 29 units per acre.
- G. Mixed Use District (MUD):** It is the purpose and intent of the Mixed Use (MUD) District to allow flexibility where a variety of housing types may exist among neighborhood-serving commercial and institutional uses. Mixed use projects are encouraged, but stand-alone residential development is allowed. Higher residential densities are allowed with the highest

requiring a mixed-use component. The maximum allowed density is dependent on an approvable development plan and is not measured in units per acre.

- H. High Density Residential 1 (HDR1):** The purpose in establishing the Multi-Family Residence zone is to provide for medium density land use and to encourage more compact residential development. The maximum allowed density is 30 units per acre.
- I. High Density Residential 2 (HDR2):** The purpose in establishing the Larger Multi-Family Residence zone is to provide areas of land for high density residential development, also in which small professional offices and certain other type of semi-commercial uses may be located. The maximum allowed density is dependent on an approvable development plan and is not measured in units per acre.
- J. Neighborhood Business District (NBD):** The purpose in establishing the Neighborhood Business District is to provide districts in which basic services can be provided which are compatible with residential development which will not require large facilities or extensive parking. Small businesses compatible with residential uses may be located adjacent or in close proximity to residential neighborhoods. Examples might include hair salons, accounting and tax preparation offices, small convenience stores, bakeries, small food stores or other business servicing a low to medium density neighborhood. This District would service the local needs of a neighborhood and be confined to placement in a residential district on local city streets. Commercial uses are limited to non-intrusive, low-demand business that can peacefully co-exist with a surrounding neighborhood.
- K. Downtown Historic Business District (DHBD):** The purpose in establishing the Downtown Business District zone is to provide a district in which the primary use of land is for business purposes and promotes the development of retail shopping stores and service establishments. Encouraged in the district will be multi story residential apartments, except in the story abutting street level.
- L. General Business District (GBD):** The purpose in establishing the General Business District is to provide a district in which the primary use of land is for business purposes and promotes the development of retail shopping stores and service establishments. Businesses such as Banks, Bars, Hospitals, Clinics, Professional Offices. Encouraged in the district will be multi story residential apartments, except in the story abutting street level.
- M. Highway Business District (HBD):** The purpose in establishing the Highway Business District is to provide a district in which can provide services which require large facilities and extensive parking. Businesses such as Service Stations, Car Dealerships, Adult Oriented Businesses, Motels, Hotels, Club, Restaurants, Social Halls, Dance Halls, Night Clubs, Repair Shops, Bowling Alleys.
- N. Project Redevelopment Option District (PRO District):** The purpose of the Project Redevelopment Option ("PRO") District is to create a regulatory tool that permits initiative and flexibility in creating well-planned, architecturally designed development that meets the housing and commercial needs of the community in areas of the city that are in need of redevelopment.

- O. Light Industrial District (LID):** The purpose in establishing the light industrial zone is to provide for and encourage industries such that the appearance of buildings and treatment of land will not be detrimental or obtrusive to surrounding commercial or residential uses.

- P. Heavy Industrial District (HID):** The purpose in establishing the heavy industrial zone is to provide for suitable areas in which heavy industrial uses may locate and be substantially free from residential or retail commercial activities.

11-4-6: CITY USE DISTRICT REGULATIONS

A. TRANSITIONAL AGRICULTURAL (TAG)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way Exceptions
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Parking, Loading and Access
15. Project Plan Approval
16. Fencing
17. Signs
18. Animal Rights
19. Other Requirements

1. Purposes and Objectives

The TAG zone is established to protect stable neighborhoods of detached single-family dwellings on larger lots. The limited conditional uses allowed in this district shall be compatible with an atmosphere of large, landscaped lawns, low building heights, ample setbacks and side yards, predominantly off street parking, low traffic volumes, and low nuisance potentials.

2. Permitted Uses

All permitted and conditional uses in this zone are regulated by the use table in Chapter 11-4-6. Accessory Uses are also regulated by the master use table in Chapter 11-4-6.

3. Lot Area

The minimum area of any lot or parcel of land in the TAG zone is one-half (½) acre.

4. Lot Width

Each lot or parcel of land in the TAG zone shall have a width of no less than eighty (75') feet.

5. Lot Depth

Each lot or parcel of land shall have a minimum of sixty (60') feet.

6. Lot Frontage

Each lot or parcel of land in the TAG zone shall abut a public street for a minimum distance of

thirty-five (35') feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end, which does not have a cul-de-sac improved to City standards, shall not be counted in meeting this requirement. Private drives are allowed as per review by the Zoning Administrator or Designee.

7. Prior Created Lots

8. Lot Configuration and Density

Not more than one (1) single-family dwelling shall be placed on a lot or parcel of land in the TAG zone.

9. Yard Requirements

The following minimum yard requirements shall apply in the TAG zone:

a. Front Yard. Each lot or parcel in the TAG zone shall have a minimum front yard of at least thirty (30) feet from right-of-way.

1. **Exception:** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

b. Rear Yard. The minimum depth of a rear yard shall be twenty (20') feet.

c. Side Yard. Five feet (5'). The side yard that is on the intersecting street must have a twenty-foot (20') setback;

d. Accessory Building Setbacks. (See 3.02.070.b.)

An accessory use is a structure that is subordinate to and incidental to the principal building on the same lot, but does not include any building containing a dwelling unit. Accessory units shall not exceed twenty five feet (25') in height. Accessory units shall not encroach in the front or side yards. Accessory units that are regulated by the adopted Building Code shall have a minimum of five feet (5') rear setback. Accessory units permitted are as follows:

- i. Private garages and/or carports. When a garage or carport is attached to the primary residence, it must meet all the setback requirements for the primary structure.
- ii. Greenhouses for private use only.
- iii. Private swimming pools.
- iv. Pergolas, arbors, decks, patios, storage buildings.
- v. Gardens for private use.
- vi. Television satellite dishes.

10. Setbacks and Right-of-Way Exceptions

11. Building Height

a. No lot or parcel of land in the TAG zone shall have a building or structure, which exceeds a maximum height of thirty (30') feet, measured at the top of building's horizontal wall.

b. Accessory Structure. In no case shall the height of an accessory structure exceed

the height of any main structure on the same lot.

12. Distance Between Buildings

13. Permissible Lot Coverage

a. Building Coverage. In a TAG zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70%) percent of the area of the lot or parcel of land.

b. Landscaping. At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.

c. Impervious Surface. On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.

14. Parking, Loading, and Access: Two (2) off street spaces and additional parking as required in the parking regulations, section **11-4-14** of this chapter.

15. Project Plan Approval

16. Fencing

17. Signs: For signs, see city sign code.

18. Animal Rights

The following provisions shall apply to the TAG and RR zones in the impact area upon annexation into the city:

Description of Land and Livestock. Any landowner having livestock upon lands located within the area of city impact may provide to the City Planning and Zoning Commission a description of the land together with a description of the livestock on said lands, which shall include the number of livestock as well as the type of livestock located on said lands.

Historic Herd Size. The Planning and Zoning Commission shall review the descriptions as submitted by a land owner, and together with the land owner determine a historic herd size for the parcel of land described. The record of historic herd size shall be kept by the City Clerk and shall be preserved for the purpose of determining existing land use on said lands as of the date of annexation.

Discontinued Use. In the event a landowner shall discontinue the use and maintenance of livestock on lands described and provided to the Planning and Zoning Commission for a period of five (5) consecutive years, when such use shall not be reestablished, the uses of the premises thereafter shall be in conformity with the regulations of the zone district in which the land is situated; provided, that the use and maintenance of a lesser number of the same general type of livestock on the described lands shall be deemed to conform to the historic herd size as

recorded with the City Clerk and will allow the continued recognition of the historic herd size as the current existing land use.

Expansion or Enlargement of Herd. The expansion or enlargement of a livestock herd shall be allowed only by the granting of a conditional use permit, zone change or variance, as provided by this ordinance and depending upon the particular circumstances and facts involved.

19. Other Requirements

- a. Yellowstone Highway Corridor. (Reserved)
- b. The City of Blackfoot right-of-way width is dictated by City Engineering Standards. Refer to *engineering standard drawings* for Development Rules that apply to all Residential Zones.

B. RURAL RANCHETTE (RR)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way Exceptions
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Parking, Loading and Access
15. Project Plan Approval
16. Fencing
17. Signs
18. Other Requirements

- 1. Purpose and Objectives.** The purpose of establishing the Rural Ranchette Zone is to promote and maintain a single-family residential neighborhood that protects animal rights as part of allowed uses. The purpose is to preserve areas of land where small acreage including domestic farm animals may be kept within the City limits and the impact area. The zone also includes residential uses for handicapped and elderly persons up to eight (8) as referenced by Idaho Code section 67-6531.
- 2. Permitted & Conditional Uses:** All permitted and conditional uses in this zone are regulated by the use table in Chapter 11-4-6. Accessory Uses are also regulated by the master use table in Chapter 11-4-6. An Accessory Dwelling Unit (ADU) may be allowed in subdivisions platted since January 1, 2021 in all residential zones with the issuance of a conditional use permit. ADU's are subject to Chapter XX.X regulating accessory Dwelling Units.
- 3. Lot Area:** Minimum lot area requirement is one (1) acre.
- 4. Lot Width:** The minimum lot width at the building line is seventy-five feet (75').
- 5. Lot Depth:** Minimum lot depth of one hundred-forty feet (140').
- 6. Lot Frontage:** Minimum lot frontage of one hundred feet (100')
- 7. Prior Created Lots:** Lots which pre-existed this ordinance will not be denied a building permit based on nonconformance with these area and dimensional requirements.
- 8. Lot Configuration and Density:** A single dwelling unit is allowed in the Rural Ranchette Zone.
- 9. Yard Requirements:**
Minimum setback requirements for primary structures are measured from the furthest projecting part of the structure:

- a. Front yard: Thirty feet (30');
- b. Side yard: Five feet (5');
- c. Rear yard: Twenty feet (20').

Minimum setback requirements for primary structures on a corner lot are:

- a. Front yard: Thirty feet (30');
- b. Side yard: Five feet (5'). The side yard on the intersecting street must have a minimum twenty-foot (20') setback;
- c. Rear yard: Twenty feet (20').

10. Setbacks and Rights-of-Way Exceptions

11. Building Height: The height of structures is limited to fifty feet (50').

12. Distance Between Buildings

13. Permissible Lot Coverage: The total area that may be covered by buildings is forty percent (40%) of the lot.

14. Parking, Loading and Access:

15. Project Plan Approval

16. Fencing: Fencing must be sufficient to keep farm animals on the subject property and built commensurate with the type of animal and size.

17. Signs: For signs, see city sign code.

18. Other Requirements:

a. The keeping of farm animals in the RR Zone must adhere to the following limitations:

i. An accumulative total of four (4) cows and horses will be allowed per acre. This accumulative total of animals applies to year-round hosted animals and does not apply where seasonal/rotational grazing of pasture areas support an increased density on the property until the available feed is fully utilized. After feed is used, the increased density of animals shall be removed to comply with the accumulative levels listed above.

ii. An accumulative total of eight (8) sheep, goats and pigs will be allowed per acre.

iii. An accumulative total of one hundred (100) penned rabbits and chickens will be allowed per acre.

c. Area requirements specified are exclusive of land used for other livestock or other uses such as buildings, lawns, gardens, etc.

d. Area requirements for animals not listed shall be determined by the Zoning Administrator based upon the area requirements of the closest related animal.

C. LOW DENSITY RESIDENTIAL 1 (LDR1)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Parking, Loading and Access
15. Project Plan Approval
16. Fencing
17. Signs
18. Other Requirements

1. Purposes and Objectives

The density allowed in the Low Density Residential 1 (LDR1) is a maximum of 6 units per acre. The LDR1 zone is established to protect stable neighborhoods of detached single-family dwellings on larger lots. The limited conditional uses allowed in this district shall be compatible with an atmosphere of large, landscaped lawns, low building heights, ample setbacks and side yards, predominantly off-street parking, low traffic volumes, and low nuisance potentials.

2. Permitted Uses: All permitted and conditional uses in this zone are regulated by the use table in Chapter 11-4-6. Accessory Uses are also regulated by the master use table in Chapter 11-4-6. An Accessory Dwelling Unit (ADU) may be allowed in subdivisions platted since January 1, 2021 in all residential zones with the issuance of a conditional use permit. ADU's are subject to Chapter XX.X regulating accessory Dwelling Units.

3. Lot Area

The minimum area of any lot or parcel of land in the LDR1 zone is eight thousand (8,000) square feet for a corner lot and seven thousand (7,000) square feet for an inside lot.

4. Lot Width

Each lot or parcel of land in the LDR1 zone shall have a width of no less than seventy-five feet (75').

5. Lot Depth

Each lot or parcel of land shall have a minimum of sixty (60') feet.

6. Lot Frontage

Each lot or parcel of land in the LDR1 zone shall abut a public street for a minimum distance of thirty-five (35') feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end, which does not have a cul-de-sac improved to City standards, shall not be counted in meeting this requirement. Private drives are allowed as per review by the Zoning Administrator or Designee.

7. Prior Created Lots (See 3.03.070.c.)

8. Lot Configuration and Density

Not more than one (1) single-family dwelling shall be placed on a lot or parcel of land in the LDR1 zone.

9. Yard Requirements

Setback requirements for primary structures are:

- a. Front yard: Thirty feet (30');
- b. Side yard: Five feet (5');
- c. Rear yard: Twenty feet (20').

Setback requirements for primary structures on a corner lot are:

- a. Front yard: Thirty feet (30');
- b. Side yard: Five feet (5'). The side yard that is on the intersecting street must have a twenty foot (20') setback;
- c. Rear yard: Twenty feet (20').

10. Setbacks and Right-of-Way

A. Visibility at Intersections: No structures shall be allowed within the triangle formed by measuring thirty feet (30') along each lot line, beginning at their intersection, and closing such triangle with a straight line, provided:

1. Trees are allowed within such triangle if all branches are trimmed from the curb level to at least seven feet (7') above the curb level.

2. Shrubs, hedges and flowers are allowed within such triangle, not to exceed three feet (3') above the curb level.

3. Fences, walls and all other sight obscuring structures are allowed within such triangle not to exceed three feet (3') above curb level. A permit must be obtained from the Zoning Administrator for all structures under this subsection. A fee in such amount as established by resolution of the City Council per permit shall be charged.

B. Visibility At Alleys And Driveways: No fences, walls, hedges or any other sight obstructing objects shall be allowed within the triangle formed by measuring fifteen feet (15') along the alley or driveway and along the lot line from the intersection of said lines, and closing such triangle with a straight line; except for trees as provided in subsection A1 of this section; shrubs, hedges and flowers as provided in subsection A2 of this section; and structures as provided in subsection A3 of this section.

C. Front Yard: No building or structure shall be erected closer than is allowed by the use district, from the right-of-way line of the street. Exception: When more than fifty percent (50%) of the lots along a street have existing buildings with a front setback of not more than twenty feet (20'), any new structures will only need to meet the twenty foot (20') setback. In no case shall a front yard of more than thirty feet (30') be required.

D. Side Yard: No building or part of a building, including eaves, shall be erected closer than five feet (5') to any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street that intersects the street upon which the building fronts.

E. Accessory Uses: An accessory use is a building that is subordinate to, and incidental to, the principal building on the same lot, but does not include any building containing a dwelling unit. An accessory use is an activity or structure incidental or secondary to the principal use on the same lot.

11. Building Height

Height of primary structures is limited to forty feet (40') as measured from Apex or highest point of building.

b. Accessory Structure. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

12. Distance Between Buildings

13. Permissible Lot Coverage

a. Building Coverage. In an LDR1 zone, the total area that may be covered by buildings is forty percent (40%) of the lot.

b. Landscaping. At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.

c. Impervious Surface. On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.

14. Parking, Loading, and Access

15. Project Plan Approval

16. Fencing

17. Signs: For signs, see city sign code.

18. Other Requirements

a. Old Yellowstone Highway. *(Reserved)*

- b.** The City of Blackfoot right-of-way width is dictated by City Engineering Standards.

D. LOW DENSITY RESIDENTIAL 2 (LDR2)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Parking, Loading and Access
15. Project Plan Approval
16. Fencing
17. Signs
18. Other Requirements

1. Purpose and Objectives

The density allowed in the Low Density Residential 2 (LDR2) is a maximum of 8 units per acre. The LDR2 zone is established to protect stable neighborhoods of detached single-family dwellings on medium-sized lots. The conditional uses allowed in this district shall be compatible with single-family homes on landscaped lawns, low building heights, predominantly off-street parking, low traffic volumes, and low nuisance potential.

2. Permitted & Conditional Uses

All permitted and conditional uses in this zone are regulated by the use table in Chapter 11-4-6. Accessory Uses are also regulated by the master use table in Chapter 11-4-6. An Accessory Dwelling Unit (ADU) may be allowed in subdivisions platted since January 1, 2021 in all residential zones with the issuance of a conditional use permit. ADU's are subject to Chapter XX.X regulating accessory Dwelling Units.

3. Lot Area

- a. The minimum area of any lot or parcel of land in the LDR2 zone is five thousand four hundred and forty-five (5,445) sq. ft.
- b. An accessory dwelling unit (ADU) requires a minimum of a 6,500 sq. ft. lot.

4. Lot Width

- a. The minimum lot width in the LDR2 zone is fifty (50') feet.

5. Lot Depth

The minimum lot depth in the LDR2 zone is sixty (60) feet.

6. Lot Frontage

Each lot or parcel of land in the LDR2 zone should abut a public street for a minimum distance of twenty (20') feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-

de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Zoning Administrator or Designee.

7. Prior Created Lots-Reserved

8. Lot Configuration and Density

- a. One (1) single-family dwelling unit may be placed on a parcel or lot in the LDR2 zone.
- b. No more than two (2) dwelling units in any one (1) structure.

9. Yard Requirements

The following minimum yard requirements shall apply in the LDR2 zone:

a. Front Yard. Each lot or parcel in the **LDR2** zone shall have a minimum front yard of at least twenty (30') feet from right-of-way.

1. **Exception:** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

b. Rear Yard. The minimum depth of a rear yard shall be twenty (20') feet.

c. Side Yard. Each lot or parcel of land in the **LDR2** zone shall have a side yard of at least five (5') feet as measured from the furthest protruding portion of the building.

d. Accessory Buildings. A minimum side yard and rear yard of five (5) feet is required.

10. Setbacks and Right-of-Way

A. Visibility at Intersections: No structures shall be allowed within the triangle formed by measuring thirty feet (30') along each lot line, beginning at their intersection, and closing such triangle with a straight line, provided:

1. Trees are allowed within such triangle if all branches are trimmed from the curb level to at least seven feet (7') above the curb level.

2. Shrubs, hedges and flowers are allowed within such triangle, not to exceed three feet (3') above the curb level.

3. Fences, walls and all other sight obscuring structures are allowed within such triangle not to exceed three feet (3') above curb level. A permit must be obtained from the Zoning Administrator for all structures under this subsection. A fee in such amount as established by resolution of the City Council per permit shall be charged.

B. Visibility At Alleys And Driveways: No fences, walls, hedges or any other sight obstructing objects shall be allowed within the triangle formed by measuring fifteen feet (15') along the alley or driveway and along the lot line from the intersection of said lines, and closing such triangle with a straight line; except for trees as provided in subsection A1 of this section; shrubs, hedges and flowers as provided in subsection A2 of this section; and structures as provided in subsection A3 of this section.

C. Front Yard: No building or structure shall be erected closer than is allowed by the use district, from the right- of-way line of the street. Exception: When more than fifty percent (50%) of the lots along a street have existing buildings with a front setback of not more than twenty feet (20'), any new structures will only need to meet the twenty foot (20') setback. In no case shall a front yard of more than thirty feet (30') be required.

D. Side Yard: No building or part of a building, including eaves, shall be erected closer than five feet (5') to any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street that intersects the street upon which the building fronts. (2003 Code § 11-04-08)

E. Accessory Uses: An accessory use is a building that is subordinate to, and incidental to, the principal building on the same lot, but does not include any building containing a dwelling unit. An accessory use is an activity or structure incidental or secondary to the principal use on the same lot.

11. Building Height

c. No lot or parcel of land in the LDR2 zone shall have a building or structure, which exceeds a maximum height of forty (40') feet, measured at the top of building's horizontal wall.

d. **Accessory Structure.** In no case shall the size or height of an accessory structure exceed the size or height of any main structure on the same lot.

12. Distance Between Buildings

13. Permissible Lot Coverage

a. **Building Coverage.** In an LDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than forty (40%) percent of the area of the lot or parcel of land.

b. **Landscaping.**

1. At least sixty (60%) percent of the area of any lot shall be maintained in landscaping.

c. **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.

14 Parking, Loading and Access: Parking is two (2) additional off-street spaces for each additional unit and shall be located in the rear or side yard of the primary structure.

15. Project Plan Approval: Accessory dwelling units shall only be allowed upon application for and approval of a conditional use permit.

16. Fencing: A fence permit is required before construction but may be applied for as part of the building permit.

17. Signs: For signs, see city sign code.

18. Other Requirements

a. The City of Blackfoot right of way width is dictated by City Engineering Standards.

E. MEDIUM DENSITY RESIDENTIAL 1 (MDR1)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Design Standards
15. Parking, Loading and Access
16. Project Plan Approval
17. Fencing
18. Signs
19. Other Requirements

1. Purposes and Objectives

The density allowed in the Medium Density Residential 1 (MDR1) is a maximum of 14 units per acre. The MDR1 zone is established to protect stable neighborhoods of detached single-family dwellings on smaller lots and multi-family housing. Restoration or rehabilitation of older homes in this district shall be encouraged. Conditional uses shall be compatible with an atmosphere of low building heights, low traffic volumes, ample off-street parking, and low nuisance potentials at a higher density than LDR zones.

2. Permitted & Conditional Uses

- a. The following principal uses and structures indicated as “P”, and no others, shall be permitted in the MDR1 zone. The following uses and structures indicated as “CUP” may be permitted in the MDR1 zone only after a Conditional Use Permit is Issued
- b. Permitted Accessory Uses.** Accessory uses and structures are permitted provided they are incidental to, and do not substantially alter the character of, the permitted principal use or structure.

3. Lot Area

The minimum lot area of any parcel of land in the MDR1 zone is:

- a. four thousand, five hundred (4,500) sq. ft. for an individual unit
- b. six thousand (6,000) sq. ft. for a duplex or twin home.
- c. For 3 units or larger, apply the density requirements.

4. Lot Width

The minimum lot width in the MDR1 zone is sixty (60') feet.

- a. **Exception.** A single-dwelling unit has a minimum lot width of fifty (50') feet.

5. Lot Depth

The minimum lot depth in the MDR1 zone is sixty (60') feet.

6. Lot Frontage

Each lot or parcel of land in the MDR1 zone shall abut a public street for a minimum distance of twenty-four (24') feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Zoning Administrator or Designee.

7. Prior Created Lots (RESERVED)

8. Lot Configuration and Density

Without a Planned Unit Development (PUD), developments shall not exceed a density of sixteen (16) units per acre.

9. Yard Requirements

The following minimum yard requirements shall apply in the MDR1 zone:

a. Front Yard. Each lot or parcel in the MDR1 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.

1. **Reduced Front Yard Setback.** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

2. **Reduced Front Yard Setback.** If all parking spaces are located behind the building, the front yard setback may be reduced to fifteen (15') feet.

b. Rear Yard. The minimum depth of a rear yard shall be twenty (20') feet.

Side Yard. 1. Each lot or parcel of land in the MDR1 zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every foot of building height, whichever is greater.

c. Reduced Side Yard Setback. A setback of ten (10') feet shall be allowed within side yards that abut other MDR zones, HDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.

10. Setbacks and Right-of-Way

A. **Visibility at Intersections:** No structures shall be allowed within the triangle formed by measuring thirty feet (30') along each lot line, beginning at their intersection, and closing such triangle with a straight line, provided:

1. Trees are allowed within such triangle if all branches are trimmed from the curb level to at least seven feet (7') above the curb level.

2. Shrubs, hedges and flowers are allowed within such triangle, not to exceed three feet (3') above the curb level.

3. Fences, walls and all other sight obscuring structures are allowed within such triangle not to exceed three feet (3') above curb level. A permit must be obtained from the Zoning Administrator for all structures under this subsection. A fee in such amount as established by resolution of the City Council per permit shall be charged.

B. **Visibility At Alleys And Driveways:** No fences, walls, hedges or any other sight obstructing objects shall be allowed within the triangle formed by measuring fifteen feet (15') along the alley or driveway and along the lot line from the intersection of said lines, and closing such triangle with a straight line; except for trees as provided in subsection A1 of this section; shrubs, hedges and flowers as provided in subsection A2 of this section; and structures as provided in subsection A3 of this section.

C. **Front Yard:** No building or structure shall be erected closer than is allowed by the use district, from the right- of-way line of the street. Exception: When more than fifty percent (50%) of the lots along a street have existing buildings with a front setback of not more than twenty feet (20'), any new structures will only need to meet the twenty foot (20') setback. In no case shall a front yard of more than thirty feet (30') be required.

D. **Side Yard:** No building or part of a building, including eaves, shall be erected closer than five feet (5') to any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street that intersects the street upon which the building fronts.

E. **Accessory Uses:** An accessory use is a building that is subordinate to, and incidental to, the principal building on the same lot, but does not include any building containing a dwelling unit. An accessory use is an activity or structure incidental or secondary to the principal use on the same lot.

11. Building Height

a. No lot or parcel of land in the MDR1 zone shall have a building or structure, which exceeds a maximum height of forty (40') feet measured at the top of building's horizontal wall.

b. **Adjacent LDR Zoning.** If the development is adjacent to a Low-Density Residential Zone (LDR), the maximum building height (for buildings adjacent to the LDR zone) shall be no greater than thirty (30') feet.

c. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

d. Gables and dormers are not included in height calculations unless their addition raises the overall peak height.

12. Distance Between Buildings (RESERVED)

13. Permissible Lot Coverage

a. **Building Coverage.** In an MDR1 zone, all buildings, including accessory buildings and structures

(including impervious surfaces, e.g. driveways), shall not cover more than seventy (70%) percent of the area of the lot or parcel of land.

b. **Landscaping.** At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.

c. **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, and one hundred (100%) percent of one (1) side yard.

14. Design Standards

15. Parking, Loading and Access (See 3.04, 4.00.060.)

Sidewalk Access. Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the nearest Substantial Commercial Cluster (see definition).

16. Project Plan Approval.

Multifamily Housing: All multifamily housing projects are commercial uses and as such as subject to design standards. Design standards assure large building projects address site and building design requirements so as to minimize negative visual impacts on the community. Design standard requirements will be reviewed at site plan approval and upon application for a building permit.

17. Fencing (*RESERVED*)

18. Signs: For signs, see city sign code.

19. Other Requirements

a. Old Yellowstone Highway. (*RESERVED*)

F. MEDIUM DENSITY RESIDENTIAL 2 (MDR2)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Design Standards
15. Parking, Loading and Access
16. Project Plan Approval
17. Fencing
18. Signs
19. Other Requirements

1. Purposes and Objectives

The density allowed in the Medium Density Residential 2 (MDR2) is a maximum of 28 units per acre. The MDR2 zone is established to act as a buffer between single-family dwellings and high density residential zones. Restoration or rehabilitation of older homes in this district shall be encouraged. MDR2 shall have an atmosphere consistent with low traffic volumes, ample off-street parking, and lower nuisance potentials than higher density zoning (HDR).

2. Permitted & Conditional Uses

All permitted and conditional uses in this zone are regulated by the use table in Chapter 11. Accessory Uses are also regulated by the master use table in Chapter 11.

3. Lot Area

a. The minimum lot area of any parcel of land in the MDR2 zone is four thousand, five-hundred (4,500) square feet for an individual unit.

4. Lot Width

The minimum lot width in the MDR2 zone is sixty (60') feet.

5. Lot Depth

The minimum lot depth in the MDR2 zone is sixty (60') feet.

6. Lot Frontage

Each lot or parcel of land in the MDR 2 zone shall abut a public street for a minimum distance of twenty-four (24') feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac approved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement. Private Drives are allowed as per review by the Zoning Administrator or Designee.

7. Prior Created Lots

Without a Planned Unit Development (PUD), development shall not exceed a density of twenty (20) units per (1) acre.

8. Yard Requirements

The following minimum yard requirements shall apply in the MDR2 zone:

a. Front Yard. Each lot or parcel in the MDR2 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.

1. **Front Yard Reduced Setback.** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

Reduced Setback for Parking. The Planning and Zoning Commission may allow a reduction of the front yard setback to fifteen (15') feet if all parking spaces are located behind the building.

b. Rear Yard. The minimum depth of a rear yard shall be twenty (20') feet.

c. Side Yard. Each lot or parcel of land in the **MDR2** zone shall have a side yard of not less than six (6') feet

or six (6") inches of setback for every foot of building height, whichever is greater.

3. **Side Yard Reduced Setback.** A setback of ten (10') feet shall be allowed within side yards that abut other MDR zones, HDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.

d. Infill/Redevelopment Setbacks.

e. Accessory Buildings.

9. Setbacks and Right-of-Way

A. Visibility at Intersections: No structures shall be allowed within the triangle formed by measuring thirty feet (30') along each lot line, beginning at their intersection, and closing such triangle with a straight line, provided:

1. Trees are allowed within such triangle if all branches are trimmed from the curb level to at least seven feet (7') above the curb level.

2. Shrubs, hedges and flowers are allowed within such triangle, not to exceed three feet (3') above the curb level.

3. Fences, walls and all other sight obscuring structures are allowed within such triangle not to exceed three feet (3') above curb level. A permit must be obtained from the Zoning Administrator for all structures under this subsection. A fee in such amount as established by resolution of the City Council per permit shall be charged.

B. Visibility At Alleys And Driveways: No fences, walls, hedges or any other sight obstructing objects shall be allowed within the triangle formed by measuring fifteen feet (15') along the alley or driveway and along the lot line from the intersection of said lines, and closing such triangle with a straight line; except for trees as provided in subsection A1 of this section; shrubs, hedges and flowers as provided in subsection A2 of this section; and structures as provided in subsection A3 of this section.

C. Front Yard: No building or structure shall be erected closer than is allowed by the use district, from the right- of-way line of the street. Exception: When more than fifty

percent (50%) of the lots along a street have existing buildings with a front setback of not more than twenty feet (20'), any new structures will only need to meet the twenty foot (20') setback. In no case shall a front yard of more than thirty feet (30') be required.

D. Side Yard: No building or part of a building, including eaves, shall be erected closer than five feet (5') to any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street that intersects the street upon which the building fronts.

E. Accessory Uses: An accessory use is a building that is subordinate to, and incidental to, the principal building on the same lot, but does not include any building containing a dwelling unit. An accessory use is an activity or structure incidental or secondary to the principal use on the same lot.

10. Building Height

- a. No lot or parcel of land in the MDR2 zone shall have a building or structure, which exceeds a maximum height of forty (40') feet, measured at the top of building's horizontal wall.
- b. **LDR.** If the development is adjacent to a Low Density Residential Zone (LDR), the maximum building height (for buildings adjacent to the LDR zone) shall be no greater than thirty (30') feet.
- c. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.
- d. Gables and dormers are not included in the height calculation unless their addition raises the overall peak height of the building.

11. Distance Between Buildings

12. Permissible Lot Coverage

- a. **Building Coverage.** In an MDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80%) percent of the area of the lot or parcel of land.
- b. **Landscaping.** At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.
- Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.

13. Parking, Loading and Access

Sidewalk Access. Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the nearest Substantial Commercial Cluster (see definition).

14. Design Standards

15. Parking, Loading and Access

Sidewalk Access. Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the nearest Substantial Commercial Cluster (see definition).

16. Project Plan Approval.

Multifamily Housing: All multifamily housing projects are commercial uses and as such as subject to design standards. Design standards assure large building projects address site and building design requirements so as to minimize negative visual impacts on the community. Design standard requirements will be reviewed at site plan approval and upon application for a building permit.

17. Fencing (*RESERVED*)

18. Signs: For signs, see city sign code.

19. Other Requirements

a. Old Yellowstone Highway. (*RESERVED*)

G. MIXED USE DISTRICT (MU)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way Exceptions
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Parking, Loading and Access
15. Project Plan Approval
16. Fencing
17. Signs
18. Other Requirements

1. Purpose and Objectives

It is the purpose and intent of the Mixed Use (MU) zone to allow flexibility where a variety of housing types may exist among neighborhood-serving commercial and institutional uses. Mixed use projects are encouraged, but stand-alone residential development is allowed. Higher residential densities are allowed with the highest requiring a mixed-use component.

2. Permitted Uses

In the mixed-use (MU) zone, residential, commercial, and institutional uses may occupy the same building and lot. All permitted and conditional uses in this zone are regulated by the use table in Chapter 11-4-6. Accessory Uses are also regulated by the master use table in Chapter 11-4-6.

3. Lot Area

- a. The minimum lot area on any parcel of land in the Mixed Use (MU) zone is six thousand (6,000) sq. ft.
- b. **Triplex.** Seven thousand, five hundred (7,500) sq. ft. is needed for a triplex.
- c. **Four-plex.** Nine thousand (9,000) sq. ft. is needed for a four-plex.

4. Lot Width

The minimum lot width in the Mixed Use (MU) zone is sixty (60') feet.

5. Lot Depth

The minimum lot depth in the Mixed Use (MU) zone is sixty (60') feet.

6. Lot Frontage

Each lot or parcel of land in the Mixed Use (MU) zone shall abut a public street for a distance of twenty-four (24') feet on a line parallel to the center line of the street or along the circumference

of a cul-de-sac improved to City standards. Frontage on a street end, which does not have a cul-de-sac improved to City standards, shall not be counted in meeting this requirement.

7. Prior Created Lots (*Reserved*)

8. Lot Configuration and Density

a. Dwelling unit density shall not exceed thirty (30) units per acre.

9. Yard Requirements

The following minimum yard requirements shall apply in the Mixed Use (MU) zone :

a. Front Yard. Each lot or parcel in the Mixed Use (MU) zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.

1. Exception: (See 4.00.030.) When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

a) Parking Lot. If a boulevard strip is present, the front yard setback can be reduced to ten (10') feet for a parking lot.

b. Rear Yard. The minimum depth of a rear yard shall be twenty (20') feet.

c. Side Yard. Each lot or parcel of land in the Mixed Use (MU) zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every (1') foot of building height, whichever is greater.

Exception: A setback of ten (10') feet shall be allowed within side yards that abut other HDR zones, MDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.

1.

d. Infill/Redevelopment Setbacks. Setbacks are increased for Infill/Redevelopment projects.

e. Accessory Buildings. (See 3.02.070.b.)

10. Setbacks and Rights-of-Way Exceptions

Underground Parking Structures. Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.

11. Building Height

a. No lot or parcel of land in the Mixed Use (MU) zone shall have a building or structure, which exceeds a maximum height of fifty-five (55') feet, measured at the top of building's horizontal wall.

b. An unroofed and unenclosed rooftop terrace, an enclosed stairwell, or elevator providing access to the roof, shall not be included in the measurement of total building height.

c. Accessory Structure. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

d. Adjacent zones. Buildings or portions of buildings within fifty (50') feet of a residential zone other than HDR1 and HDR2 shall be limited to thirty-five (35') feet.

12. Distance Between Buildings

13. Permissible Lot Coverage

a. Building Coverage. In an HDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80%) percent of the area of the lot or parcel of land.

b. Landscaping.

1. At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.
2. On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard and one hundred (100%) percent of one (1) side yard.

14. Parking Loading and Access Sidewalk Access. Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the nearest Substantial Commercial Cluster (*see definition*).

15. Project Plan Approval

16. Buffers and Fencing

a. Old Yellowstone Highway.

b. Fencing.

c. Buffers.

d. Infill/Redevelopment Buffering. Buffering is increased for Infill/Redevelopment projects.

17. Residential Design Standards

18. Other Requirements

Multifamily Housing: All multifamily housing projects are commercial uses and as such as subject to design standards. Design standards assure large building projects address site and building design requirements so as to minimize negative visual impacts on the community. Design standard requirements will be reviewed at site plan approval and upon application for a building permit.

Lighting Standards: Lighting Standards are applicable as described in *Section XXX*

H. HIGH DENSITY RESIDENTIAL 1 (HDR1)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Design Standards
15. Parking, Loading and Access
16. Project Plan Approval
17. Fencing
18. Signs
19. Other Requirements

1. Purposes and Objectives

The HDR1 zone is established to provide higher density residential housing areas served by collector and arterial streets. The zone shall be characterized by dwellings for three (3) or more families, dormitory housing, ample off street parking, higher traffic volumes, proximity to other traffic generators and low nuisance potential.

2. Permitted & Conditional Uses

All permitted and conditional uses in this zone are regulated by the use table in Chapter 11-4-6. Accessory Uses are also regulated by the master use table in Chapter 11-4-6.

3. Lot Area

a. The minimum lot area on any parcel of land in the HDR1 zone is six thousand (6,000) sq. ft. or seven thousand (7,000) sq. ft. for a corner lot.

4. Lot Width

The minimum lot width in the HDR1 zone is sixty (60') feet.

5. Lot Depth

The minimum lot depth in the HDR1 zone is sixty (60') feet.

6. Lot Frontage

Each lot or parcel of land in the HDR2 zone shall abut a public street for a distance of twenty-four (24') feet on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end, which does not have a cul-de-sac improved to City standards, shall not be counted in meeting this requirement.

7. Prior Created Lots *(Reserved)*

8. Lot Configuration and Density

- a. Dwelling unit density shall not exceed thirty (30) units per acre.
- b. **PED.** The Pedestrian Emphasis District density is regulated by the City, the adopted Building Code, and any requirements imposed as part of the required CUP. *(See 10.02.)*
- c. **Infill/Redevelopment Area.**

9. Yard Requirements

The following minimum yard requirements shall apply in the HDR1 zone:

a. **Front Yard.** Each lot or parcel in the HDR1 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.

1. **Exception:** *(See 4.00.030.)* When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

a) **Parking Lot.** If a boulevard strip is present, the front yard setback can be reduced to ten (10') feet for a parking lot.

b. **Rear Yard.** The minimum depth of a rear yard shall be twenty (20') feet.

c. **Side Yard.** Each lot or parcel of land in the **HDR1** zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every (1') foot of building height, whichever is greater.

Exception: A setback of ten (10') feet shall be allowed within side yards that abut other HDR zones, MDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.

1.

d. **Infill/Redevelopment Setbacks.** Setbacks are increased for Infill/Redevelopment projects.

e. **Accessory Buildings.**

10. Setbacks and Right-of-Way

A. **Visibility at Intersections:** No structures shall be allowed within the triangle formed by measuring thirty feet (30') along each lot line, beginning at their intersection, and closing such triangle with a straight line, provided:

1. Trees are allowed within such triangle if all branches are trimmed from the curb level to at least seven feet (7') above the curb level.

2. Shrubs, hedges and flowers are allowed within such triangle, not to exceed three feet (3') above the curb level.

3. Fences, walls and all other sight obscuring structures are allowed within such triangle not to exceed three feet (3') above curb level. A permit must be obtained from the Zoning Administrator for all structures under this subsection. A fee in such amount as established by resolution of the City Council per permit shall be charged.

B. **Visibility At Alleys And Driveways:** No fences, walls, hedges or any other sight obstructing objects shall be allowed within the triangle formed by measuring fifteen feet (15') along the alley or driveway and along the lot line from the intersection of said lines, and closing such triangle with a straight line; except for trees as provided in subsection A1 of this section; shrubs, hedges and flowers as provided in subsection A2 of this section; and structures as provided in subsection A3 of this section.

C. **Front Yard:** No building or structure shall be erected closer than is allowed by the use district, from the right- of-way line of the street. Exception: When more than fifty percent (50%) of the lots along a street have existing buildings with a front setback of

not more than twenty feet (20'), any new structures will only need to meet the twenty foot (20') setback. In no case shall a front yard of more than thirty feet (30') be required.

D. Side Yard: No building or part of a building, including eaves, shall be erected closer than five feet (5') to any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street that intersects the street upon which the building fronts.

E. Accessory Uses: An accessory use is a building that is subordinate to, and incidental to, the principal building on the same lot, but does not include any building containing a dwelling unit. An accessory use is an activity or structure incidental or secondary to the principal use on the same lot.

F. **Underground Parking Structures.** Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.

11. Building Height

a. No lot or parcel of land in the HDR1 zone shall have a building or structure, which exceeds a maximum height of fifty-five (55') feet, measured at the top of building's horizontal wall.

b. An unroofed and unenclosed rooftop terrace, an enclosed stairwell, or elevator providing access to the roof, shall not be included in the measurement of total building height.

c. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

d. **Adjacent zones.** Buildings or portions of buildings within fifty (50') feet of a residential zone other than HDR1 and HDR2 shall be limited to thirty-five (35') feet.

12. Distance Between Buildings

13. Permissible Lot Coverage

a. **Building Coverage.** In an HDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80%) percent of the area of the lot or parcel of land.

b. **Landscaping.**

1. At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.

2. On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard and one hundred (100%) percent of one (1) side yard.

14. Parking Loading and Access

Sidewalk Access. Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the nearest Substantial Commercial Cluster (*see definition*).

15. Project Plan Approval

16. Buffers and Fencing

a. **Old Yellowstone Highway.**

b. **Fencing.**

c. **Buffers.**

d. Infill/Redevelopment Buffering. Buffering is increased for Infill/Redevelopment projects.

17. Residential Design Standards

18. Other Requirements

Multifamily Housing: All multifamily housing projects are commercial uses and as such as subject to design standards. Design standards assure large building projects address site and building design requirements so as to minimize negative visual impacts on the community. Design standard requirements will be reviewed at site plan approval and upon application for a building permit.

Lighting Standards: Lighting Standards are applicable as described in *Section X.X*

I. HIGH DENSITY RESIDENTIAL 2 (HDR2)

1. Purposes and Objectives
2. Permitted & Conditional Uses
3. Lot Area
4. Lot Width
5. Lot Depth
6. Lot Frontage
7. Prior Created Lots
8. Lot Configuration and Density
9. Yard Requirements
10. Setbacks and Rights-of-Way
11. Building Height
12. Distance Between Buildings
13. Permissible Lot Coverage
14. Design Standards
15. Parking, Loading and Access
16. Project Plan Approval
17. Fencing
18. Signs
19. Other Requirements

1. Purposes and Objectives: The HDR2 zone is established to provide higher density residential housing areas served by collector and arterial streets. The zone shall be characterized by dwellings for three (3) or more families, dormitory housing, ample off-street parking, higher traffic volumes, proximity to other traffic generators and low nuisance potential.

2. Permitted & Conditional Uses: All permitted and conditional uses in this zone are regulated by the use table. Accessory Uses are also regulated by the master use table in Chapter XXX

3. Lot Area

a. The minimum lot area on any parcel of land in the HDR1 zone is six thousand (6,000) sq. ft. or seven thousand (7,000) sq. ft. for a corner lot.

4. Lot Width: The minimum lot width in the HDR1 zone is sixty (60') feet.

5. Lot Depth: The minimum lot depth in the HDR1 zone is sixty (60') feet.

6. Lot Frontage: Each lot or parcel of land in the HDR2 zone shall abut a public street for a distance of twenty-four (24') feet on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end, which does not have a cul-de-sac improved to City standards, shall not be counted in meeting this requirement.

7. Prior Created Lots (*Reserved*)

8. Lot Configuration and Density

a. Dwelling unit density shall not exceed thirty (30) units per acre.

b. PED. The Pedestrian Emphasis District density is regulated by the City, the adopted Building Code, and any requirements imposed as part of the required CUP.

c. Infill/Redevelopment Area. The Pedestrian Emphasis District (PED) area lies within the Infill/Redevelopment Overlay.

9. Yard Requirements

The following minimum yard requirements shall apply in the HDR1 zone:

a. Front Yard. Each lot or parcel in the HDR2 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.

1. **Exception:** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

a) **Parking Lot.** If a boulevard strip is present, the front yard setback can be reduced to ten (10') feet for a parking lot.

b. Rear Yard. The minimum depth of a rear yard shall be twenty (20') feet.

c. Side Yard. Each lot or parcel of land in the HDR2 zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every (1') foot of building height, whichever is greater.

Exception: A setback of ten (10') feet shall be allowed within side yards that abut other HDR zones, MDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.

1.

d. Infill/Redevelopment Setbacks. Setbacks are increased for Infill/Redevelopment projects.

e. Accessory Buildings.

10. Setbacks and Right-of-Way

A. **Visibility at Intersections:** No structures shall be allowed within the triangle formed by measuring thirty feet (30') along each lot line, beginning at their intersection, and closing such triangle with a straight line, provided:

1. Trees are allowed within such triangle if all branches are trimmed from the curb level to at least seven feet (7') above the curb level.

2. Shrubs, hedges and flowers are allowed within such triangle, not to exceed three feet (3') above the curb level.

3. Fences, walls and all other sight obscuring structures are allowed within such triangle not to exceed three feet (3') above curb level. A permit must be obtained from the Zoning Administrator for all structures under this subsection. A fee in such amount as established by resolution of the City Council per permit shall be charged.

B. **Visibility At Alleys And Driveways:** No fences, walls, hedges or any other sight obstructing objects shall be allowed within the triangle formed by measuring fifteen feet (15') along the alley or driveway and along the lot line from the intersection of said lines, and closing such triangle with a straight line; except for trees as provided in subsection A1 of this section; shrubs, hedges and flowers as provided in subsection A2 of this section; and structures as provided in subsection A3 of this section.

C. **Front Yard:** No building or structure shall be erected closer than is allowed by the use district, from the right- of-way line of the street. Exception: When more than fifty percent (50%) of the lots along a street have existing buildings with a front setback of not more than twenty feet (20'), any new structures will only need to meet the twenty foot (20') setback. In no case shall a front yard of more than thirty feet (30') be required.

D. Side Yard: No building or part of a building, including eaves, shall be erected closer than five feet (5') to any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street that intersects the street upon which the building fronts.

E. Accessory Uses: An accessory use is a building that is subordinate to, and incidental to, the principal building on the same lot, but does not include any building containing a dwelling unit. An accessory use is an activity or structure incidental or secondary to the principal use on the same lot.

F. **Underground Parking Structures.** Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.

11. Building Height

a. No lot or parcel of land in the HDR2 zone shall have a building or structure, which exceeds a maximum height of fifty-five (55') feet, measured at the top of building's horizontal wall.

b. An unroofed and unenclosed rooftop terrace, an enclosed stairwell, or elevator providing access to the roof, shall not be included in the measurement of total building height.

c. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

d. **Adjacent zones.** Buildings or portions of buildings within fifty (50') feet of a residential zone other than HDR1 and HDR2 shall be limited to thirty-five (35') feet.

12. Distance Between Buildings

13. Permissible Lot Coverage

a. **Building Coverage.** In an HDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80%) percent of the area of the lot or parcel of land.

b. **Landscaping.**

1. At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.

2. On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard and one hundred (100%) percent of one (1) side yard.

14. Parking Loading and Access

Sidewalk Access. Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the nearest Substantial Commercial Cluster (*see definition*).

15. Project Plan Approval

16. Buffers and Fencing

a. **Old Yellowstone Highway.**

b. **Fencing.**

c. **Buffers.**

d. **Infill/Redevelopment Buffering.** Buffering is increased for Infill/Redevelopment projects.

17. Residential Design Standards

Multifamily Housing: All multifamily housing projects are commercial uses and as such as subject to design standards. Design standards assure large building projects address site and building design requirements so as to minimize negative visual impacts on the community. Design standard requirements will be reviewed at site plan approval and upon application for a building permit.

18. Other Requirements

Lighting Standards: Lighting Standards are applicable as described in *Section X.x*.

11-4-8: SPECIAL SUPPLEMENTARY RESIDENCE DISTRICTS REGULATIONS:  

(MOVE ALL THESE UNDER THE INDIVIDUAL RESIDENCE ZONES)

A. Visibility At Intersections: No structures shall be allowed within the triangle formed by measuring thirty feet (30') along each lot line, beginning at their intersection, and closing such triangle with a straight line, provided:

1. Trees are allowed within such triangle if all branches are trimmed from the curb level to at least seven feet (7') above the curb level.
2. Shrubs, hedges and flowers are allowed within such triangle, not to exceed three feet (3') above the curb level. (2003 Code § 11-04-08)
3. Fences, walls and all other sight obscuring structures are allowed within such triangle not to exceed three feet (3') above curb level. A permit must be obtained from the Zoning Administrator for all structures under this subsection. A fee in such amount as established by resolution of the City Council per permit shall be charged. (2003 Code § 11-04-08; amd. 2012 Code)

B. Visibility At Alleys And Driveways: No fences, walls, hedges or any other sight obstructing objects shall be allowed within the triangle formed by measuring fifteen feet (15') along the alley or driveway and along the lot line from the intersection of said lines, and closing such triangle with a straight line; except for trees as provided in subsection A1 of this section; shrubs, hedges and flowers as provided in subsection A2 of this section; and structures as provided in subsection A3 of this section.

C. Front Yard: No building or structure shall be erected closer than is allowed by the use district, from the right-of-way line of the street. Exception: When more than fifty percent (50%) of the lots along a street have existing buildings with a front setback of not more than twenty feet (20'), any new structures will only need to meet the twenty foot (20') setback. In no case shall a front yard of more than thirty feet (30') be required.

D. Side Yard: No building or part of a building, including eaves, shall be erected closer than five feet (5') to any side property line; except corner lots shall maintain a twenty foot (20') side yard adjacent to the street that intersects the street upon which the building fronts. (2003 Code § 11-04-08)

E. Accessory Uses: An accessory use is a building that is subordinate to, and incidental to, the principal building on the same lot, but does not include any building containing a dwelling unit. An accessory use is an activity or structure incidental or secondary to the principal use on the same lot. Accessory uses shall be permitted as follows:

1. R1 Zone:

- a. Height is twenty five feet (25'). (See subsection [11-4-7A8](#) of this chapter.) (Ord. 2111, 10-2-2012, eff. 10-2-2012)
 - b. No accessory building or group of accessory buildings in any Residential Zone shall cover more than thirty percent (30%) of the rear yard.
2. R2 Zone: Same as R1 Zone.
 3. R2T Zone: Same as R1 Zone.
 4. R3 Zone:
 - a. Height is forty feet (40').
 - b. No accessory building or group of accessory buildings in any residential zone shall cover more than thirty percent (30%) of the rear yard.
 5. R3A zone: Same as the R3 zone.
 6. RA zone: Same as the R3 zone.
 7. A zone: Height is forty feet (40').
- F. Structures To Have Access: Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to an appropriate private street, and all structures shall be located on lots as to provide safe and convenient access for servicing, fire protection and required off street parking.
- G. Erection Of More Than One Principal Structure On Lot: More than one permitted structure may be erected on a single lot in any district as long as the yard and other requirements of this chapter are met for each structure as though it were an individual lot.
- H. Boat Docks And Boat Landing Facilities: These facilities shall be permitted along the shores of the Snake River Jensen Grove Lake, and other bodies of water located within the city, and the Blackfoot impact area, when approved by the city council. Plans and specifications shall be required for review to ensure the safety of the public and the users of the facilities. (2003 Code § 11-04-08)
- I. Manufactured Homes: For the purposes of this chapter, a new or used manufactured home, when placed permanently on a foundation approved by the building official, is considered a single-family dwelling and is a permitted use in residential zones. Manufactured homes must meet all of the same regulations of the adopted building code as required for conventionally built homes. (2003 Code § 11-04-08; amd. 2012 Code)

- J. Yard Space For One Building Only: No required yard or other open space around an existing building or that is hereafter provided around any building, for the purpose of complying with provisions of this chapter, shall be considered as providing a yard or open space for any other building, nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space whereon a building is to be created or established.
- K. Sale Or Lease Of Required Yard: No space needed to meet the width, yard, coverage, parking or other requirements of this chapter for a lot or building may be sold or leased apart from such lot or building, unless other space so complying is provided.
- L. Sale Of Lots Below Minimum Space Required: No parcel or land that has less than the minimum width and area requirements for the zone in which it is located may be cut off from a larger part of land for the purpose (whether immediate or future) of building or development as a lot.
- M. Storage Of Junk And Debris Not Permitted In Residential Zones: No yard or other open space surrounding an existing building in any residential zone, or that is hereafter provided around any building in any residential zone, shall be used for storage of junk, debris, or obsolete vehicles; and no land shall be used for such purposes, except as specifically permitted. Junk is defined by Idaho Code section 40-111 and is determined to be a public nuisance, as defined by Idaho Code section 18-5901. (2003 Code § 11-04-08)
- N. Mobile Homes Placed In City: A mobile home unit placed in a mobile home subdivision shall not be less than twelve feet (12') in width and shall contain not less than seven hundred (700) square feet of floor space. There shall be no minimum restrictions on the width or size of a mobile home unit placed in a mobile home park. A skirt constructed of noncombustible material shall be placed around all mobile homes in the city. Such skirting shall not provide a harborage for rodents or create a fire hazard. (2003 Code § 11-04-08; amd. 2012 Code)
- O. Off Street Parking Requirements: Off street parking must be usable space within a public or private parking area or building, that is not less than one hundred eighty (180) square feet, exclusive of access drives, aisles and ramps, for the storage of one passenger automobile or commercial vehicle. This space may not be on any public street and must comply with the federal Americans with disabilities act (ADA). Each use district zone has an off street parking requirement. Additional off street parking may be required. See the additional off street parking and loading requirements in section [11-4-14](#) of this chapter.
- P. Signs For Home Occupation: Signs for home occupation shall be limited to ten (10) square feet in area, shall be unlighted, nonrevolving, nonanimated and nonflashing. Home occupation signs will be allowed in all use zones. All signs shall be maintained in good condition.

Q. Farm Animals In City And Impact Area: No farm animals are permitted within the city limits, except in the RR and TAG districts. The keeping of farm animals in the city limits (the privilege being grandfathered at the time of the original zoning ordinance), in a designated RA or A zone, or in the impact area, must adhere to the following limitations:

1. An accumulative total of two (2) cows and/or horses will be allowed per acre;
2. An accumulative total of eight (8) sheep, goats and/or pigs will be allowed per acre (pigs are allowed only within the impact area);
3. An accumulative total of one hundred (100) penned rabbits and/or chickens will be allowed per acre;
4. Area requirements specified are exclusive of land used for other livestock or other uses such as buildings, lawns, gardens, etc.;
5. Nondomesticated animals or animals that are not commonly or traditionally domesticated such as deer, elk, moose, antelope, snakes (other than small snakes no more than 3 feet long kept in a cage or aquarium within a house and limited to no more than 2), lions, tigers, bears, wolves, wolf hybrids, coyotes, bobcats, cougars and the like are not permitted within the city. Any such animals located within the city at the time of passage of this chapter shall have grandfather rights, but shall not increase the number above the number of such animals in existence at the time of passage of this chapter. Any such animals that pose danger to people or other animals shall be removed upon notice to do so from the zoning administrator.
6. Area requirements for animals not listed shall be determined by the zoning administrator based upon the area requirements of the closest related animal.
7. Additional farm animals may be allowed by a conditional use permit.
8. Any farm animal use that is grandfathered in and not maintained for over a six (6) month period shall be terminated. (2003 Code § 11-04-08)
9. Notwithstanding any restrictions contained in this code to the contrary, the keeping of not more than six (6) domestic hen chickens is permitted within the rear yard of any single-family dwelling or duplex, provided that the following requirements are observed:
 - a. Eggs produced by such hens shall not be sold for pecuniary gain or profit.
 - b. Such hens shall not be slaughtered on the premises or raised or sold for slaughter or for pecuniary gain or profit.
 - c. The hens must be contained in the rear yard by suitable fence, chicken coop, or both. The fence and/or chicken coop must be constructed and maintained in such a manner that they prevent the chickens from leaving the rear yard. The fence and/or chicken coop must be set back at least five feet (5') from the property line on all sides. Notwithstanding the foregoing, the fence may be placed on the property line adjacent to an alleyway at the rear of the property.

- d. The chickens must be maintained in such a manner that they do not become a "nuisance" as that term is defined in this code.
- e. For the purposes of this subsection, the term "rear yard" means a residential yard lying between the rear lot line and the nearest foundation line of the main building and extending across the full width of the lot. In the case of a corner lot where the building fronts on a side street, the rear yard may be established from the rear of the house to the side property line. (Ord. 2114, 2-5-2013, eff. 2-5-2013)

R. Frontage And Access: For the purpose of ensuring orderly development and to provide adequate access for firefighting 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 or zone adopted under the provisions of this chapter, unless said lot, tract or parcel of land has thirty feet (30') of frontage on a public right of way and has reasonably efficient access thereto to vehicular traffic and has been legally platted; 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 planning and zoning commission, the following conditions have reasonably been met:

1. Minimum easement width of twenty feet (20').
2. Maximum easement length of four hundred feet (400').
3. Minimum turnaround radius of sixty two feet (62'), or equivalent "T" style turnaround.
4. Maximum grade of ten percent (10%).
5. The easement must serve land that otherwise would have no access to a public road. (2003 Code § 11-04-08)

J. Neighborhood Business District (NBD):

The purpose in establishing the Neighborhood Business District is to provide a district in which basic services can be provided which are compatible with residential development which will not require large facilities or extensive parking. Small businesses compatible with residential uses may be located adjacent or in close proximity to residential neighborhoods. Examples might include hair salons, accounting and tax preparation offices, small convenience stores, bakeries, small food stores or other business servicing a low to medium density neighborhood. This District would service the local needs of a neighborhood and be confined to placement in residential districts on local city streets. Commercial uses are limited to non-intrusive, low- demand business that can peacefully co-exist with a surrounding neighborhood.

- 1.10. Purpose and Objectives
- 1.20. Permitted Uses
- 1.30. Single Ownership and Control
- 1.40. Lot Area
- 1.50. Lot Width
- 1.60. Lot Depth
- 1.70. Lot Frontage
- 1.80. Prior Created Lots
- 1.90. Yard Requirement
- 1.100. Projections into Yards
- 1.110. Building Height
- 1.120. Permissible Lot Coverage
- 1.130. Permissible Building Footprint
- 1.140. Parking, Loading and Access
- 1.150. Project Plan Approval
- 1.160. Reversion of Zoning
- 1.170. Other Requirements
- 1.180. Lighting Standards

1.10 Purpose and Objectives

The NBD zone is established to provide for the use of single-family residential homes for commercial and service uses. The zone is intended to protect the residential nature of the streetscape and provide strict regulation of types and hours of conduct of commercial uses. It is intended that the NBD zone shall be characterized by a single structure that will function as a part of the greater neighborhood.

- a. Objectives.
 - A single structure that will function as a part of a greater neighborhood.
 - The architectural design and character will be compatible with that of the surrounding residential environment.
 - Attractive and well-maintained landscaping will also be characteristic of this zone.
- b. Location. The NBD zones shall only be allowed if the area requested for designation as such is contiguous to either a commercial zone other than NBD, industrial zone, or a medium or high density residential zone.

1.20 Permitted Uses

The following principal uses and structures indicated as "P", and no others, shall be permitted in the NBD zones. The following uses and structures indicated as "CUP" may be permitted in the NBD zones only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

- a. Permitted Accessory Uses. Accessory uses and structures may be permitted provided they are incidental to, and do not substantially alter the character of, the permitted principal use or structure.

1.30 Single Ownership and Control

- a. Land within a given NBD zone shall be in single ownership or single control in order to provide control over development.
- b. Consequence. Failure to maintain single ownership or single control may result in the initiation of action to return the property to the zone, or zones, existing prior to the establishment of the NBD zone.

1.40 Lot Area

The minimum area of any lot or parcel of land in the NBD zone is eight thousand (8,000) sq. ft.

1.50 Lot Width

The minimum lot width in the NBD zone is sixty (60') feet.

1.60 Lot Depth

The minimum lot depth in the NBD zone is sixty (60') feet.

1.70 Lot Frontage

Each lot or parcel of land in the NBD zone shall abut a public street for a minimum distance of twenty (20') feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

1.80 Prior Created Lots

1.90 Yard Requirement

The following minimum yard requirements shall apply in the NBD Zone:

- a. Front Yard.
 1. Each lot or parcel in the NBD zone shall have a minimum front yard of at least twenty-five (25') feet from the right-of-way.
 2. Exception: When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.
- b. Rear Yard.
 1. The minimum depth of a rear yard shall be twenty (20') feet.
 2. Accessory building.
 - a) An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30%) percent of the rear yard.
 - b) Accessory buildings in the rear yard with a garage and doors opening into

the alley shall be located at least fifteen (15') feet from the alley.

- c. Side Yard. Each lot or parcel of land in the NBD zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every (1) foot of building height, whichever is greater.
- d. Accessory Building Setbacks.

1.100 Projections into Yards

1.110 Building Height

Permitted Heights. No lot or parcel of land in the NBD zone shall have a building or structure which exceeds a height of three (3) stories with a maximum of thirty-five (35') feet, measured at the top of building's horizontal wall. (Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.)

1.120 Permissible Lot Coverage

- a. In an NBD zone, all buildings and structures shall not cover an area greater than seventy (70%) percent of the area of the lot or parcel of land.
- b. No more than forty (40%) percent of the rear yard (unless a greater percentage is approved by the Planning and Zoning Commission) shall be put into hard surface in order to maintain a residential character to the property .

1.130 Permissible Building Footprint

In an NBD zone, all buildings and structures shall have a footprint of no more than two-thousand , five hundred (2,500) square feet.

1.140 Parking, Loading, and Access

Each lot or parcel in the NBD zone shall have, on the same lot or parcel, automobile parking sufficient to meet the requirements.

- a. Location . Parking spaces shall not be provided within a required front yard or side yard adjacent to a public street, except where an existing conforming driveway access has been provided .
 - 1. Corner Lots. Comer lots shall be allowed to petition for parking in side yards, provided any such parking shall be buffered visually and for sound from public rights of way and adjoining residential properties.
- b. Parking. Parking areas within the NBD zone are to be used by occupants of the property and customers of the property, and are not to be used by employees or customers of businesses that may be located in nearby business or commercial areas.

1.150 Project Plan Approval

Site plan approval. Site plan approval at the Planning and Zoning Commission level is mandatory before consideration of a NBD Zone change request may be initiated.

1.160 Reversion of Zoning

If violations of the approval conditions for a rezone to the NBD Zone are documented and not

corrected in a timely manner by property owner, property zoning will revert to the zone existing before application for the NBD zone.

1.170 Other Requirements

- a. Yellowstone Highway Tourist Corridor.
- b. Uses within Buildings. All uses established in the NBD zone shall be conducted entirely within a fully- enclosed building.
- c. Landscaping. At least thirty (30%) percent of the area of any lot shall be maintained in landscaping unless specific permission has been obtained from the Planning & Zoning Commission.
- d. Trash Storage.
- e. Walls and Fences.
- f. Hours of Operation. In the NBD zone, no permitted or conditionally permitted use shall be open for business on any Sunday, or after 9:00 P.M. or before 7:00 A.M. on any other day, nor shall any permitted or conditionally permitted use accept deliveries other than between the hours of 9:00 a.m. and 3:00 p.m., with no deliveries allowed at all on Sundays.
- g. Signs. Signs shall be in general compliance with the typical signing program under the provisions applicable to home businesses.

1.180 Lighting Standards

- a. Lighting will be of a relatively low intensity and low profile with adequate shielding to protect the surrounding residential areas.
- b. Lighting Standards are applicable.

K. Downtown Historic Business District (DHB): The purpose in establishing the Downtown Historic Business District Zone is to provide a district in which the primary use of land is for business purposes and promotes the development of retail shopping stores and service establishments. Encouraged in the district will be multi story residential apartments, except in the story abutting street level.

- 2.10. Purpose and Objectives
- 2.20. Architectural Design Standards
- 2.30. Permitted & Conditional Uses
- 2.40. Lot Area
- 2.50. Lot Width
- 2.60. Lot Frontage
- 2.80. Prior Created Lots
- 2.70. Lot Configuration & Density
- 2.80. Yard Requirements
- 2.90. Building Height
- 2.100. Distance Between Buildings
- 2.110. Permissible Lot Coverage
- 2.120. Mixed Use Projects
- 2.120. Parking, Loading and Access (See 3.04)
- 2.130. Project Plan Approval
- 2.140. Other Requirements
- 2.150. Sidewalk Cafes
- 2.160. Canopies & Marquees
- 2.170. Downtown Lighting

2.10. Purpose and Objectives

The DHB is established to recognize the historic central retail and service center of the City. The DHB Zone is intended to be located only in the central core area of the City and to be expanded out from that central area in an orderly and progressive manner as the demand for additional commercial land is generated. This zone will tend to encourage an architectural theme, which will strengthen the continuity of the downtown area and give it a "character" with which the citizens of Blackfoot can identify.

The DHB Zone is a mixed-use zone and residential uses are encouraged on the upper floors of the downtown buildings. The DHB Zone is to be characterized by wide, clean, well-lighted streets, ample pedestrian ways, and vehicular parking lots for the convenience and safety of the public. Attractive, inviting, and well-maintained shops, stores, offices, and other buildings are also characteristic of this zone. On-street parking serves many of the businesses.

2.20. Architectural Design Standards

a. **Introduction.**

Developments in the DHB shall implement projects with an overall community design in mind and in conformance with the downtown historic blueprint hereby adopted. The need exists for Design Standards to be in place to ensure developments are coordinated into the overall community presentation and to preserve the integrity of the existing business district and in the downtown as the "center" of the community.

These standards require a basic level of architectural variety, compatible scale, pedestrian and bicycle access, and mitigation of negative impacts. The intent is to allow flexibility in design, while reviewing projects for compliance to the Downtown Guiding Principles and Development Framework as described below:

1. **Guiding Downtown principles.** The City of Blackfoot values the historical sense of place that the downtown has provided for over one hundred (100) years. Recent studies have identified several guiding principles that will guide the continuation of the downtown core over the next hundred years. These principles are as follows:

- a) Downtown is a Pedestrian-Priority Area.
- b) Downtown is the Civic, Social, and Cultural Center of Blackfoot and Bingham County.
- c) Downtown is Highly Attractive to visitors and has a "historic" sense about it.
- d) Downtown is the Heart of the City of Blackfoot.
- e) Downtown is a Mixed-Use Center, which includes Retail, Office, Residential, Entertainment, Culture, and Educational facilities.
- f) Downtown is highly connected to the City and Region.
- g) Downtown is guided by Public-Private Partnerships, including Agencies.
- h) Circulation System Manages "Through" and "To" Traffic Strategically.
- i) Downtown Way-Finding and Parking Systems are User-Friendly.
- j) Downtown Hosts Broadway Street for Community Events and Activities.
- k) Downtown is a great Place to Work, Visit, Shop, Learn, and Live.

2. **Downtown Development Framework.** The Development Framework that has been identified and within which the community will pursue a revitalization blueprint is as follows:

- a) Define and Focus Development on Target Markets.
- b) Emphasize Mixed-Use Development with Ground Floor Retail.
- c) Infuse Residential Units Downtown.
- d) Build a Sound Parking System for Employees, Customers, Visitors, and Residents .
- e) Build a Pedestrian and Cycling Pathway Network Linking Key Downtown Nodes.
- f) Undertake Infill, Redevelopment , Adaptive Re-Use, and Historic Preservation. Implement an Urban Renewal Program.
- g) Install Small Business Amenities and Services to Draw this Market.
- h) Design and create a central place in the downtown.
- i) Connect to Community & Region with Wayfinding, Gateways, Parking, Amenities, and Marketing.
- j) Recruit Social Retailers to Reconnect with Major Regional Markets.

2.30. Permitted & Conditional Uses

The following principal uses and structures and no others, shall be permitted in the DHB zone. The following uses and structures indicated as "CUP" may be permitted in the DHB zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof. (*All dwellings must be above the ground floor without a CUP.)

USE LIST HERE TBD

a. Permitted Accessory Uses.

Accessory Buildings

2.40. Lot Area

There is no minimum lot area in the DHB zone.

2.50. Lot Width

There is no minimum lot width or minimum area requirements.

2.60. Lot Frontage

Each lot or parcel of land in the DHB Zone shall abut on a public street for a minimum distance of twenty-four (24') feet on a line parallel to the center of said street.

2.70. Prior Created Lots

2.80. Lot Configuration and Density.

Residential dwelling density shall not exceed forty (40) dwelling units per acre. Residential usage in the DHB District shall have no minimum or maximum area requirements

2.90. Yard Requirements

The following minimum yard requirements shall apply in the DHB Zone:

a. Front Yard. No front yard or side yard shall be required, except when a building or group of buildings abut upon a residential district. A yard of not less than ten (10) feet in width or a sight obstructing fence shall be provided on the side of the lot abutting the residential district.

1. Parking spaces, drive aisles, and all maneuvering areas shall not be located within the first ten (10') feet of a front yard. This area shall be used for landscaping that will adequately screen parking areas from adjacent right-of-way.

b. Side Yard. Except as provided in this section, there shall be no side yard requirements.

c. Rear Yard. There shall be a rear yard with a depth of not less than 15 feet (15"), or a sight obstructing fence when abutting upon a residential zone. The back yard may be used for off street parking and loading. If there exists an alleyway behind the said property, no back yard is required.

d. Projections into Yards. No part of any building shall overhang the public right-of-way .

- e. Transitional Development Standards. (reserved)

2.100. Building Height

Buildings and portions of buildings within the DHB shall not exceed sixty (60 ') feet in height.

- a. Proximity to Residential Zone. Buildings within fifty (50') feet of a residential zone shall be limited to thirty-five (35') feet in height, measured at the top of building's horizontal wall, or maximum height of the affected residential zone.
- b. Extra Residential Floor. One additional story or ten (10') feet in height shall be allowed extra when the building contains a floor of residential units that are not located on first floor or street level.
- c. Additional height may be allowed with a Conditional Use Permit (CUP).

2.110. Distance between Buildings

No requirement except as regulated by the provisions of the International Building Code.

2.120. Permissible Lot Coverage

No requirement except as may be dictated by the necessary provision of off-street parking and other applicable requirements.

2.130. Mixed Use Projects

Mixed-Use projects, where the ground floor use is non-residential (i.e., retail shops on the main floor with apartments over the top), shall be built to the commercial development standards.

2.140. Parking, Loading, and Access

Each Lot or parcel in the DHB Zone shall provide automobile parking sufficient to meet the requirements as set forth in section 11-4-14 of this chapter.

- a. Parking shall be calculated for each use individually, based on its own standard.
- b. Additional Parking. Additional parking spaces may be required if a new use requires more parking than traditional retail.
- c. Residential Uses.
 - 1. Required parking for residential uses shall be provided on the subject lot or parcel when possible.
 - 2. When not possible, required parking may be provided on a separate lot or parcel in the vicinity after the approval of a conditional use permit.
- d. Parking areas shall be adequately screened from adjacent right-of-way.

2.150. Project Plan Approval

2.160. Other Requirements

Mixed-use projects, where the ground floor use is non-residential (i.e., retail shops on the main floor with apartments over the top), shall be built to the commercial design standards (See 7) and the following:

a. Uses within Buildings. All uses established in the DHB Zone shall be conducted entirely within a fully- enclosed building except those uses deemed by the Planning and Zoning Commission to be customarily and appropriately conducted in the open, and other uses which are allowed by the Planning and Zoning Commission to be conducted in the open through the granting of a CUP. Uses customarily deemed to be conducted in the open may include, but would not be limited to, ice skating, miniature golf, etc.

b. Fences

1. Entry Treatments to Private Driveways or Subdivision Development Entrances. Entry treatments to private driveways or subdivision development entrances may not exceed six (6') feet at the highest point, except lamps on pillars. Lamps on pillars shall be allowed to extend up to eight (18") inches above the allowable height of the fence, provided the pillars shall have a minimum spacing of no less than six (6') feet, measured from face-to-face.

2. Privacy Walls. Privacy walls which project into a required front yard will be subject to the Zoning Administrator or designee for review.

c. Landscaping.

1. A minimum of ten (10%) percent landscaping shall be provided for all parking lots and shall be useable for snow storage.

d. Trash Storage.

1. Materials for Screening. Materials and location of the screened areas shall be reviewed and approved by the Zoning Administrator or Designee prior to installation. Materials used for screening should be consistent with the predominant material found in the exterior construction of the building used by the business served, however, as a minimum, a vinyl fence will be allowed.

e. Walls and Fences.

1. Entryways. Entry treatments to private driveways or subdivision development entrances may not exceed six (6') feet at the highest point, except lamps on pillars. Pillars shall be allowed to extend up to eighteen (18") inches above the allowable height of a fence provided that the pillars shall have a minimum spacing of no less than six (6') feet, measured face-to-face.

2. Privacy Walls. Privacy walls which project into a required front yard will be subject to Community Development Director or Designee review.

3. Double Frontage Lots. A fence or wall may be erected in the rear yard of a double frontage lot subject to Community Development Director or Designee review.

f. Signs.

1. Signing of shops and business establishments should be simple and attractive with signs mounted flat against the building to reduce the sign clutter and enhance the aesthetics of the downtown area.

2. Blade signs that are placed between eleven (11') feet and sixteen (16') feet above sidewalk are allowed in the right-of-way as approved by City Engineer.
3. All signs shall conform to the City Sign Code.

1.170. Sidewalk Cafes

A sidewalk cafe shall be permitted if the following requirements are met:

- a. An applicant submits scaled plans demonstrating that the cafe will conform to the following development standards:

1. **Unobstructed Sidewalk.** At least six (6') feet of clear, unobstructed sidewalk width will remain available for pedestrian use and shall be required between any portion of the cafe area and any sidewalk obstructions such as tree wells, street signs, utility poles, newspaper racks, benches, kiosks, drinking fountains and landscaped areas.

2. **Furnishings.** Tables, chairs and other furnishings associated with the cafe will be located directly adjacent to the building and ground floor space in which food or drink is prepared.

3. **Setback.** A setback of five (5') feet will be maintained from the dining area to a property or lease boundary and from the intersection of the public sidewalk with a driveway, alley, street or another public sidewalk.

4. **No Barriers.** If the sidewalk cafe is limited to one row of tables and chairs parallel to the building, no barriers will be erected to impede access. If a sidewalk cafe is designed to have more than one such row of tables and chairs, a non-sight obscuring removable barrier not more than three (3') feet high enclosing the tables and chairs shall be constructed. Barrier gates shall not swing into the required unobstructed sidewalk area required in subsection (1) above.

5. **Awnings** associated with the cafe will be installed in accordance with Code.

6. **Umbrellas** shall not extend into the required unobstructed sidewalk area.

7. **Signs** associated with the cafe will be installed in accordance with Blackfoot City Code.

8. **Adequate facilities** for the storage of trash and tobacco waste products generated by the cafe will be provided at a convenient location.

- b. **Agreement.** An agreement between the applicant and the City is executed and recorded that includes the following provisions:

1. **No alcohol** will be consumed on the sidewalk.

2. **Insurance.** Insurance will be continuously maintained to adequately co-insure Blackfoot City against any liability associated with the sidewalk cafe, as reasonably determined by the City. The insurance certificate shall name the City as an "additional insured." Cancellation of such insurance shall require at least thirty (30) days prior notice to the City.

3. **Liability.** Blackfoot City, its officers, agents and employees, will be held harmless from any claims, causes of action, injuries, losses, damages, expenses, fees and costs, including attorneys' fees, associated or arising from the operation of the cafe.
4. **Damage.** The cafe owner and operator will be responsible for repair of any damage done to the public sidewalk due to the installation or removal of furnishings, barriers or other features of the sidewalk cafe.
5. **Hours.** Hours of cafe use will be limited to not earlier than 7:00 A.M. and not later than 11:00 P.M. and will not exceed the operating hours of the associated eating or drinking establishment.
6. **Music.** Within the sidewalk cafe the use of sound reproduction equipment will be prohibited and live acoustic music and musical instruments will be allowed, providing sound levels are controlled so as to not disturb other businesses and are kept within legal decibel levels per City noise regulations.
7. **Sidewalk Maintenance.**
 - a) The sidewalk cafe and surroundings will be maintained in a neat and clean condition at all times.
 - b) All tables and chairs, barriers, and other sidewalk obstructions associated with the sidewalk cafe will be removed during the time period between one-half hour after close of business to one-half hour before opening of the business.
 - c) The Cafe owner and operator will remove cafe improvements if necessary for sidewalk repair or replacement, utility maintenance, or upon failure to comply with the terms of the agreement.

2.180. Canopies and Marquees.

Canopies and/or marquees may be extended over public sidewalks in the DHB Zone only after a Conditional Use Permit (CUP) has been granted by the Planning and Zoning Commission for their erection and after a revocable license has been issued by the Blackfoot City Mayor in accordance with the procedures outlined herein. Said marquees or canopies may be supported by columns or stanchions which are attached to the ground within the public right-of-way and do not extend beyond the street curb line.

- a. Canopies and marquees erected in the DHB Zone must comply with all of the following conditions:
 1. **Conditional Use Permit.** A CUP must first be granted by the Planning and Zoning Commission following an application submitted to the Planning and Zoning Commission. Procedure for granting a conditional use permit for this purpose shall be in accordance with Blackfoot City Code.

The Planning and Zoning Commission shall not grant a conditional use permit for any construction of such canopies or marquees unless the following is fully demonstrated to their satisfaction:

- a) The canopy or marquee is harmonious in design and appearance with the building upon which it is being located, and with the general architectural and visual theme of the DHB Zone.
 - b) The canopy or marquee will be constructed of materials contained on the materials list for the DHB Zone approved by resolution of the City Council.
 - c) The canopy or marquee will tend to improve the visual environment of the City, will not be harmful to any existing tree or landscaping element, will increase downtown property values, and will promote the objectives and characteristics of the Central Business District zone as set forth herein.
 - d) Canopies or marquees shall remain open and unencumbered on three (3) sides except for required supporting columns, stanchions, or architectural features approved by the Planning and Zoning Commission.
 - e) The location of supporting columns or stanchions will not obstruct pedestrian traffic on the sidewalk, and will not materially affect existing landscaping or street furniture installations in the public right-of-way .
 - f) Right-of-way.
 - 1) In no event shall any portion of the public right-of-way be used for commercial storage, display, or other private use.
 - 2) The construction of any canopy or marquee under the provisions of this section shall in no way deprive the public of use of the public right-of-way.
 - g) Landscaping. In the event that no public landscaping exists in the area adjacent to said canopy or marquee, the Planning and Zoning Commission shall require the provision of a landscaped and planted area no less than four (4') feet in width and no greater than six (6') feet in width to be planted with materials as part of the granting of a conditional use permit. This planting shall be provided at least the full width of the canopy or marquee installation.
 - h) Building Code. All canopy or marquee installations will be in full conformance with the provisions of the Building Code of Blackfoot, ID. The provisions of this section are not intended to in any way nullify or repeal any portions of the Building Code provisions.
2. License. A license shall be obtained from the Mayor permitting such construction. Conditions deemed appropriate by said Mayor may be imposed upon the granting of a license.
- a) Revoked. Said license may be revoked after ninety (90) days of written notice to the licensee, at which time all improvements must be removed from the public right-of-way at the full expense of said licensee.
 - 1) Restoration. The City right-of-way shall be restored by the licensee at his own expense to a condition equivalent or better than that existing in the remainder of the block face, and to a condition satisfactory and acceptable to the Mayor.

3. Liability. The licensee shall agree to save and hold harmless the City on any and all damage to any property or person arising from the construction and maintenance of such canopies or marquees.

a) Licensee shall assume and pay all costs of installation, maintenance, and removal of said canopy or marquee.

b) The licensee shall agree to pay damages and hold the City harmless from any claim that may arise through the licensee's use of public property for this purpose.

2.190. Lighting Standards
(reserved)

L. General Business District (GBD):

The purpose in establishing the General Business District zone is to provide a district in which the primary use of land is for business purposes and promotes the development of retail shopping stores and service establishments. Businesses such as Banks, Bars, Hospitals, Clinics, Professional Offices. Encouraged in the district will be multi story residential apartments, except in the story abutting street level.

*All Zoning Standards apply. *All Commercial Zone Standards apply.

- 3.010. Purpose and Objectives
- 3.020. Permitted & Conditional Uses
- 3.025. Single Ownership and Control
- 3.030. Lot Area
- 3.040. Lot Width
- 3.050. Lot Frontage
- 3.060. Prior Created Lots
- 3.070. Yard Requirements
- 3.080. Projections into Yards
- 3.090. Building Height
- 3.100. Distance Between Buildings
- 3.110. Permissible Lot Coverage
- 3.120. Parking, Loading and Access
- 3.130. Project Plan Approval
- 3.140. Other Requirements
- 3.150. Commercial Design Standards
- 3.160. Commercial Lighting Standards

3.10. Purpose and Objectives

The General Business District Zone is established to provide an area in which a general shopping center facility can be established to satisfy the specialty shopping needs of a community or a group of neighborhoods. It is intended that the GBD zone will be characterized by specialty shops situated in an attractively designed shopping center complex surrounded by appropriate landscaping.

- a. Integrated Shopping Center. The GBD zone shall not be applied to an existing commercial development which has not been designed and constructed as an integrated community shopping center.
- b. Street Access. The GBD zone will be located adjacent to major thoroughfares or collector streets which will provide immediate access for automobile traffic without passing through residential areas.

3.20. Permitted & Conditional Uses

The following principal uses and structures indicated as "P", and no others, shall be permitted in the GBD zone. The following uses and structures indicated as "CUP" may be permitted in the GBD zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

LAND USE LIST HERE

- a. Permitted Accessory Uses. Accessory uses and structures are permitted provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure.

Accessory Building

3.30. Lot Area

- a. The minimum area of any lot or parcel of land in the GBD zone shall be five (5) acres; however, smaller lots or parcels may be created as part of an approved plat and recorded Record of Survey, as specified in City Code.
- b. The maximum area of land in the CBC zone is twenty (20) acres.
- c. Single ownership. Said land shall be in single ownership or single control for integrated development.

3.40. Lot Width

Each lot or parcel of land in the GBD zone shall have an average width of not less than five hundred (500') feet; however, narrower lots or parcels may be created as part of an approved plat and recorded Record of Survey.

3.50. Lot Frontage

Each lot or parcel of land in the GBD zone shall abut on a public street for a minimum distance of five hundred (500') feet, on a line parallel to the centerline of said street; however, lots or parcels with lesser frontage may be created as part of an approved and recorded Record of Survey.

- a. Primary Access. A portion of said frontage may be along the circumference of a cul-de-sac improved to City standards; however, the primary access for a community shopping center shall not be provided from a cul-de-sac street.

3.60 Prior Created Lots

3.70. Yard Requirements

The following minimum yard requirements shall apply in the GBD zone:

- a. Front Yard. Each lot or parcel in the GBD zone shall have a front yard of no less than ten (10') feet from the right-of-way.
 1. Said front yard shall not be used for vehicular parking and shall be appropriately landscaped .
 2. Exception: In areas developed prior to the establishment of this zone, the front yard may be equal to the average of existing front yards on all parcels of property along the block face in which a building or structure is to be located.
- b. Side Yard.
 1. Except as provided in the Blackfoot Building Code, each lot or parcel of land in the GBD zone shall have a side yard of at least ten (10') feet when located adjacent to a residential zone.
 2. Adjacent Commercial or Industrial. There shall be no requirement in those instances where the side property line abuts a commercial or industrial zone.

3. Accessory Building on Side Property Line.

a) The accessory building shall provide facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.

c. Rear Yard. No requirement unless adjacent to a residential zone or use, in which case, the rear yard setback shall match the setback requirement of the adjacent residential zone.

d. Transitional Development Standards.

e. Storage Units.

1. Storage units are required to be built internally to a lot.

2. Buffer.

a) During the "Conditional Use Permit" proceedings, the applicant shall show how the storage units are being buffered from any street rights-of-way and neighboring properties. The most desirous buffering would be commercial buildings.

b) Areas of landscaping greater in distance than the required yard setbacks should be included. These landscaped areas would need large nursery stock shrubs and trees to act as buffering.

c) The landscaping and use of landscaping must be approved by the Planning and Zoning Commission.

3.080. Projections into Yards

Exception: Permitted projections shall not project into required driveways; required driveways shall remain unobstructed from the ground up.

3.090. Building Height

No lot or parcel of land in the GBD zone shall have a building or structure which exceeds a height of sixty-five (65') feet, measured at the top of building's horizontal wall. (Chimneys, flagpoles, or similar structures not used for human occupancy and are excluded in determining height.)

3.100. Distance between Buildings

3.110. Permissible Lot Coverage

a. Building & Paving Coverage. In a GBD zone all buildings, structures, and non-penneable surfaces shall not cover an area of more than ninety (90%) percent of the lot or parcel of land upon which they are placed .

1. Landscaping . A minimum of ten (10%) percent of the site shall be landscaped.

2. Unpaved Areas. In addition to required landscaping, all unpaved areas shall be landscaped.

b. Contiguous to Residential Zones. In a GBD zone in which a majority of the perimeter is contiguous to residential zones, all buildings , structures, and non-penneable surfaces shall not cover an area of more than seventy (70%) percent of the lot or parcel of land upon which they are placed .

1. Landscaping. Landscaping shall be thirty (30%) percent of the lot.

c. Remodeling in Existing GBD Zones. If the remodeling of a building in the GBD zone causes the exterior of the building to be enlarged, the landscaping requirements of Section _____ shall apply, with the following limitations:

1. The requirements of Section _____ shall not fully apply where those requirements would conflict with parking requirements, be incompatible with the design of existing buildings or impair ingress or egress to existing buildings or parking areas.

3.120. Parking, Loading and Access

Parking spaces and drive aisles, except ingress/egress points, shall not be provided within a required front yard adjacent to a public street without a minimum ten (10').

3.130. Project Plan Approval

3.140. Other Requirements

- a. Old Yellowstone Highway Signs.
- b. Signs.
- c. Uses Within Buildings.
- d. Trash Storage.
- e. Fences.

**3.150 Commercial Design Standards
(Reserved)**

M. Highway Business District (HBD): The purpose in establishing the Highway Business District is to provide a district in which can provide services which require large facilities and extensive parking. Businesses such as Service Stations, Car Dealerships, Adult Oriented Businesses, Motels, Hotels, Club, Restaurants, Social Halls, Dance Halls, Night Clubs, Repair Shops, Bowling Alleys

4.10 Permitted Uses

LAND USE LIST HERE

4.20. Permitted Accessory Uses

Caretaker dwellings are allowed on a case by case basis as approved by the City of Blackfoot Planning and Zoning Commission. Detailed plans are required.

4.30. Lot Frontage

Each lot or parcel of land shall abut a public street for a minimum distance of thirty-five (35') feet on a line parallel to the centerline of said street or along the circumference of a cul-de-sac improved to City standards.

4.40. Prior Created Lots

4.50. Accessory Building

An accessory building may be located on a side or rear property line if:

- c. 2 hr. Fire Wall. The accessory building does not have openings on the side which is contiguous to the side or rear property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.
- d. Adjacent to Residential. The accessory building, if adjacent to a residential use or zone, shall not exceed ten (10') feet in height nor two hundred (200) square feet.
- e. Larger accessory buildings shall meet the side and rear yard setbacks for principal buildings.
- f. Proposal shall comply with the most recent edition of the Building Code.

4.60. Projections into Yards

Exception: Permitted projections shall not project into required driveways; required driveways shall remain unobstructed from the ground up.

4.70. Building Height

The height of every building or structure hereafter designed, erected, or structurally altered or enlarged, shall conform to the requirements of the most recent edition of the Blackfoot Building Code as adopted by Blackfoot City, and shall not exceed fifty-five (55') feet in height, measured at the top of building's horizontal wall.

4.80. Distance Between Buildings

No requirement except as may be dictated by the latest edition of the International Building Code as adopted by Blackfoot City.

4.90. Permissible Lot Coverage

No requirement, except as may be dictated by off-street parking requirements, landscaping, and by the Planning and Zoning Commission to reduce the undesirable effects of a particular use upon adjacent properties.

4.100. Parking, Loading, and Access

4.110. Project Plan Approval

4.120. Other Requirements

4.130 Yellowstone Highway Tourist Corridor.

4.140 Trash Storage.

4.150 Walls and Fences.

4.160 Signs.

4.170. Lighting Standards

N. Project Redevelopment Option (PRO Zone)

The purpose of the Project Redevelopment Option ("PRO") zone is to create a regulatory tool that permits initiative and flexibility in creating well-planned, architecturally designed development that meets the needs of the community.

1. Intent
2. Purpose
3. Zone Establishment
4. Optional Schematic Development Plan
5. PRO Zone Application Requirements
6. Review of PRO Zone Application-Approval
7. Zone Designation
8. Permits Required
9. Project Plan Variations and Amendments
10. Reversion of Zoning
11. PRO Zones Adopted
12. PRO Zone Reserved
13. Uses Must Be in Conformity
14. Building in Conformity
15. Architectural Design Standards
16. Commercial Lighting Standards

1. Intent. This chapter creates a regulatory framework to govern the enactment of regulations to further the intention of the Comprehensive Plan, particularly, but not exclusively, in older, densely developed areas of the City.

2. Purpose. The purpose of the Project Redevelopment Option ("PRO") zone is to create a regulatory tool that permits initiative and flexibility in creating well-planned, architecturally designed development that meets the needs of the community. More particularly, the intent of the City Council in enacting this Chapter is to:

- i. Encourage creative and efficient utilization of land.
- ii. Encourage assemblage of property to create harmonious and efficient development patterns and projects.
- iii. Provide land use and design standards tailored to specific geographic areas so that new development outcomes are more predictable and compatible with surrounding land uses.
- iv. Coordinate property development and design, including large-scale facilities, with development, both existing and as envisioned by the City of Blackfoot Comprehensive Plan, on adjoining and nearby property.
- v. Minimize the effect of additional traffic.
- vi. Improve parking and air quality.
- vii. Encourage new development that fosters a sense of community.

- viii. Better manage the location, timing, and sequencing of new development.
- ix. Provide an opportunity to involve the public.

3. Zone Establishment

- (a) The provisions of this chapter shall apply to every PRO zone created under the authority of this chapter.
- (b) To establish a PRO zone, an applicant shall submit a petition (application). The application shall then be considered for approval as provided in this Title.

4. Optional Schematic Development Plan

- a. Schematic Plan Submittal. An applicant may, before submitting a proposed PRO application as required by this Chapter, submit an application showing a proposed schematic development plan for the subject property. A schematic development plan shall be considered by the Planning and Zoning Commission and City Council as provided in this section.
- b. What to include in a Schematic Development Plan: A schematic development plan application shall include the following:
 - 1. A review fee of five hundred (500) dollars.
 - i. Fifty percent (50%) of the schematic development plan application fee may be applied to the application fee for a PRO zone if the City Council recommends that an applicant apply as provided in subsection (4) of this section.
 - 2. A public hearing notice fee as required by The City Codes, and Administrative policies of The City of Blackfoot.
 - 3. A statement detailing efforts by the applicant *to assemble property to achieve logical boundaries for the proposed development.*
 - 4. A schematic development plan which shows how a property could be developed under proposed PRO zone regulations. A schematic development plan shall be drawn to scale and must show a realistic layout reflecting how the property reasonably could be developed considering the development standards of a proposed PRO zone, and existing and envisioned conditions on the subject property and adjoining property. A schematic development plan should show at least the following; whatever is shown shall be construed as the intent of the plan:
 - a. Location of proposed uses, including dwelling unit density and occupancy.
 - b. Height, location, bulk and preliminary elevations of buildings.
 - c. Location, arrangement, and configuration of open space, landscaping, and building setbacks.
 - d. Location, access points, and design of off-street parking areas.
 - e. Number, size, and location of signs.

f. Street layout, and traffic and pedestrian circulation patterns, including proposed access to the property.

g. Relationship of the property to adjoining and nearby properties and uses.

5. A schematic development plan is not intended to permit actual development of property pursuant to such a plan but shall be prepared merely to represent how the property could be developed. Submittal and review of an application for a schematic development plan shall not create any vested rights to development.

a. Neighborhood Meeting. A neighborhood meeting shall be held at least two (2) weeks prior to presenting a schematic development plan at a meeting of the Planning and Zoning Commission.

b. Process Leading to the Public Hearing. Pursuant to the notice and hearing requirements of the State and Blackfoot City Code, the schematic development plan shall be first submitted to the Planning and Zoning Commission for a recommendation and thereafter to the City Council for consideration. After a public hearing, the Council may vote to recommend that an applicant:

1. Apply to a PRO zone that would allow development:

i. As shown on the schematic development plan; or

2. As amended to address issues identified by the City Council to accomplish the goals and objectives of the Comprehensive Plan; or

3. Not submit a PRO zone application.

5. PRO Zone Application Requirements

a. Requirements. The following materials shall be included with every application for the establishment of a PRO zone:

i. Proposed zone name and location.

ii. A statement showing how the proposed PRO zone relates to the Comprehensive Plan and furthers the intent of the Plan.

iii. A statement detailing efforts by the applicant to assemble property to achieve logical boundaries for the proposed development.

iv. Proposed zone text, including:

1. Permitted, conditional, and accessory uses (individually listed and defined).

2. Proposed development standards, including:

a. Land use standards are establishing land use types, occupancy, location, density, buffering and any other element envisioned by applicable sections of the General Plan.

b. Lot standards are establishing requirements for minimum lot area, depth, coverage, and dimensions.

- c. Building setback standards for the front, side, and rear yards.
- d. Design standards addressing building height, building orientation, common and private open space, natural resource protection, architectural design, and any other provisions proposed to be included in the PRO zone.
- e. Landscaping and buffering standards.
- f. Parking.
- g. A statement that the PRO zone will conform to all applicable chapters of Blackfoot City Code, except as may be specifically amended by the adopted PRO zone text.
- h. Evidence of justification for requested changes to such standards. Deviations from parking and street standards outlined in Blackfoot City

Code is intended to be rare and shall be approved by three (3) members of the City Council.

v. A preliminary project plan as provided in this Title and including the following additional information:

- 1. Relationship of the property to surrounding properties and uses.
- 2. Number, size, and location of all proposed signs.

vi. A review fee of one thousand (1,000) dollars plus a fee of:

- 1. Thirty (30) dollars for each dwelling unit proposed in a residential project; or
- 2. Ten (10) dollars for each one hundred (100) square feet of gross floor area in a non-residential project.

vii. A public hearing notice fee as required.

6. Review of PRO Zone Application - Approval

- a. **Neighborhood.** A neighborhood meeting shall be held at least two (2) weeks prior to presenting a PRO zone application at a meeting of the Planning and Zoning Commission.
- b. **Considering an Application.** When considering an application for a proposed PRO zone, the Planning and Zoning Commission may recommend, and the City Council may adopt, modifications to PRO regulations and standards proposed by an applicant who, in the opinion of the approving authority, is needed to meet the intent and requirements of this chapter.
- c. **Approval.** A proposed PRO zone application and associated preliminary project plan shall be approved only if, in the opinion of the approving authority, development proposed on the property will:
 - i. Further applicable provisions of the Comprehensive Plan and any applicable master plan, particularly provisions which establish density limitations.
 - ii. Conform to applicable chapters of this Title and except as may be specifically amended by the adopted PRO zone text.

- iii. Preserve and enhance the subject property and neighborhood by achieving integrated planning and design.
- iv. Be compatible with development on adjoining and nearby property, both existing and as envisioned by the City of Blackfoot Comprehensive Plan.
- v. Minimize the effect of traffic congestion and improve parking and air quality, including providing opportunities for alternative modes of transportation such as walking, bicycling, or transit.
- d. **Development Agreement.** When deemed necessary or desirable by the City, application and approval of a PRO zone and any development within a PRO zone may require the submission and support of a development agreement.

7. Zone Designation

- a. Adopted PRO zone. Upon approval, each adopted PRO zone shall be listed in Section 9 of this Chapter and shall be independent of any other PRO zone.
- b. Text Amendment. A text amendment to this Title which establishes regulations for a particular PRO zone shall be adopted as a separate chapter of this Title and shall be identified sequentially. Each such chapter shall have a unique name combined with the designation "PRO" followed by a code categorizing the PRO by project type as (B)

Business, (A) Apartment or other multi-family, or

(R) Residential - One family, then followed by a sequential number without regard to project category, corresponding to the chapter number for the zone, the first of which shall be "1."

8. Permits Required

After approval of a PRO zone and an associated preliminary project plan, and before the issuance of any building permits, a final project plan shall be submitted as required by this Blackfoot City Code. Applications for subdivision approval and any other needed permits shall be submitted as needed to implement an approved preliminary project plan.

9. Project Plan Variations and Amendments

After a PRO zone is adopted and a preliminary project plan for the subject property has been approved, no material variations shall be made to the preliminary project plan and the development standards adopted in the applicable PRO zone unless the zoning text or map, as the case may be, is amended by the City Council to permit such variation. Such amendments to an approved preliminary project plan shall be obtained only by following the procedures required for first approval set forth in this chapter.

10. Reversion of Zoning

Substantial action shall be taken to obtain needed additional approvals and begin construction authorized by such approvals within one (1) year after the support of a PRO Zone. If a final project plan has not been approved within one (1) year after a PRO zone has been applied to a specific property, action shall be initiated to rezone the property to the zone previously existing on the property or such other zone as may be deemed appropriate by the City Council.

11. PRO Zones Adopted

The following Project Redevelopment Option zones are anticipated to be adopted (example):
Blackfoot Southgate Project Redevelopment Option Zone (Southgate PRO Zone)

12. PRO Zone (Reserved)

13. Uses Must Be in Conformity

Land or premises shall be used, unless otherwise provided in this ordinance, in conformity with regulations herein set forth for the zoning district in which said land or premises is located.

14. Building in Conformity

No building or structure shall be erected or used unless in conformity within the regulations herein set forth for the zoning district in which said building or structure is located.

15. Architectural Design Standards

Architectural design requirements are found in Supplementary Regulations under Commercial Design Standards.

16. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Supplementary Regulations.

O. Light Industrial District (LID)

The purpose in establishing the light industrial zone is to provide for and encourage industries such that the appearance of buildings and treatment of land will not be detrimental or obtrusive to surrounding commercial or residential uses.

1. Purpose and Objectives
2. Building Height
3. Permitted & Conditional Uses
4. Distance Between Buildings
5. Lot Area 8.03.110. Permissible Lot Coverage
6. Lot Width 8.03.120. Parking, Loading, and Access
7. Lot Frontage
8. Project Plan Approval
9. Prior Created Lots
10. Other Requirements
11. Yard Requirements
12. Commercial Lighting Standards
13. Projections into Yards

1. Purpose and Objectives

The Light Industrial District Zone (LID) is established to provide areas in the community where heavy industrial, manufacturing, and extractive uses may be located in an environment which protects them from the encroachment of commercial and residential uses, and which reduces the effect of undesirable characteristics such as odor, dust, and noise upon surrounding residential or commercial areas. The LID zone is established to recognize the need for industrial sites, which are generally major and extensive operations, require large level sites, and would normally have open storage and service areas. The zone is also intended to provide for the development of incidental service facilities such as restaurants, service stations, and public facilities intended primarily to serve the industrial area.

a. Location.

The Light Industrial District Zone (LID) zone should be located in areas which are readily accessible to railroads and major highway routes.

1. Truck traffic generated by the Light Industrial District Zone (LID) shall not be required to ingress and egress from industrial areas through a residential area or commercial district.

2. Said zone shall also be located in areas which will insure the purity of air and waters within Blackfoot City and will not create hazards to nearby residential, commercial, or Light Industrial areas as the result of noise, dust, fumes, or other disturbances.

3. These uses will be located in areas which will reduce the effects of these characteristics upon other areas of the community, and in an environment, which is attractive but which recognizes the characteristics of the permitted uses.

b. Uses.

The Light Industrial District Zone (LID) accommodates light industrial uses such as, open and enclosed manufacturing, processing, and assembly, which may potentially create hazards, nuisances, or disturbances. This zone accommodates these heavy industrial uses with a conditional use permit (CUP) to assure that land use conflicts are minimized.

Peripheral Landscaping.

1. Some peripheral landscaping will be provided, where appropriate, to reduce the effects of the detrimental characteristics of permitted uses, and to enhance the appearance of the entire Light Industrial District Zone (LID) .

2. Building Height

3. Permitted & Conditional Uses

The following principal uses and structures indicated as “P”, and no others, shall be permitted in the Light Industrial District Zone (LID). The following uses and structures indicated as “CUP” may be permitted in the Light Industrial District Zone (LID) only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

(LIGHT INDUSTRIAL USE TABLE OR LIST (LID))

a. Permitted Accessory Uses

Accessory uses and structures are permitted provided they are incidental to, and do not substantially alter the character of, the permitted principal use or structure.

8.03.030. Lot Area

There is no minimum area for any lot or parcel of land in the HID zone.

8.03.040. Lot Width

Each lot or parcel of land in the HI zone shall have an average width of not less than one hundred fifty (150') feet.

8.03.050. Lot Frontage

8.03.060. Prior Created Lots

11. Yard Requirements

The following minimum yard requirements shall apply in the HI zone:

a. Front Yard.

Each lot or parcel of land in the HI zone shall have a landscaped front yard of at least ten (10') feet from the right-of-way.

b. Side Yard.

No side yard requirement unless imposed by the Planning and Zoning Commission to protect adjacent properties against the undesirable characteristics of a particular use; or as required by the latest provisions of the Building Code.

1. Side & Rear Yard Accessory Building.

c. Rear Yard.

Where the rear property line abuts on a residential or commercial zone, the rear yard shall be the same as that required by the adjacent zone, or as determined by the Planning Commission to mitigate potential nuisances. Otherwise, no setback required.

13. Projections into Yards

5. Permissible Lot Coverage

18. Other Requirements

An orderly development pattern following good planning principles shall be used.

a. Yellowstone Highway Corridor.

b. Uses Within Buildings.

No requirement, except as may be imposed by the Planning and Zoning Commission in conjunction with the issuance of a conditional use permit.

c. Trash Storage.

d. Walls and Fences.

e. Signs.

1. Purpose and Objectives

2. Building Height

3. Permitted & Conditional Uses

4. Distance Between Buildings

5

6. Lot Width 8.03.120. Parking, Loading, and Access

7. Lot Frontage

8. Project Plan Approval

9. Prior Created Lots

10. Other Requirements

11. Yard Requirements

12. Commercial Lighting Standards

13. Projections into Yards

18. Other Requirements

P. Heavy Industrial District (HID)

The purpose in establishing the heavy industrial zone is to provide for suitable areas in which heavy industrial uses may locate and be substantially free from residential or retail commercial activities.

8.03.010. Purpose and Objectives

8.03.090. Building Height

8.03.020. Permitted & Conditional Uses

8.03.100. Distance Between Buildings

8.03.030. Lot Area 8.03.110. Permissible Lot Coverage

8.03.040. Lot Width 8.03.120. Parking, Loading, and Access

8.03.050. Lot Frontage

8.03.130. Project Plan Approval

8.03.060. Prior Created Lots

8.03.140. Other Requirements

8.03.070. Yard Requirements

8.03.150. Commercial Lighting Standards

8.03.080. Projections into Yards

8.03.010. Purpose and Objectives

The HID Zone is established to provide areas in the community where heavy industrial, manufacturing, and extractive uses may be located in an environment which protects them from the encroachment of commercial and residential uses, and which reduces the effect of undesirable characteristics such as odor, dust, and noise upon surrounding residential or commercial areas. The HID zone is established to recognize the need for industrial sites, which are generally major and extensive operations, require large level sites, and would normally have open storage and service areas. The zone is also intended to provide for the development of incidental service facilities such as restaurants, service stations, and public facilities intended primarily to serve the industrial area.

a. Location.

The HI (Heavy Industrial) zone should be located in areas which are readily accessible to railroads and major highway routes.

1. Truck traffic generated by the HI zone shall not be required to ingress and egress from industrial areas through a residential area or commercial district.

2. Said zone shall also be located in areas which will insure the purity of air and waters within Blackfoot City and will not create hazards to nearby residential, commercial, or Light Industrial areas as the result of noise, dust, fumes, or other disturbances.

3. These uses will be located in areas which will reduce the effects of these characteristics upon other areas of the community, and in an environment, which is attractive but which recognizes the characteristics of the permitted uses.

b. Uses.

The HID zone accommodates heavy industrial uses such as, open and enclosed manufacturing, processing, and assembly, which may potentially create hazards, nuisances, or disturbances. This zone accommodates these heavy industrial uses with a conditional use permit (CUP) to assure that land use conflicts are minimized.

Peripheral Landscaping.

1. Some peripheral landscaping will be provided, where appropriate, to reduce the effects of the detrimental characteristics of permitted uses, and to enhance the appearance of the entire HID zone.

8.03.020. Permitted & Conditional Uses

The following principal uses and structures indicated as “P”, and no others, shall be permitted in the HID zone. The following uses and structures indicated as “CUP” may be permitted in the HI zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

(HEAVY INDUSTRIAL USE TABLE OR LIST (HID))

a. Permitted Accessory Uses

Accessory uses and structures are permitted provided they are incidental to, and do not substantially alter the character of, the permitted principal use or structure.

8.03.030. Lot Area

There is no minimum area for any lot or parcel of land in the HID zone.

8.03.040. Lot Width

Each lot or parcel of land in the HI zone shall have an average width of not less than one hundred fifty (150') feet.

8.03.050. Lot Frontage

8.03.060. Prior Created Lots

8.03.070. Yard Requirements

The following minimum yard requirements shall apply in the HI zone:

a. Front Yard.

Each lot or parcel of land in the HI zone shall have a landscaped front yard of at least ten (10') feet from the right-of-way.

b. Side Yard.

No side yard requirement unless imposed by the Planning and Zoning Commission to protect adjacent properties against the undesirable characteristics of a particular use; or as required by the latest provisions of the Building Code.

1. Side & Rear Yard Accessory Building.

c. Rear Yard.

Where the rear property line abuts on a residential or commercial zone, the rear yard shall be the same as that required by the adjacent zone, or as determined by the Planning Commission to mitigate potential nuisances. Otherwise, no setback required.

8.03.080. Projections into Yards

8.03.090. Building Height

8.03.100. Distance Between Buildings

8.03.110. Permissible Lot Coverage

8.03.120. Parking, Loading, and Access

8.03.130. Project Plan Approval

8.03.140. Other Requirements

An orderly development pattern following good planning principles shall be used.

a. Yellowstone Highway Corridor.

b. Uses Within Buildings.

No requirement, except as may be imposed by the Planning and Zoning Commission in conjunction with the issuance of a conditional use permit.

c. Trash Storage.

d. Walls and Fences.

e. Signs.

8.03.150. Lighting Standards