



CITY OF
Caldwell, Idaho

Planning & Zoning

HEARING REVIEW APPLICATION

Type of Review Requested (check all that apply)

- Annexation/Deannexation
- Appeal/Amendment
- Comprehensive Plan Map Change
- Design Review
- Ordinance Amendment
- Rezone
- Special Use Permit
- Subdivision- Preliminary Plat
- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other _____

STAFF USE ONLY:

File number(s): OA-19-04

Project name: ch. 10 amendments

Date filed: 5/28 Date complete: _____

Related files: _____

Subject Property Information

Address: _____ Parcel Number(s): _____

Subdivision: _____ Block: _____ Lot: _____ Acreage: _____ Zoning: _____

Prior Use of the Property: _____

Proposed Use of the Property: _____

Applicant Information:

Applicant Name: City of Caldwell P&Z Phone: _____

Address: 621 Cleveland Blvd City: Caldwell State: Id Zip: 83605

Email: _____ Cell: _____

Owner Name: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Authorization

Print applicant name: Jason Wagner

Applicant Signature: [Signature] Date: 6-4-19



CITY OF
Caldwell, Idaho

Planning & Zoning

ORDINANCE AMENDMENT

Project Name: <u>OA-19-04 ch. 10 amendments</u>	File #: <u>OA-19-04</u>
Applicant/Agent: <u>City of Caldwell P2</u>	

Applicant (v)	Please provide the following REQUIRED documentation:	Staff (v)
	Completed and signed Hearing Review Application	<input checked="" type="checkbox"/>
	Narrative fully describing the request, including the following: <ul style="list-style-type: none"> ➤ Specific item/code section requested to be changed ➤ Reasons for the amendment/code change ➤ Any other pertinent information to the request 	<input checked="" type="checkbox"/>
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	<input checked="" type="checkbox"/>
	Fee	<u>n/a</u>

STAFF USE ONLY:

Date Application Received: 5/28/19

Received by: LC

Proposed Hearing Date: P2 7/9/19

Hearing Body: P2

BILL NO. XX
ORDINANCE NO. XXXX

AN ORDINANCE ENACTED BY THE CALDWELL CITY COUNCIL AMENDING VARIOUS ARTICLES, SECTIONS, SUBSECTIONS AND TABLES IN THE “CALDWELL ZONING ORDINANCE,” FOUND IN CHAPTER 10 OF THE CALDWELL CITY CODE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS, AND PARTS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED by the Mayor and Council of the City of Caldwell, County of Canyon, State of Idaho, following duly noticed hearings before the Planning & Zoning Commission, on September 10, 2019; and the City Council on October 7, 2019:

Section 1. That Chapter 10, Article 2, Section 10-02-02 of the Caldwell City Code, entitled “Land Use Schedule,” respectively, shall be amended as follows (*NOTE: only the added, deleted or amended items are shown in the table below – all other unaffected items listed in the current version of the Caldwell City Code shall remain in said table; the unaffected items have simply not been included for purposes of this ordinance*):

10-02-02: LAND USE SCHEDULE:

TABLE 1
LAND USE SCHEDULE

P=Permitted use S=Special use	RS-1	RS-2	R-1	R-2	R-3	C-1	C-2	C-3	C-4	M-1	M-2	I-P	A-D	C-D	H-D
Agribusiness															
<u>Farmstand, Commercial</u>	S	S	S	S	S	S	P	P	P	P	P	P		S	<u>S</u>
<u>Farmstand, Personal</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>								<u>P</u>	<u>P</u>
<u>Greenhouse, Commercial</u>	S	S	S	S	S	S	P	P	<u>S</u> <u>P</u>	P	P	P		<u>PS</u>	<u>S</u>
<u>Greenhouse, Personal</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>								<u>P</u>	<u>P</u>
Residential:															
Accessory Dwelling Unit (ADU) ⁸	S	S	S	P	P	S	S	S	S	S				P	S

Notes:

A. Footnotes: The following footnotes correspond with the land use classifications listed in this table:

...

8. Shall be permitted as an allowed use within the RS-1, RS-2, and R-1 zone if the parcel is greater than 30,000 square feet.

...

Section 2. That Chapter 10, Article 2, Section 10-02-03 of the Caldwell City Code, governing various aspects of minimum/maximum bulk requirements, be amended, as follows:

10-02-03: HEIGHT, LOT LINE SETBACK AND LOT DIMENSION SCHEDULE:

TABLE 2
HEIGHT, SETBACK AND AREA SCHEDULE

Minimum/Maximum Bulk Requirements (In Feet)

Zoning District	Max. Height ¹	Minimum Setbacks				Interior Lots	Corner Lots	All Lots
		Front Yard	Rear Yard	Interior Side Yard	Street Side Yard ²	Min. Lot Area ⁷ (Sq. Ft.)	Min. Lot Area ⁷ (Sq. Ft.)	Min. Lot Frontage ³
RS-1	45	40	40	20	30	40,000	40,000	100
RS-2	45	35	35	15	25	20,000	20,000	75
R-1 ⁴	25	20	20	6	15	8,000	9,500	50
R-2	35	20	15	6	15	6,000	7,500	45
R-3	45	20	15	6	15	5,000	6,500	40

Notes:

A. Footnotes To Table: The following footnotes correspond with the minimum/maximum bulk requirements listed in this table:

...

7. Residential lots that are part of a Final Plat may reduce the required minimum lot area by up to 10% if the required densities are met for the underlying zone.

...

Section 3. That Chapter 10, Article 2, Section 10-02-05 of the Caldwell City Code, governing various aspects of parking requirements, be amended, as follows:

10-02-05: PARKING, LOADING, AND PEDESTRIAN AMENITY STANDARDS:

...

(3) Off Street Parking: Off street parking facilities for vehicles shall be provided in accordance with the following:

...

(E) Location: (Rep. by Ord. 2911, 9-4-2012) EV (Electric Vehicle) Parking Spaces: All new construction shall provide designated parking spaces with provided Level 2 electrical hook-ups for electric vehicles. The spaces shall be designated for EV's only. The number of required EV parking spaces shall be determined as follows:

(1) New construction that requires less than 25 parking spaces shall be exempt from this requirement.

(2) New construction that requires 25-100 parking spaces shall provide a minimum of one (1) EV parking space.

(3) New construction that requires more than 100 parking spaces shall provide a minimum of two (2) EV parking spaces.

...

Section 4. That Chapter 10, Article 2, Section 10-02-06 of the Caldwell City Code, governing sign schedule and billboards be amended, as follows:

10-02-06: SIGN SCHEDULE:

...

(2) General Provisions:

...

S. Billboards: All billboard/off-premises signs located along I-84 freeway, highways, and principal arterials shall have a minimum separation distance of one thousand three hundred twenty feet (1,320'). This measurement shall include signs along both sides of the freeway roadway and not only the signage along the side of the freeway roadway where the sign is proposed to be installed.

...

(5) Schedule:

...

C. C-2, C-3, C-4, M-1, M-2, and I-P districts:

1. Permitted signs: Animated reader board, awning signs, changeable copy signs, directory signs, freestanding (post) signs, hanging and suspended signs, monument signs, pole signs, projecting signs, rotating signs, subdivision entry signs, wall signs, and window signs subject to the provisions listed below:

...

(D) A billboard or off premises sign may be permitted only in these districts upon the successful completion of a special use permit. No more than one billboard or off premises sign shall be permitted per parcel and a billboard shall be set back at least thirty feet (30') from all property lines. Sign permits are required prior to installation. Exceptions: (1) The city of Caldwell may provide permanent off premises signage for the following purposes: highlighting landmarks and entry points to downtown or specific districts; highlighting the history of Caldwell; providing maps and geographical information; on central locations, listing businesses within the city of Caldwell for advertising purposes; and providing a designated place for posting fliers, posters for upcoming events, and public notices. Such signage shall be placed on city property, shall have to receive approval from city council prior to placement, and shall be owned, operated, and maintained by and through the city of Caldwell. (2) Billboards located along I-84 freeway, highways, and principal arterials that meet the required separation distances

as listed in Section 10-02-06(2)S of this chapter shall be outright permitted.

...

Section 5. That Chapter 10, Article 2, Section 10-02-09 of the Caldwell City Code, governing allowable areas for home occupations be amended, as follows:

10-02-09: HOME OCCUPATIONS:

...

(4) Home occupation permit applications shall meet all of the following home occupation standards to be considered eligible for approval of issuance of a home occupation permit:

...

F. Not more than one-fourth ($\frac{1}{4}$) of the gross area of the dwelling shall be used, as a whole, for all home occupations contained within the dwelling, with the following stipulations:

1. Garages, whether detached or attached, shall not be included in the calculation of the gross area of the main floor, they shall not count as the one-fourth ($\frac{1}{4}$) area that may be used for the home occupation, ~~and they shall not be used for the home occupation regardless of the type of home occupation, including home daycares.~~

...

Section 6. That Chapter 10, Article 2, Section 10-02-13 of the Caldwell City Code, governing temporary use and transient merchant facilities be amended, as follows:

10-02-13: TEMPORARY USE MERCHANTS, TRANSIENT MERCHANTS, BUSINESS PERMITS AND SPECIAL EVENTS:

...

(5) Exemptions: The provisions of this section shall not apply to:

...

C. The sale of farm or garden products under “farm stand,
personal” as defined in section 10-03-11 of this chapter.

...

Section 7. That Chapter 10, Article 3, Section 10-03-11 of the Caldwell City Code, governing Definitions be amended, as follows:

...

10-03-11: DEFINITIONS:

For the purpose of this chapter, certain terms are defined as set forth herein. All words in the present tense include the future tense. The plural includes the singular, and all words in the singular include the plural unless the nature of construction of the sentence indicates otherwise. The word "shall" means something is mandatory.

...

FARMSTAND, COMMERCIAL: A structure for the display and sale of farm products ~~primarily grown on the property upon which the stand is located~~ or the seasonal selling or offering for sale at retail of vegetables or produce, flowers, orchard products, and similar nonanimal agricultural products, occurring in a predesignated area either outside or inside a building and does not interfere with vision triangle areas or decrease the required number of parking spaces for the primary use, ~~where the vendor(s) is an individual who has raised the vegetables or produce or has taken the same on consignment for retail sale.~~ All activities, whether the display or selling of all farm products listed, must be conducted outside of any right-of-way and shall comply with all the requirements of a Temporary Use as described in Caldwell City Code 10-02-13.

FARMSTAND, PERSONAL: The display and sale of farm products grown on the property upon which the stand is located where the seller is an individual who has raised the vegetables or produce. All activities, whether the display or selling of all farm products listed, must be conducted outside of any right-of-way.

GREENHOUSE, COMMERCIAL: A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of fragile or out of season plants for subsequent sale ~~or for personal enjoyment.~~

GREENHOUSE, PERSONAL: A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of fragile or out of season plants for personal enjoyment.

...

Section 8. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

Section 9. This ordinance shall be in full force and in effect from and after its passage, approval and publication, according to law.

Section 10. This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

PASSED BY THE COUNCIL OF THE CITY OF CALDWELL, IDAHO, this 5th day of October, 2019.

APPROVED BY THE MAYOR OF THE CITY OF CALDWELL, IDAHO, this 5th day of October, 2019.

ATTEST:

Garret Nancolas, Mayor

Debbie Geyer, City Clerk