

## **Chapter 17.58 – Performance Standards**

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### **17.58.010 General.**

The purpose of these Performance Standards is to set specific conditions for various uses, and classification of uses in areas where problems are frequently encountered.

### **17.58.020 Supplemental General Provisions.**

In addition to all other regulations specified in this Ordinance, the following provisions shall be adhered to.

### **17.58.030 Temporary Buildings.**

Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work may only be permitted in any zone during the period construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a Conditional Use Permit authorized by the City.

**17.58.040 Parking and Storage of Certain Vehicles.**

Not more than two (2) inoperable and unregistered vehicles of any kind or type, excluding farm implements, shall be parked or stored on any agricultural or residential property other than in a completely enclosed building or carport, behind a sight obscuring enclosure or fence or a legally licensed junk yard.

**17.58.050 Provisions for Commercial and Industrial Use.**

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this ordinance may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements within this Ordinance.

1. Fire Hazards - Any activity involving the use or storage of flammable or explosive materials, including hazardous materials shall be protected by adequate fire fighting and fire protection equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved as specified in the Uniform Fire Code and the National Safety Foundation publications.
2. Radioactivity or Electrical Disturbance - No activity shall emit harmful radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.
3. Noise - Objectionable noise as determined by the City which is due to volume, frequency, or beat shall be muffled or otherwise controlled. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement, as are noises attendant to ordinary agricultural operations.
4. Vibration - No vibration shall be permitted which is discernable without instruments on any adjoining lot or property.
5. Air Pollution - Air pollution shall be subject to the requirements and regulations established by the Central District Health Authority, or the State of Idaho, District 7 Health.
6. Glare - No direct or reflected glare shall be permitted which is visible from any property outside an industrial-commercial zone or from any street.
7. Erosion - No erosion, caused by human instrumentalities, shall be permitted which will carry objectionable substances onto neighboring properties.
8. Enforcement Provisions - The City, prior to the issuance of a Building Permit, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.
9. Measurements Procedures - Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures by the Health Authority.

**17.58.060 Provisions for Unique Land Uses.**

Certain unique land uses pose special problems that may have detrimental influences on surrounding land uses. The following performance standards for such unique land use shall be adhered to in addition to all other provisions of this ordinance.

**17.58.070 Accessory Buildings.**

1. Will not be located in any required front yard area.
2. Will not be located closer than five (5) feet from any side or rear property line.
3. A building permit will be required for any accessory building over 120 square feet in size.

**17.58.080 Animal Clinics.**

Will be located at least three hundred (300) feet from any residence including motels and hotels, except for an owner's residence. The City may modify these requirements if the animals are housed in sound-proof structures that screen them from view of the abutting residential property.

**17.58.090 Meat Packing.**

1. Will be located not less than one thousand (1000) feet from any residence, except for an owner's residence.
2. Will be designed and located with full consideration to their proximity to adjacent uses, their effect upon adjacent and surrounding properties, and to the reduction of such nuisance factors as odor and noise.
3. Will be adequately maintained with housekeeping practices to prevent the creation of a nuisance, and shall also be subject to the Health Authority requirements as to the elimination of waste materials and the maintenance of water quality control.

**17.58.100 Bulk Storage.**

Bulk storage of flammable liquids, gases, or corrosive materials above ground and for resale:

1. Will be located at least three hundred (300) feet from a residence, motel, or hotel, except for an owner's residence.
2. Will be erected with the written approval of the Fire Authority having jurisdiction.
3. Will have suitable loading and unloading spaces and off-street parking facilities meeting the approval of the Fire Authority.

**17.58.110 Chemicals, Pesticides and Fertilizer Storage.**

Will have adequate fire protection, storage area, handling and disposal as approved in writing by the Fire Authority having jurisdiction.

**17.58.120 Contractor’s Yard.**

1. Will be located a minimum distance of three hundred (300) feet from any residence except for an owner's residence.
2. Will have a vision-screening fence around areas utilized for storage equipment and demolition material.

**15.58.130 Drive-In Restaurant.**

1. Will be enclosed within the property lines with landscaping and fencing, except for ingress and egress, to prevent trash from moving onto other properties.
2. Will have a six (6) foot high sight-obscuring fence along the property lines that adjoin a residence.
3. Will provide for adequate trash receptacles; and
4. Will avoid the direction of night lighting off the property lines.

**17.58.140 Filling, Grading, Lagooning, Dredging.**

1. Will take place in such a manner as to result in the smallest amount of bare ground exposed for the shortest time feasible.
2. Will provide temporary ground cover, such as mulch.
3. Will use diversions, silting basins, terraces and other methods to trap sediment.
4. Will provide lagooning in such a manner as to avoid creation of fish trap conditions.
5. Will not result in damage to a floodway, channel or natural drainage way.
6. Will construct and stabilize sides and bottom of cuts, fills, channels and artificial water courses to prevent erosion or soil failure.
7. Will not have below grade excavation except for drainage ways within fifty (50) feet of any lot line or public right-of-way.
8. Will restore topsoil or loam to a depth of not less than four (4) inches.

**17.58.150 Gravel Pits, Rock Quarries.**

1. A valid permit and license to develop shall be obtained from the proper state and federal agencies and a copy of an approved Reclamation Plan shall be filed with the City and all other appropriate agencies.
2. The extent and method of rehabilitation shall be determined in advance of issuing a conditional use permit with due consideration given to what is suitable and compatible with the surrounding area.

3. Upon depletion of the area, all temporary buildings and structures except property line fences and structures for the loading, measuring or weighing of saleable material in storage, shall be entirely removed from the property.
4. Safety fencing shall be erected around all pits that create a safety hazard.

**17.58.160 Home Occupations.**

1. No more than one (1) person other than members of the family residing on the premises shall be engaged in such occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than fifty percent (50%) of the floor area of the dwelling unit shall be used in the conducting of the home occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding twelve (12) square feet in area, indirectly illuminated and mounted flat against the wall of the principal building.
4. No significant traffic shall be generated by such home occupation and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this ordinance, and shall not be located in a required front yard.
5. No equipment or process shall be used in such home occupation which create noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

**17.58.170 Outdoor Storage of Commercial and Industrial Materials.**

1. Will be screened from view from any existing adjoining residence or residentially zoned area, whether or not such property is separated by an alleyway or street.
2. Will not be located in any front yard setback area.

**17.58.180 Riding Stables.**

1. Will locate all stables or loafing sheds not nearer than three hundred (300) feet from any residence, except for owner's residence. All facilities shall be set back a distance of thirty (30) feet from any property line.
2. Will be designed and located with full consideration being given to their proximity to adjacent uses and their effect upon adjacent and surrounding properties as to the storage of horse trailers and the factors of noise and odor.
3. Will require that the owner or operator of such use shall have a continuous obligation to maintain adequate housekeeping practices to prevent the creation of a nuisance.

4. Will conform to CAFO animal density restrictions contained herein in Sections 17.20 and 17.22.

**17.58.190 Outdoor Rifle and Pistol Range.**

1. Will be designed with a backstop.
2. Will be designed to avoid a line of fire that is directed towards any residence or business within one (1) mile.
3. Will incorporate landscaping that is compatible with the surrounding landscaping.
4. Will provide supervision and security measures during all periods of use.

**17.58.200 Wrecking Yard and Junk Yard.**

1. A sight obscuring enclosure meeting the terms of this ordinance shall be constructed parallel to and ten (10) feet back of the right-of-way line of any public street or highway for any auto wrecking yard and salvage yard. Said fence shall be constructed along the entire premises devoted to such auto wrecking or salvage yard, and shall be constructed within one (1) year from the effective date of this ordinance.
2. Materials used and details of construction must be approved by the Planning Commission. The decision of the Planning Commission shall be guided by the need to preserve and protect the scenic and aesthetic values of the surrounding area, and to protect property value.
3. Will not store automobile, junk or salvage material that is visible from any other property.
4. Will not store automobiles or junk in a manner that exceeds the height of fence.
5. Will have such landscaping that is appropriate with the surrounding area.
6. Will have a current, valid license from the City to operate a junkyard.

**17.58.210 Landfills, Incinerators, Compost and Solid Waste Disposal.**

The Planning Commission may grant a special use permit for the construction of a landfill, recycling center, incinerator, commercial composting operation, liquid waste land farm, or any other type of solid waste disposal or recycling operation subject to the following conditions:

1. No such permit shall be granted in the AT & RI zones.
2. Such operations shall obtain a permit from the City Council.
3. Such operations shall be required to establish to the Council's satisfaction that they intend to and are financially capable of complying with all State, Federal, and local laws, ordinances, and regulations governing the conduct of such operations.
4. Such operations shall be required to plan for, install and maintain such safeguards and measures as the Council shall require to insure that ground water quality and air quality, are preserved and environmental hazards and nuisance and unsightly areas are not created by the operation.

5. Such operations that involve the landfilling of solid waste shall be required to install a composite liner system and a lechate collection system.

#### **17.58.220 Manufactured Home Placement Standards.**

- A. Manufactured homes meeting definition requirements of Chapter 17.12 of this ordinance may be sited on lots within the City limits. Manufactured home does not include recreational vehicles.
- B. Mobile Home Placement- No mobile home may be placed on a single-family lot within the limits of the City after the effective date of this ordinance unless it meets the rehabilitation standard as specified in Title 44 of the Idaho Code and also meets the siting standards of a manufactured home as stated in Chapter 17.12. Mobile homes do not include recreational vehicles.

#### **17.58.230 Recreational Vehicle Park Standards.**

—————~~New wording to be provided~~—————

##### **~~1) Definitions.~~**

- ~~A. "Dependent trailer coach or recreational vehicle" means one that does not have a water closet and a bathtub or shower.~~
- ~~B. "Independent trailer coach or recreational vehicle" means one that has a water closet and a bathtub or shower.~~
- ~~C. "Local administrative authorities" means the individual official(s), board, department, or agency established and authorized by a state, county, city, or other political subdivision created by law to administer and enforce the provisions of the local codes and ordinances as adopted or amended.~~
- ~~D. "Service building" means a building housing communal toilet, laundry and other sanitary facilities necessary for the health and convenience of the trailer occupants.~~
- ~~E. "Recreational vehicle space" means a plot of ground within a trailer park designated for the accommodation of one trailer coach.~~
- ~~F. "Recreational vehicle park" means any plot of ground upon which two or more occupied recreational vehicles are located. (Prior code §4-4-25(A))~~

##### **~~2) Site selection criteria.~~**

- ~~A. Location. The site must not be:
  - ~~1. Close to swamps or other potential breeding places for insects or rodents;~~
  - ~~2. Subject to flooding, fire or safety hazards;~~
  - ~~3. Exposed to chronic nuisances, such as noise, smoke, fumes, and odors.~~~~

~~The site should be bounded on at least one side by a public street or highway.~~

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- ~~B. Topography. The topography must be favorable to good site drainage, minimum grading, trailer placement, and ease of maintenance. Initial site grades exceeding eight percent, or rock formations close to the surface, are likely to cause high development costs. Sparsely wooded sites providing shade trees are often advantageous.~~
  - ~~C. Availability of Utilities. The site must be readily accessible to public utilities, including water, sewerage, and electricity.~~
  - ~~D. Necessary Land Area. The area of the trailer park must be sufficient in size to accommodate:
    - ~~1. The number of recreational vehicle spaces~~
    - ~~2. Roads and parking areas~~
    - ~~3. Service areas, buildings and recreational areas~~
    - ~~4. On site utilities where public utilities are not available. (Prior code §4-4-25(B))~~
    - ~~5. Adequate ingress/egress so as to avoid congestion on the street or roadway serving the trailer park~~~~
- ~~3) **Site improvements required.** The physical improvements of the site must be arranged to provide:~~
- ~~A. A convenient means of pedestrian and vehicular access to each trailer coach space, parking areas, and accessory buildings;~~
  - ~~B. An adequate supply of potable water; water connections must have a minimum of 32 psi of pressure and a maximum of 45 psi of pressure.~~
  - ~~C. A safe method of sewage disposal;~~
  - ~~D. Electrical service for lighting and power; 20% of all sites must be equipped with 50 ampere service; and~~
  - ~~E. Diversion of surface water away from buildings, recreational vehicle spaces, service and recreational areas, and its disposal from the site. (Prior code §4-4-25(0))~~
- ~~4) **Site planning Requirements generally.** A plan of the proposed recreational vehicle park must be developed for approval of the Commission, indicating the layout of recreational vehicle spaces, roads, walks, service buildings, service areas, utilities, and necessary grading.~~
- ~~Determination must be made in the initial planning stage on the number of dependent and independent recreational vehicles to be accommodated. (Prior code §4-4-25(D) (part)).~~
- ~~5) **Site planning – Recreational vehicle space sizes.** Each recreational vehicle space must be not less than one thousand five hundred square feet in area and should be at least thirty feet wide. (Prior code §4-4-25 (D) (1))~~
- ~~6) **Site planning – Spacing between recreational vehicles and buildings.** The minimum spacing between recreational vehicles and between recreational vehicles and buildings must be: Side-to-side spacing, twenty feet; end-to-end spacing, fifteen feet. (Space between end of trailer~~



bodies, not chassis.) At least 20% of the available sites must accommodate an overall vehicle length of seventy feet.

No recreational vehicle should be located closer than twenty five feet from the right of way line of a main highway, or ten feet from the recreational vehicle park property line. (Prior code §4 4 25 (D) (2))

~~7) **Site planning Roads, walks and parking areas.**~~

~~A. **General Circulation.** Safety and convenience must be a major consideration in the layout of roads, walks, and parking areas within the recreational vehicle park. All roads must be continuous.~~

~~B. **Servicing.** Suitable vehicular access for fire fighting equipment, delivery of fuel, removal of garbage and refuse, and for other necessary services must be provided. Minimum service distances as required by local regulations or accepted practice must control.~~

~~C. **Width of roads and parking areas shall be as follows:**~~

~~Main access roads, excluding parking~~

~~Two lane — 24 feet~~

~~One lane — 12 feet~~

~~D. **Parking Area.** There must be one motor vehicle parking space for every five dependent recreational vehicle spaces. These must be provided in special parking areas.~~

~~8) **Site planning Service building requirements.** Each recreational vehicle park must be provided with one or more service buildings containing the requisite number of plumbing fixtures and other service equipment. The service buildings must conform in general to the following requirements:~~

~~A. **Location.** The building should be located not more than two hundred feet from any dependent recreational vehicle space.~~

~~B. **Construction.** The materials and methods used in the construction of service buildings must conform to local building codes for buildings of this nature. It must have an interior finish that is moisture resistant and can be easily cleaned. All rooms of service buildings must be ventilated and all exterior openings provided with screens.~~

~~C. **Facilities.** Separate men's and women's toilet rooms must be provided and distinctly marked. These rooms must be separated by a sound resistant wall or an unoccupied utility space. A vestibule or screen wall must be provided to prevent direct view into the toilet rooms when exterior doors are open.~~

~~1. **Plumbing Fixtures.** Every recreational vehicle park must provide adequate toilet and laundry facilities. In no instance should there be less than one laundry unit (laundry tray or washing machine), one water closet, one lavatory and one shower for women; and one water closet, one lavatory and one shower for men.~~

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- ~~2. The facilities listed above will accommodate any number of independent recreational vehicles, and up to ten dependent recreational vehicles. One water closet must be provided for each sex for every ten additional dependent recreational vehicles. Urinals for men may be substituted for one third of these water closets.~~
- ~~3. One lavatory must be provided for each sex for every ten additional dependent coaches, and one shower or bathtub for each sex for every ten dependent coaches. A laundry unit must be provided for every twenty additional recreational vehicle spaces.~~
- ~~4. All water closets and bathtubs or showers for women, and all water closets and bathtubs for men must be located in separate compartments, with self-closing doors. Individual shower stalls must be approximately three feet by three feet. Showers must have a dressing compartment with stool or bench. The room containing the laundry units must be separated from the toilet rooms, and have an exterior entrance only.~~
- ~~5. All plumbing installations shall conform to local plumbing code.~~
- ~~6. Electrical. All electrical installations shall conform to the national and state electrical code.~~
- ~~7. Heating. Heating facilities capable of maintaining a temperature of seventy degrees Fahrenheit in cold weather should be provided.~~
- ~~8. Hot Water. Facilities should provide for the continuous supply of three to five gallons of hot water per recreational vehicle space. Hot water at a temperature of about one hundred forty degrees Fahrenheit should be provided for clothes washing equipment. (Prior code §4 4 25(D) (4)).~~
- ~~9) **Site planning Laundry drying facilities.** Mechanical laundry drying equipment or laundry drying yards must be provided. Laundry drying machines must be located in service buildings. Where laundry drying yards are used, they must be located convenient to service buildings, have an area of approximately fifty square feet per recreational vehicle space, and must be adequately screened. (Prior code §4 4 25(D) (5))~~
- ~~10) **Site planning Refuse collection.** Refuse must be stored in fly tight and rodent proof containers. Each coach space will require from four to six gallons of refuse storage capacity per day. Refuse container stations, where used, should be located a maximum of two hundred feet from any trailer coach space and preferably not more than one hundred fifty feet. (Prior code §4 4 25(D) (6)).~~
- ~~11) **Site planning Recreational areas.** At least one hundred square feet per recreational vehicle space must be made available in one or more areas for recreational uses. These areas should be located so as to be free of traffic hazards. (Prior code §4 4 25(D) (7))~~
- ~~12) **Site engineering Requirements generally.** Grading and drainage must be performed so that water will drain away from recreational vehicle spaces, buildings, service and recreational areas, and off the site in a manner which will provide reasonable freedom from erosion. Walks,~~

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~~driveways and retaining walls must be so constructed as not to interfere with drainage. (Prior code §4-4-25 CE) (part)).~~

**13) ~~Site engineering Slope and grading requirements.~~** Requirements for slopes of recreational vehicle spaces, roads, walks and service areas are as follows:

- ~~A. Recreational vehicle spaces must be graded toward abutting roadway to prevent surface water draining across adjacent coach spaces. Grading under recreational vehicles must be provided to prevent puddling of water.~~
- ~~B. Where swales for the carriage of storm water are needed between the recreational vehicle space and the roadway, they must be of a shallow type, generally not to exceed eight inches in depth, to permit the parking of the trailer without damage to the underearriage.~~
- ~~C. The following minimum and maximum slope values will usually give satisfactory results:~~

|   | Minimum percent | Maximum percent |
|---|-----------------|-----------------|
| <del>Roads</del>                                    | <del>0.50</del> |                 |
| <del>Walks</del>                                    | <del>0.50</del> | <del>10</del>   |
| <del>Recreation area and laundry drying yards</del> | <del>0.50</del> |                 |
| <del>Sodded and planted areas</del>                 | <del>1.00</del> | <del>107</del>  |
| <del>Grade of coach space</del>                     | <del>0.50</del> |                 |

~~(Prior code §4-4-25(E) (1))~~

**14) ~~Site engineering Construction requirements.~~** Requirements for construction of roads, parking areas, walks and service areas are as follows:

- ~~A. Roads and Parking Areas. Roads must be constructed of concrete or macadam or of gravel, crushed stone, sand clay, slag or other locally available suitable materials, with a light bituminous surface treatment, oil coating or other dust preventive material. Roads must be crowned at center to shed water to drainage facilities.~~
- ~~B. Walks. Walks must be constructed of concrete, macadam, gravel, fine stone, cinders or other materials providing a stable footing. Stepping stones may be used from main walks to recreational vehicles.~~
- ~~C. Recreation Areas and Laundry Drying Yards. Surfacing may be natural ground cover, sand clay or other suitable local materials. (Prior code §4-4-25 (E) (2))~~