SECTION 7
R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT

SECTION:

7-1: Purpose
7-2: Restrictions
7-3: Area Requirements
7-4: Uses Permitted - Property of 6,000 Square Feet
7-5: Setback Requirements
7-6: Accessory Uses
7-7: Building Height
7-8: Conditional Uses
7-9: Design Review Standards

7-1 PURPOSE: The purpose of the R-3 High Density Residential District is to preserve and enhance residential neighborhoods in accordance with the comprehensive plan, provide for high density residential development; and in certain appropriate areas, upon city approval, permit mobile home park development.

7-2 RESTRICTIONS: In the R-3 High Density Residential District, no building or premises shall be used nor shall any building or structure hereafter be erected or altered (unless provided by this ordinance) except for one or more of the following uses in accordance with the following standards.

7-3 AREA REQUIREMENTS: The following site area requirements apply to the R-3 High Density Residential District, except that where a lot has less area or frontage than required in this section as shown by an official plat on file in the Office of the County Clerk or shown by the last conveyance of record at the time of the passage of this Ordinance; these regulations shall not prohibit one private dwelling and its accessory buildings on such lot, subject to the setback requirements for this zoning district.

A. One (1) single-family dwelling shall have a lot with a minimum of 6,000 square feet.

B. A two-family dwelling (duplex) shall have a lot with a minimum of 8,000 square feet.

C. A multi-family dwelling may be allowed by Conditional Permit, but the development shall not exceed fifteen (15) dwelling units and each unit above two (2) shall require an additional 1250 square feet of lot over and above the 8,000 square feet required for a two-family dwelling.

D. The footprint of the primary structure plus the accessory structures shall have a maximum lot coverage of no more than forty (40%) percent.

E. Two (2) off-street parking spaces per dwelling unit are required. Lots on arterial and collector streets shall have alleys to provide off-street parking access from the alley to the parking in the rear of the lot.

F. A five foot (5') wide sidewalk shall be required at the edge of the street right of way abutting each lot. The lot owner/renter shall be responsible for keeping the sidewalk clear and open for pedestrian traffic and for the maintenance, upkeep and reconstruction of said sidewalk.

7-4 USES PERMITTED - PROPERTY OF 6,000SQUARE FEET OR GREATER AND A MINIMUM LOT WIDTH OF 60 FEET OR 75 FEET ON A CORNER LOT: On property of not less than six thousand (6,000) square feet, with a minimum lot width of sixty (60) feet or seventy-five (75) feet on a corner lot with frontage on a public street not less than equal to the minimum lot width, the following uses are permitted:

A. One (1) Single-Family dwelling;
B. Multiple-family dwellings require an 8,000 square foot lot, and each dwelling unit above two (2) shall require an additional (1,250) square feet to the minimum lot size requirement.
C. Home occupations subject to the regulation outlined in SECTION 15-8;
D. Bed and Breakfast:
    i. Maximum of five (5) rooms for lodging of paying guests;
    ii. Must provide one (1) off-street parking space for each guest room as well as all vehicles owned by permanent residents;
    iii. Rooms cannot be added for the sole purpose of use as a bed and breakfast facility;
    iv. Sign shall be limited to four (4) square feet;
    v. May provide meals to lodging guests only.
    vi. No other commercial uses are permitted in conjunction, for example: restaurant, meeting hall, etc.;
E. Temporary buildings and temporary uses necessary for construction purposes for a period not to exceed one (1) year;
F. Public or private academic schools as defined in SECTION 2;
G. Nonprofit parks, playgrounds, and recreational facilities;
H. Day Care facilities;
I. Public safety buildings and administrative offices.

7-5 SETBACK REQUIREMENTS:

A. FRONT YARD: No building or structure shall be erected nearer than fifteen (15) feet from the right-of-way line of the street.
B. SIDE YARD: No building shall be erected closer than ten (10) feet from any side property line; except corner lots shall maintain a fifteen

(15) foot side yard adjacent to the street which intersects the street upon which the building fronts.

C. REAR YARD: There shall be a rear yard having a depth of not less than fifteen (15) feet.

7-6 ACCESSORY USES: Accessory uses are permitted if constructed either at the same time or subsequent to the primary allowed building. Such uses shall be limited to one (1) story in height, shall not encroach upon the front or side yard setback areas, and shall be considered a structure when calculating lot coverage.

7-7 BUILDING HEIGHT: No building within the R-3 District shall be constructed greater than a height of two (2) stories not to exceed thirty-five (35) feet.

7-8 CONDITIONAL USES: The following uses may be considered by the Planning Commission in accordance with Section 13.

A. Cemetery;
B. Church;
C. Non-profit Club or lodge of a service and fraternal character;
D. Day care center;
E. Hospitals;
F. Mobile home parks;
G. Non-profit community clubhouse.
H. Public utility facilities;
I. Retirement, convalescent home; nursing home;

7-9 DESIGN REVIEW STANDARDS: All new buildings and structures, other than single family homes, in the “R-3” district are subject to Design Review by the Planning and Zoning Commission and City Council of the City of New Meadows and shall meet the design review guidelines as set forth in Section 21 of this ordinance.

SECTION 11
"I" INDUSTRIAL DISTRICT

11-1: Purpose
11-2: Restrictions
11-3; Area Requirements
11-4: Uses Permitted
11-5: Performance Standards
11-6: Height Requirements
11-7: Setback Requirements
11-8: Conditional Uses
11-9: Design Review Standards

11-1 PURPOSE: The Industrial District is established to provide for and encourage the grouping together of light industrial uses capable of being operated under such standards as to location and appearance of buildings and treatment of land about them, that they will be unobtrusive and not detrimental to surrounding uses.

11-2 RESTRICTIONS: In the Industrial District, no building or premises shall be used nor shall any building or structure hereafter be erected or altered (unless provided by this ordinance) except for one or more of the following uses in accordance with the following standards.

11-3 AREA REQUIREMENTS: There shall be no minimum lot size.

11-4 USES PERMITTED:

A. All use permitted outright in the "C" and "CBD" Districts.
B. Manufacturing, assembling, fabricating, processing, packing, repairing, laundry cleaning, or dry cleaning which has not been declared a nuisance by statute, resolution, or any court of competent jurisdiction;
C. Wholesaling, warehousing, storage, and distribution;
D. Contracting equipment, maintenance or operating equipment of public agencies or public utilities, or materials and equipment of a similar nature including lumber, coal, sand and gravel storage yards;
E. Research and development;
F. Hybrid production facility.

11-5 PERFORMANCE STANDARDS: All uses within the "I" Industrial District shall:

A. Be carried on in such a manner and with such precautions against fire, explosion hazards, or other physical damage to any adjacent building or plant growth;

B. Screen or store all raw materials, finished products, machinery, and equipment, including company-owned or operated trucks, within a building, a sight-obscuring fence or vegetated barrier;
C. Emit no obnoxious odors of any kind;
D. Exhaust no waste or dust created by business operation into the air;
E. Discharge no treated or untreated sewage or waste into any stream or river;
F. Conduct no mining, extraction, filling or soil-stripping operations;
G. Not emit noise causing sound levels greater than 55 decibels between dusk and dawn (night hours) and 65 decibels between dawn and dusk (daylight hours) beyond the boundaries of the site on which such use is conducted;
H. Not cause vibration beyond the boundaries of the site on which such use is conducted.
I. An eight foot (8') wide sidewalk shall be required at the edge of the street right of way abutting each lot. The lot owner/renter shall be responsible for keeping the sidewalk clear and open for pedestrian traffic and for the maintenance, upkeep and reconstruction of said sidewalk.

11-6 HEIGHT REQUIREMENTS: Any building or structure or portions thereof hereafter erected shall not exceed thirty-five (35) feet in height except by Conditional Use Permit.

11-7 SETBACK REQUIREMENTS:

A. FRONT YARD: No building or structure shall be erected nearer than twenty (20) feet from the right-of-way line of the street, except when an industrial lot abuts, touches, adjoins, or is across the street from a residential district the front yard setback shall be no less than thirty-five (35) feet.

B. SIDE YARD: No setback is required, except when an industrial lot abuts, touches, adjoins, or is across the street from a residential district the side yard setback shall be no less than thirty-five (35) feet.

C. SIDE YARD, FLANKING STREET: No building or structure shall be erected nearer than twenty (20) feet from the right-of-way line of the street, except when an industrial lot abuts, touches, adjoins, or is across the street from a residential district the front yard setback shall be no less than thirty-five (35) feet.

D. REAR YARD: No setback is required, except when an industrial lot abuts, touches, adjoins, or is across the street from a residential

district the rear yard setback shall be no less than thirty-five (35) feet.

11-8 CONDITIONAL USES: The following uses may be considered by the planning commission in accordance with Section 13.

A. Communications tower;
B. Grain elevator and bulk storage such as for potatoes, hay, and other similar uses;
C. Land application of treated wastewater
D. Sewage treatment facilities
E. Storage, for wholesale or for distribution in bulk, of any flammable liquid above or below ground;
F. Asphalt manufacturing, mixing or refining
G. All chemical manufactures, storage or packaging
H. Wrecking or scrap yard
I. Cement or clay products manufacturing
J. Commercial uses directly related to, and necessary for, the operation of the industry

11-9 DESIGN REVIEW STANDARDS: All new buildings and structures in the "I" Industrial district are subject to Design Review by the Planning and Zoning Commission and City Council of the City of New Meadows and shall meet the design review guidelines as set forth in Section 21 of this ordinance.

SECTION 13
CONDITIONAL USE PERMITS

13-1: Purpose
13-2: Minimum Standards
13-3: Application Procedure
13-4: Hearing Procedure
13-5: Expiration of Conditional Use Permit Approval
13-6: Violations
13-7: Conditional Use Approval
13-8: Multiple Uses on One Parcel

13-1 PURPOSE: Each district lists conditional uses that may be allowed if found to be compatible with surrounding land uses. Every use that requires a conditional use permit is declared to possess characteristics such as to require review and appraisal by the Commission and Council to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons or property in the vicinity.

13-2 MINIMUM STANDARDS: An approved conditional use permit shall at least meet the minimum bulk standards, such as, but not limited to, setback requirements, lot size and building height of the underlying district. Exceptions to those requirements must be sought through the variance procedure.

13-3 APPLICATION PROCEDURE: An application for a conditional use permit shall be filed with the Administrator by at least one owner or lessor of the property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

A. Name, address and phone number of the applicant.
B. Legal description of the property.
C. Description of existing use.
D. Zone district.
E. Description of proposed conditional use.
F. Site plan.
G. An objective narrative statement evaluating the effects on adjoining property and proposed methods to mitigate those effects; a discussion of the general compatibility with adjacent and other properties in the vicinity.
H. Certificate of Ownership (See Section 2 for definition)
I. A list of all property owners and their mailing addresses who are within three hundred (300) feet of the external boundaries of the land being considered which must be provided by and certified to by a licensed title company doing business in Adams County, Idaho.
J. Application Fees.

13-4 HEARING PROCEDURES: Following the acceptance of the complete conditional use permit application by the Administrator and prior to granting a conditional use permit, a public hearing shall be held to review the conditional use permit request.

A. Notification: At least fifteen (15) days prior to the date of the public hearing the Administrator shall cause notice of time and place and a summary of the proposed conditional use to be published in the official newspaper or paper of general circulation within the city and its impact area. Notice by first class US Mail shall be sent to all property owners within at least 300 feet of the external boundaries of the subject property at least fifteen (15) days prior to the public hearing date. The Administrator shall cause notice to be posted upon the subject site not less than seven (7) days prior to the public hearing.

B. Action by the Hearing Body:

1. Conditional use permits shall be heard by the Commission. The Commission shall consider the facts and circumstances of each conditional use application and shall make issue a recommendation based upon the following standards:
   a) Will, in fact, constitute a conditional use as established in this Ordinance for the zoning district involved.
   b) Will be harmonious with and in accordance with the zoning ordinance and the general objective of the Comprehensive Plan.
   c) Will not alter the intended character of the area.
   d) Will not be detrimental to public health and safety or adjacent property.
   e) Will not result in the destruction, loss or damage of a natural, environmental, scenic or historic feature of major importance.
2. Conditions of Approval: In recommending approval of any conditional use permit, the Commission may identify appropriate conditions, bonds and safeguards in conformity with this ordinance. Conditions may include, but shall not be limited to, specific requirements that would:
   a) Minimize adverse impacts on other development.
   b) Control the sequence and timing of development.
   c) Control the duration of development.
   d) Assure proper maintenance of development.
   e) Require the provision for on-site and off-site facilities or services.
   f) Require more restrictive standards than those required by the New Meadows Zoning Ordinance.
   g) Require financial guarantees.

3. Commission's Recommendation: Within fifteen (15) days following the public hearing the Commission shall forward its recommendation for approval, conditional approval, or denial to the Council or table the item for further review. The recommendation shall be in writing and shall specify:
   a) The standards used in evaluating the application.
   b) The reason(s) for the recommendation.

C. Action by the Council: At the next regularly scheduled Council meeting the Council shall grant or deny the permit; or delay a decision for up to thirty (30) days for further study or hearing. A hearing held by the Council is subject to the same notice requirements and hearing procedures followed by the Commission's public hearing. All associated fees shall be assessed to the applicant.

13-5 EXPIRATION OF CONDITIONAL USE PERMIT APPROVAL: Unless a longer time is specifically established as a condition of approval, a conditional use permit shall be considered void twelve (12) months following the effective date of the permit if construction is not being diligently pursued toward completion.

13-6 VIOLATIONS: A conditional use permit may be suspended or revoked upon determination by the Commission during their regularly scheduled meeting that a violation of the conditions of approval has occurred. The Commission shall then hold a public hearing subject to the same notification requirements as outlined in Section 13-4 to determine the extent of the violations and the appropriate corrective action.

13-7 CONDITIONAL USE APPROVAL: A conditional use permit is granted to the subject property and shall remain valid upon a change in ownership with all attached conditions. Conditional use permits are not transferable from one parcel to another.

13-8 MULTIPLE USES ON ONE PARCEL: The Council may grant more than one conditional use permit to a single parcel of property or may grant conditional use permits to a single parcel of property that currently contains a principal use allowed outright by that district.

SECTION 20
AMENDMENTS

20-1: Purpose
20-2: Initiation of Zoning Amendments
20-3: Contents of Application
20-4: Zoning Amendment Procedure
20-5: Action by Commission
20-6: Action by Council
20-7: Resubmission of Application
20-8: Zoning Upon Annexation

20-1 PURPOSE: Whenever the public necessity, convenience, general welfare or good zoning practices require, the Council may, by ordinance, after receipt of recommendation thereon from the Commission and subject to procedures provided by Idaho Code, Section 67-6511, amend, supplement, change or repeal the regulations, restrictions and boundaries or classification of property.

20-2 INITIATION OF ZONING AMENDMENTS: Amendments to this ordinance may be initiated in one of the following ways:

A. By adoption of a motion by the Commission;
B. By adoption of a motion by the City Council; and
C. By the filing of an application by a member of the public.

20-3 CONTENTS OF APPLICATION: Applications for amendments to the Official Zoning Map adopted as part of this ordinance shall be filed with the Administrator and contain at least the following information:

A. Name, address and phone number of the applicant and his representative.
B. Proposed amending ordinance, approved as to form by the City Council;
C. Present land use;
D. Present zoning district;
E. A vicinity map at a scale approved by the Commission showing property lines, thorough fares, existing and proposed zoning and such other items as the Administrator may require;
F. A list of all property owners and their mailing addresses who are within three hundred (300) feet of the external boundaries of the land being considered which must be provided by and certified to by a licensed title company doing business in Adams County, Idaho.
G. A statement on how the proposed amendment relates to the Comprehensive Plan, availability of public facilities and compatibility with the surrounding area; and
H. A fee as established by the Council in accordance with this Ordinance.

20-4 ZONING AMENDMENT PROCEDURE: The Zoning Ordinance shall be amended in the following manner:

A. Requests for an amendment to the Zoning Ordinance shall be submitted to the Commission, which shall evaluate the request at a public hearing to determine the extent and nature of the amendment requested.
B. If the request is in accordance with the adopted Comprehensive Plan, the Commission may recommend that the City Council adopt or reject the requested amendment under the notice and hearing procedures as herein provided; and
C. If the request is found to not be in accordance with the Comprehensive Plan, the Commission shall recommend that the City Council reject the requested amendment.
D. Requests for an amendment to the Zoning Ordinance shall then be submitted to the Council, which shall evaluate the request at a public hearing to determine the extent and nature of the amendment requested.
E. If the request is in accordance with the adopted Comprehensive Plan, the City Council may adopt or reject the requested amendment under the notice and hearing procedures as herein provided; and
F. If the request is found to not be in accordance with the Comprehensive Plan, the Council shall reject the requested amendment.

20-5 ACTION BY COMMISSION: The Commission shall hold a public hearing and make recommendations to the City Council on proposed zoning amendments. Zoning amendments may consist of text or map revisions.

A. Zoning Ordinance Text Amendment: Not more than sixty (60) days following the filing of the application, the Commission, prior to recommending a Zoning Ordinance Text Amendment to the City Council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of time and place and the amendment shall be published in the newspaper designated as the official newspaper of the City of New Meadows. Following the Commission's hearing, if the Commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the Commission forwards the amendment with its recommendation to the Council.
B. Zoning Ordinance Map Amendment: Not more than sixty (60) days following the filing of the application, the Commission, prior to recommending a Zoning Ordinance Map Amendment that is in accordance with the Comprehensive Plan to the City Council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of time and place and the amendment shall be published in the newspaper designated as the official newspaper of

the City of New Meadows. Additional notice by First Class US Mail to the attention of the Administrator shall be provided by the applicant to property owners and residents within the land being considered; three hundred (300) feet of the external boundaries of the land being considered; and any additional area that may be impacted by the proposed change as determined by the Commission. When notice is required to two hundred (200) or more property owners or residents, in lieu of the mail notification, three (3) notices in the newspaper designated as the official newspaper of the City of New Meadows is sufficient, provided that, the third notice appears ten (10) days prior to the public hearing.

C. Following the Commission's hearing, if the Commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the Commission forwards its recommendation to the Council.

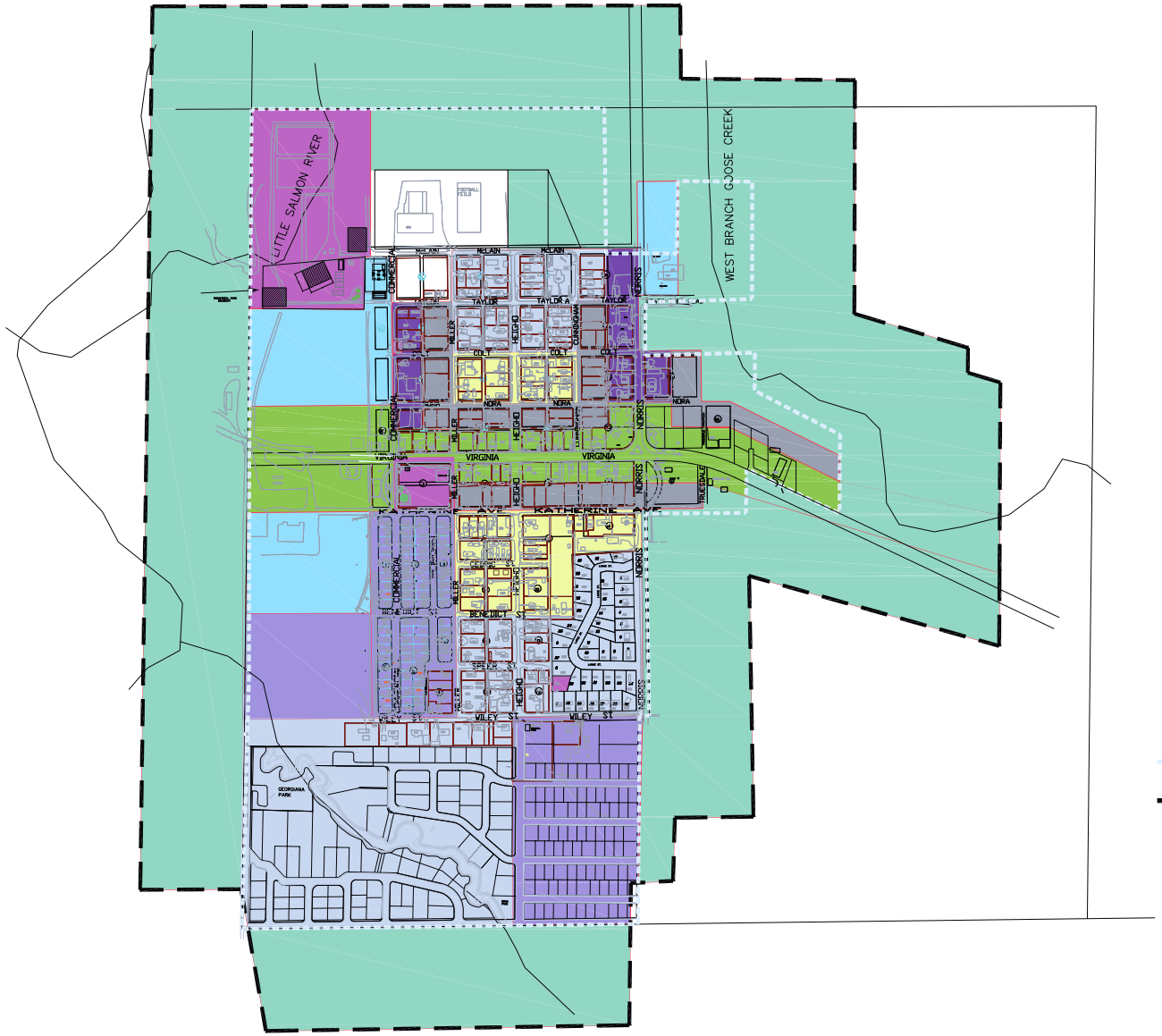
20-6 ACTION BY COUNCIL: The Council, prior to adopting, revising, or rejecting the amendment to the Zoning Ordinance as recommended by the Commission shall conduct at least one public hearing using the same notice and hearing procedures as the Commission. Following the City Council hearing, if the Council makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the Council adopts the amendment.

Upon granting or denying an application to amend the Zoning Ordinance, the Council shall specify:

A. The ordinance and standards used in evaluating the application;
B. The reasons for approval or denial.

20-7 RESUBMISSION OF APPLICATION: No application for a reclassification of any property which has been denied by the Council shall be resubmitted in either substantially the same form or with reference to substantially the same premises for the same purposes within a period of one (1) year from the date of such final action; unless there is an amendment in the Comprehensive Plan which resulted from a change in conditions as applying to the specific property under consideration.

20-8 ZONING UPON ANNEXATION: Prior to annexation of an unincorporated area, the Council shall request and receive a recommendation from the Commission on the proposed Comprehensive Plan and Zoning Ordinance changes for the unincorporated area. The Commission and the Council shall follow the notice and hearing procedures provided in Idaho Code, Section 67-6509. Concurrently or immediately following the adoption of an Ordinance of Annexation, the City Council shall, if necessary, amend the Comprehensive Plan and the Zoning Ordinance.



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SCALE IN FEET

LEGEND

- RESIDENTIAL "R-1"
- RESIDENTIAL "R-2"
- RESIDENTIAL "R-3"
- BUSINESS/RESIDENTIAL
- CENTRAL BUSINESS
- COMMERICAL "C"
- INDUSTRIAL "I"
- AGRICULTURAL "A"
- CITY OWNED
- CITY LIMITS
- AREA OF IMPACT

CITY OF NEW MEADOWS ZONING MAP ADOPTED JUNE 9TH 2008

J·U·B
ENGINEERS · SURVEYORS · PLANNERS

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ORDINANCE 314-08

AN ORDINANCE OF THE CITY OF NEW MEADOWS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A NEW OFFICIAL ZONING MAP AND REZONING ALL REAL PROPERTY WITHIN THE CORPORATE CITY LIMITS OF NEW MEADOWS IN ACCORDANCE WITH THE NEW ZONING ORDINANCE 313-08, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of New Meadows, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho; and

WHEREAS, pursuant to Chapter 65, Title 67, Idaho Code, the City of New Meadows has the authority to adopt and establish different zones within the City; and

WHEREAS, the Mayor and City Council have determined that the zones depicted on the proposed zoning map are consistent with the Comprehensive Plan and the components therein as adopted in August of 2005; and

WHEREAS, the Mayor and City Council have determined that good cause exists to zone the properties in the City of New Meadows as depicted on the proposed zoning map, attached as Exhibit A;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NEW MEADOWS, ADAMS COUNTY, IDAHO;

Section 1: That the proposed, attached, zoning map be adopted as the Official Zoning Map of the City of New Meadows;

Section 2: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County, Idaho is hereby “R-1” Residential:

Area #1: Properties North of the centerline of Colt, East of the centerline of Miller, North of the centerline of Taylor, East of the centerline of Commercial, East of the imaginary extension of the centerline of Commercial approximately 500 feet north of McLain, South of the imaginary line that is approximately 500 feet north and parallel with McLain and is 600 feet in length, South of the centerline of McLain, West of the centerline of the alley that is east of Cunningham, North of the centerline of Taylor from the aforementioned alley to the centerline of Cunningham and West of the centerline of Cunningham.

Area #2: Properties West of the Norris right of way from the north property line of the Ridgeview Subdivision, North of the centerline of Wiley, East of the centerline of Miller, South of the centerline of Benedict to the westerly edge of

Ridgeview Subdivision and the properties East of the West edge of the Ridgeview Subdivision line.

Area #3: Properties West of the centerline of Heigho, North of the Substation Road right of way, East of the Southend Road right of way, and South of the centerline of Wiley and the imaginary line of the Wiley centerline that extends to the West city limits along the Southend Road right of way.

Section 3: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County, Idaho is hereby "R-2" Residential:

Area #1: Properties East of the centerline of Miller, South of the centerline of Colt, West of the centerline of Cunningham and North of the centerline of Nora.

Area #2: Properties East of the centerline of Miller, South of the centerline of Katherine, West of the Norris right of way to the Ridgeview Subdivision, North of the North line of the Ridgeview Subdivision, West of the West line of the Ridgeview Subdivision to the centerline of Benedict and then north of the centerline of Benedict.

Section 4: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County, Idaho is hereby "R-3" Residential:

Area #1: Properties South of the centerline of Katherine, West of the centerline of Miller, North of the centerline of Wiley and the imaginary line extending from the centerline of Wiley to the West city limits along the Southend Road right of way, East of the Southend Road right of way, South of the imaginary line that would be the extension of the centerline of Benedict and East of the alley right of way that is West of Commercial.

Area #2: Properties South of the centerline of Wiley, West of the Norris right of way, North of the Substation right of way and East of the centerline of Heigho.

Section 5: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County, Idaho is hereby "BRD" Business / Residential District:

Area #1: Properties North of the alley between Virginia and Nora, South of the centerline of Nora, East of the alley between Miller and Commercial and West of the alley between Cunningham and Norris (Hwy #95). Properties West of the centerline of Miller and East of the alley between Miller and Commercial, South of the centerline of Taylor, North of the alley between Virginia and Nora. Properties North of the alley between Virginia and Nora, East of the centerline of

Cunningham, South of the centerline of Taylor and West of the alley between Cunningham and Norris (Hwy #95)

Area #2: Properties North of Katherine, East of Miller, South of the alley between Virginia and Katherine and West of the imaginary centerline of Truesdale.

Area #3: Properties East of the alley East of Norris (Hwy#95) plus lots 2 & 3 of Crossroads Subdivision and lots 3 & 4 of East Park Subdivision.

Section 6: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County, Idaho is hereby "CBD" Central Business District:

Approximately 300 feet on either side of the Virginia (Hwy #95) right of way from the West city limits line to Commercial, approximately 155 feet to the alleys on each side of the Virginia (Hwy #95) right of way from Commercial to the intersection of Highway #95 and Highway #55, approximately 155 feet on each side of the Norris (Hwy #95) right of way from Nora to Virginia, and approximately 155 feet on each side of the Highway #55 right of way from the intersection of Highway #55 and Highway #95 to the East City limits line.

Section 7: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County, Idaho is hereby "GCD" General Commercial District:

Area #1: Properties North of the alley between Virginia and Nora, East of Commercial, South of Taylor and West of the alley between Commercial and Miller.

Area #2: Properties North of Nora, East of the alley between Norris (Hwy #95) and Cunningham, South of McLain and the imaginary centerline extension of McLain to the Norris (Hwy #95) right of way, West of the Norris (Hwy #95) right of way, South of the imaginary centerline extension of Colt and West of the alley that is east of Norris (hwy #95).

Section 8: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County, Idaho is hereby "I" Industrial:

Area #1: Properties North of the imaginary extension of the centerline of Nora to the West city limits, East of the West city limits line, South of the North city limits line and West of the centerline of Commercial.

Area #2: Properties North of the imaginary extension of the centerline of Benedict to the West city limits, East of the West city limits line, South of the

imaginary extension of the centerline of Katherine and West of the alley that is West of Commercial.

Area #3: Properties North of the centerline of State Shed Road, East of the Norris (Hwy #95) right of way, South of the North city limits line and West of an imaginary line approximately 300' West and parallel to the Norris (Hwy #95) right of way.

Section 9: The zoning classification for the following described real property, all situated in the City of New Meadows, Adams County is hereby "A" Agricultural:

All remaining land within the city limits of New Meadows that has not been zoned within the other zoning districts in this zoning map ordinance.

Section 10: This ordinance, or a summary thereof in compliance with Section 50-019A, Idaho Code, shall be published once in the official newspaper of the City and shall take effect and be in full force upon its passage, approval and publication.

Passed and approved this 9th day of June, 2008.

CITY OF NEW MEADOWS
Adams County, Idaho

Attest:
_/s/ Jacob Mac Qualls_____
Jacob "Mac" Qualls, City Clerk

By: _/s/ Gale Stillman_____
Gale Stillman, Mayor

RESOLUTION NO.210-2014

City of New Meadows

ADOPTING LAND USE-RELATED HEARING PROCEDURES

WHEREAS: Idaho Code requires that jurisdictions maintain a regular set of procedures for land use-related public hearings held by the ***New Meadows*** Planning and Zoning Commission and governing board; and

WHEREAS: From time to time it is beneficial to review and revise those hearing procedures to better facilitate input from the public and to promote an informative and expeditious hearing;

NOW, THEREFORE, BE IT RESOLVED by the governing board of ***New Meadows*** to hereby adopt the following land use-related public hearing procedures:

Section 1. Providing Notice of Land Use or Development-Related Public Hearings

a. If a public hearing is required by law or ordinance, the planning and zoning commission and, when applicable, the governing board, shall hold at least one public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a succinct description of the proposal shall be published in the official newspaper of the ***City of New Meadows***.

b. In the case of conditional use permits, rezones, subdivisions, planned unit developments and variances, notice shall also be provided as required by law to property owners within the land being considered; either adjoining or within three hundred feet (300') of the external boundaries of the land being considered as appropriate; and within any additional area that may be substantially impacted by the proposal as might be determined by the planning and zoning commission, governing board or ***New Meadows*** staff. Contents of the mailed notice should include the basic information required by applicable provisions of law and this Resolution and, when known at the time of mailing or publication, any standards for oral testimony, time limits for testimony, time or length limits for written submissions, and other conditions or requirements governing participation.

c. When notices are required to be sent to two hundred (200) or more property owners, a notice of public hearing, at least 2 columns wide by 4" in height, published in the official newspaper of ***the City of New Meadows*** at least fifteen (15) days prior to the hearing, shall be deemed a proper alternative to mailed notices.

d. Land that is the subject of any required public hearing shall be posted with signs describing the nature of the action to be considered, contact information for the ***City of***

New Meadows, and the time, date and location of the hearing. Such on-site signage shall be posted by ***the City of New Meadows*** at least seven (7) days prior to the hearing.

Section 2. General Standards and Requirements for Oral Testimony:

a. At the commencement of the public hearing, the presiding officer may establish a time limit to be observed by all speakers, unless spokespersons with different time limits are designated. If no different time limit is established by the presiding officer or by the notice of hearing that has been provided, the time limits shall not exceed fifteen (15) minutes for an applicant's oral presentation, five (5) minutes per person for individual audience testimony and ten (10) minutes for applicant rebuttal. Additional time may be allowed by the presiding officer upon a showing of good cause.

b. No person shall be permitted to testify or speak before the hearing agency at a public hearing unless such person has signed his name and written his residential address on sign up sheets to be provided at the hearing. This requirement shall not apply to staff or technical witnesses directed by the chairperson to give evidence or information to the hearing agency.

c. The governing board may suspend or amend any one or more of the discretionary pre-announced hearing procedures by majority vote of the governing board then in attendance upon finding that changes are necessary to conduct orderly or effective proceedings or to assure fundamental fairness.

d. Spokespersons may be designated in order to allow relevant testimony for a period longer than provided herein or by notice. Anyone who desires to appear as a representative of a group at the hearing should contact the ***City of New Meadows*** at least five (5) days prior to the hearing with evidence and justification of representative status. ***The City of New Meadows*** may then evaluate and inform the requestor if s/he will qualify as a representative spokesperson for the hearing.

b. Any person desiring to speak must first be recognized by the presiding officer.

c. Testimony must directly address the subject at hand.

d. Testimony must not be repetitious with other entries into the record.

e. Testimony must not be personally derogatory to other hearing participants.

f. Testimony shall comply with time restrictions established by the presiding officer, the governing board or this Resolution.

g. If oral testimony fails to comply with the aforementioned standards, the presiding officer may declare such testimony out of order and require it to cease.

h. All public hearing proceedings shall be recorded electronically or stenographically and all persons speaking at such public hearings shall speak before a microphone in such a manner as will assure that the recorded testimony or remarks will be accurate and complete.

Section 3. Procedure for a Legislative Public Hearing:

Legislative hearings involve adoption of, or amendment to, the comprehensive plan or land use/development ordinances. A draft legislative proposal must be prepared and available for public inspection when the initial notice of public hearing is published. Legislative public hearings shall generally follow the order of events set forth below:

a. Brief introduction of the subject of the hearing by ***New Meadows city*** staff identifying nature of the proposal.
b. Receipt of testimony by public.
c. Closure of hearing.
d. Action on the legislative proposal whenever deemed appropriate by the governing board.

Section 4. Procedure for Quasi-Judicial Public Hearing:

Quasi-judicial hearings involve site-specific decisions (such as considering a subdivision, conditional use permit application or rezoning specific property, as opposed to legislative hearings which require decisions that have a broad application (such as a change in the text of a zoning ordinance or comprehensive plan which does not necessarily affect one specific parcel of land). Quasi-judicial public hearings shall follow the order of events set forth below:

a. Brief introduction of the subject of the hearing by ***New Meadows city*** staff identifying nature and location of request – not full staff report.
b. Presentation by applicant. (decision-makers should address their questions to the applicant at this time, if possible.)
c. ***New Meadows city*** staff/consultant report. (decision-makers should address their questions to staff/consultant at this time, if possible.)
d. Open Public Hearing Testimony from public in the following order: (Questions from the decision-makers should be asked of the person testifying before they leave the podium whenever possible.)

    1. <u>Speakers in favor of the application</u>
    2. <u>Neutral speakers</u>
    3. <u>Speakers opposed to the application</u>

e. Rebuttal testimony from applicant. (Decision-makers should ask any final questions.) If new facts are elicited from the applicant at any point during rebuttal, the public must be given an opportunity to comment on such new facts.

f. Close Public Hearing

g. Discussion of hearing subject among governing board members. Questions may also be directed to staff during this period – focus should be matters in the record. Any procedural rules requiring a motion prior to discussion are hereby suspended for purposes of such discussion. Decision makers may table the matter until later in the meeting or to a later meeting for deliberations.

h. The recommendation or decision arrived at should state why the result was reached. A reasoned statement that explains the criteria and standards considered relevant, states the relevant facts relied upon, and explains the rationale for the decision based on applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record, should be part of the motion to approve or deny or should be developed with staff/consultant assistance for action at a subsequent meeting.

Section 5. Standards for Written Submittals in Quasi-Judicial Hearings:

Written testimony and exhibits from the public to be presented for the record shall comply with the following standards:

a. Written submittals other than petitions or illustrations must be submitted at least seven (7) calendar days prior to the date of the public hearing.

b. Written submittals shall include the name, signature or e-mail address, and physical address of the submitter.

c. Written submittals shall address the issue at hand. Portions of written submittals that raise irrelevant issues or include improper information may be excluded from consideration in whole or in part.

d. Written testimony shall not be personally derogatory.

e. As a general rule documentary evidence shall only be admitted to the record in accordance with the terms of this resolution and consistent with the notice given in any particular case. Documents may be submitted at the public hearing only with the approval of the presiding officer upon a showing of necessity or an absence of harm to other interests and only if their introduction will not inject unfair surprise into or unduly delay the hearing. Petitions with gathered signatures may be submitted at a hearing. The presiding officer may require duplication of any accepted documents or may grant continuation of any hearing if necessary to provide an opportunity for response from hearing participants. Documents submitted after the closing date for written comment may be accepted for inclusion in subsequent proceedings if any are to be conducted.

f. If documentation submitted at a hearing fails to comply with the aforementioned standards, the presiding officer may decline to admit them for consideration during the hearing, but may accept them for subsequent proceedings as herein authorized.

Section 5. Documentary Exhibits:

All exhibits, photographs, diagrams, maps, evidence and other documentary material presented during a public hearing shall be identified and entered into the record. Exhibits from an applicant must be submitted with the application and shall be marked for identification prior to the hearing. Enlarged copies of submitted exhibits may be used for purposes of illustration during a hearing without need to be included in the retained record. Original exhibits may be released to the presenting party if requested in writing, and if photocopies or photos of the originals are provided to be maintained in the record.

Section 6. Records Maintained:

The Clerk shall maintain records of all public meetings in the following manner:

a. Transcribable verbatim recordings of the public hearing and deliberation proceedings shall be maintained in conformance with Idaho Code.

b. Originals of written submittals to the hearing record and copies of applications shall be maintained in conformance with Idaho Code.

c. Minutes which catalog the occurrences at the public hearing and subsequent deliberations shall be maintained as required by applicable sections of the Idaho Code.

Section 7. Effective Date.

This resolution shall be in full force and effect from the date of its adoption.

Adopted by the governing board of ***the City of New Meadows*** this 14th day of January 2014.

/s/ Julie Spelman
Julie Spelman, Mayor

ATTEST:

/s/ Jacob Qualls
Jacob Qualls, City Clerk / Treasurer