

SUMMARY OF ORDINANCE NO. 2017-02

AN ORDINANCE OF CARIBOU COUNTY, IDAHO, ADOPTING THE CITY OF SODA SPRINGS ("CITY") COMPREHENSIVE PLAN, ZONING ORDINANCE, AND SUBDIVISION ORDINANCE FOR THE AREA OF CITY IMPACT; PROVIDING FOR ENFORCEMENT OF SAID PLAN AND ORDINANCES BY CARIBOU COUNTY; APPLYING CITY ZONING USE CLASSIFICATIONS AND SET-BACKS TO THE CITY IMPACT AREA; ESTABLISHING THAT SETBACKS FOR FRONT YARDS SHALL BE FROM THE RIGHT-OF-WAY LINE; REQUIRING SUBDIVISIONS TO HAVE A FRONTAGE ROAD FOR ACCESS TO COUNTY ROADS; LIMITING APPROACHES FROM PRIVATE OR GOVERNMENT OWNED GROUND ONTO COUNTY ROADS TO ONE EVERY ONE-QUARTER MILE; PROVIDING FOR ADDRESSING OF PROPERTIES IN THE IMPACT AREA BY THE COUNTY; PROHIBITING CUL-DE-SACS IN THE IMPACT AREA; ADOPTING THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, AND THE INTERNATIONAL ENERGY CONSERVATION CODE FOR THE AREA OF CITY IMPACT; PROVIDING FOR SUCCESSIVE VERSIONS OF SAID CODES; AND EXEMPTING AGRICULTURAL BUILDINGS FROM SAID CODES EXCEPT AS TO PLACEMENT; PROVIDING FOR BUILDING AND ZONING INSPECTIONS TO BE CONDUCTED BY THE COUNTY; PROVIDING FOR THE ISSUANCE OF PERMITS WITHIN THE AREA TO BE BY THE COUNTY; ESTABLISHING THAT ALL PLANS FOR BUILDING CONSTRUCTION AND PROPERTY DEVELOPMENT SHALL FIRST BE RECEIVED, REVIEWED AND APPROVED BY THE CITY BUILDING INSPECTOR; REQUIRING THE COUNTY TO CONTACT THE CITY CLERK PRIOR TO ACTION ON ANY APPLICATION, PERMIT OR ACTION WITHIN THE CITY IMPACT AREA AND PERMITTING A DESIGNATED REPRESENTATIVE OF THE CITY TO ATTEND AND COMMENT AT ANY MEETING WHERE THE SAME IS BEING DISCUSSED; ESTABLISHING A PENALTY FOR VIOLATION OF THIS ORDINANCE; WAIVING THE RULE REQUIRING THAT THIS ORDINANCE BE READ ON THREE SEPARATE OCCASIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

A summary of the principal provisions of Ordinance No. 2017-02, of the City of Soda Springs, Idaho, adopted on October 24, 2016.

Section 1. Adopting the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance of the City of Soda Springs, Idaho as codified in the Soda Springs Municipal Code for the Area of City Impact within the unincorporated areas of Caribou County, Idaho, as created and adopted by Ordinance No. 660, Ordinances of the City of Soda Springs, Idaho, and by Caribou County, Idaho, and attaching copies of the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance as Exhibits "A", "B", and "C" respectively, which ordinances, as codified by the City of Soda Springs, Idaho, are summarized within this Summary.

Section 2. Setting forth that the ordinances set forth in Section 1 shall be enforced by Caribou County, Idaho, within the Area of City Impact.

Section 3. Adopting the City zoning use classifications shown on the map attached as Exhibit "D" for the Area of City Impact. Prescribing that setback requirements shall be those as set forth by the City in said ordinances

Section 4. Requiring subdivisions within the Area of City Impact to have frontage roads in accordance with County standards, limiting approaches onto County roads, prohibiting cul-de-sacs, and requiring addressing to be in conformance with County standards.

Section 5. Adopting the International Building Code, International Residential Code and International Energy Conservation Code for the Area of City Impact to be enforced by the County, providing for succeeding editions thereof, exempting agricultural structures except as to placement requirements, and providing that copies of said codes shall be available for inspection with the City Clerk and with the Caribou County Building Department.

Section 6. Providing for building and zoning inspections by the County and the City and that construction, land use and property development permits shall be issued by the County.

Section 7. Requiring that all applications for building construction and property development shall be forwarded to the City Building Inspector and the City Clerk for review and comment by the Inspector and the City, allowing the City thirty (30) days to review and make comments, objections, or recommendations, requiring notification to the City of any meeting of the County Building Inspector, County Planning and Zoning Commission, or Board of County Commissioners and allowing attendance by the City representative where building, property development, or other action is being considered by the County and to allow said representative to make comments or objections.

Section 8. Providing that violation of this ordinance shall constitute a misdemeanor punishable by a fine not to exceed \$1000.00 and/or confinement in the County jail not to exceed one year.

Section 9. Waiving the rule that the ordinance be read on three separate occasions.

Section 10. Repealing all ordinances or parts of ordinances in conflict with this ordinance.

Section 11. Establishing an effective date of the ordinance.

EXHIBIT "A" SUMMARY OF COMPREHENSIVE PLAN OF SODA SPRINGS, IDAHO

Introduction: Providing for the purpose of the Comprehensive Plan the components thereof, amendment of the Plan, Plan organization, the authorization for the Plan, setting forth the authorization for the Plan, and that said plan shall be to promote the health safety, and general welfare of the people and the objectives of the Plan

Chapter 1. Population: Providing for the mission statement to describe the needs of the population, discussion of population history, demographics, and goals, objectives and policies.

Chapter 2. Land Use: Providing for the mission statement to enhance quality of life and to create land use patterns that are orderly and which have minimal effect on the environment. Providing a description of the pattern of development within the City and for growth and discussing the land use zones developed by the City as well as setting forth the objectives and policies for the City and setting forth the Impact Area Map for the City.

Chapter 3. Economic Development: Providing for the mission statement to maintain and improve economic development of the City and to promote the standard of living for the residents, discussing

the economic development within the City, describing the population, businesses, media access and types of businesses within the City, employment and employers within the County and the City, the household income, transportation, and goals, objectives and policies to improve economic development within the City and outlying areas.

Chapter 4. Public services, Facilities and Utilities: Providing for a mission statement, discussion, goals, objectives and policies for public services, facilities and utilities.

Chapter 5. Area Resources: Providing for a mission statement, discussion of transportation, highways, railroad, natural gas, communications, industry, agricultural resources, community resources, workforce, cost of living, city industrial park, city airport, area natural resources, scenic by- ways, trees, and local attractions.

Chapter 6. Housing: Providing a mission statement for the housing needs of the community and to promote growth and discussing the general policies to promote development, establish lending programs, work with state and other agencies to develop housing, work with County for subdivisions in the impact area, and to promote and protect residential property values, and discusses goals, objectives and policies for housing.

Chapter 7. Transportation: Providing for a mission statement to provide for the safe and efficient movement of people and goods throughout the region, discusses the 2006 Soda Springs Transportation Study, and provides for goals, objectives, and policies to improve sidewalks, parking, and funding.

Chapter 8. Community Design: Providing for the mission statement, discussion and goals, objectives and policies for the design and layout of the community, preserving historical and scenic sites, preserving the rural nature of the community, and discussing the parks, paths, and goals for business beautification for the community.

Chapter 9. Schools, Facilities and Transportation: Discussing School District # 150 and its schools, enrollment, and transportation of students to schools and providing for goals, objectives and policies in that regard.

Chapter 10. Recreation: To provide and encourage parks, open spaces, walking trails and recreational facilities and activities for the community and surrounding areas, discussion of parks and recreational offerings within the city and discussing the goals, objectives and policies in regard to recreation.

Chapter 11. Hazardous Locations: Identification of hazardous areas or other sites which may be of greater concern to the city and its residents such as petroleum facilities, wastewater facilities, commercial fertilizer facilities and other areas which may be of greater concern to the residents.

Chapter 12. Special Areas and Sites: Identifying and preserving special areas and sites throughout the area to include springs, parks, pathways, cemeteries and grave sites and Oregon Trail ruts.

Chapter 13. Implementation: Discussing the implementation of goals, objectives and policies of the Comprehensive Plan to promote economic stability, manage and regulate development, conserve natural resources protect the environment and promote public health, safety and the welfare of the community, and to maintain the Comprehensive Plan and incorporate its goals, objectives, and policies into the establishment of zoning and other ordinances

Chapter 14. Private Property: Recognizing the necessity to protect and maintain private property rights, and discussion of the evaluation of ordinance proposals, development reviews and regulations as the same pertain to such rights and how they may affect such rights.

Exhibit "B". SUMMARY OF ZONING ORDINANCE OF SODA SPRINGS, IDAHO AS COPIED IN TITLE 17, SODA SPRINGS MUNICIPAL CODE.

Chapter 17.04. General Provisions: Providing for general provisions of the Zoning Ordinance to include the intent of its creation; its interpretation in case of conflict with other laws; the method by which district boundaries would be interpreted; defining "lots of record"; providing for exceptions to yard and setback requirements and the allowance of some projections into required yard areas and the building of fences, walls, and hedges; defining "nonconforming uses" and the extent which such uses may be enlarged or extended, the destruction of the same and discontinuance of use of such uses; providing for off-street parking and loading requirements as it applies to structures and uses of property under the ordinance and setting forth the number of parking spaces required for various uses; and describing the allowance or disallowance of mobile homes on properties in the city.

Chapter 17.08. Definitions: Providing for and listing definitions of terms used and contained within the ordinance.

Chapter 17.12. Use Districts: Establishing use districts within the City and City Impact Area to include R-1 Single Family Residential; R-2 Combined Residential; R-3 Multiple Family Residential; C-1 Neighborhood Commercial; C-2 Community Commercial; C-3 Service Commercial; M-1 Light Industrial; M-2 Heavy Industrial; A-1 Agricultural; A-2 Agricultural; and FP Floodplain Overlay; providing that boundary lines of use districts shall be governed by the zoning map; that all uses of land and building of structures must conform to the regulations of the use district where located; requiring that no residence or commercial structure shall be erected or placed on property without a minimum frontage, has been legally subdivided, and requiring certain minimum access requirements.

Chapter 17.16. Zoning Map and Comprehensive Plan: Providing for a zoning map establishing use district boundaries; allowing for amendment of the same, and area classification in accordance with established use districts.

Chapter 17.20. R-1 Single-Family Residential Zone: Setting forth the purpose of the R-1 Single-family Residential Zone; the permitted and conditional uses allowed within said zone; height regulation, setback requirements, area requirements, accessory uses and off-street parking requirements for said zone.

Chapter 17.24. R-2 Combined Residential Zone: Describing the purpose of the R-2 Combined Residential Zone; the permitted and conditional uses allowed within said zone; and the height regulations, setback requirements, area requirements, accessory uses, and off-street parking requirements for said zone.

Chapter 17.28. R-3 Multiple-Family Residential Zone: Setting forth the purpose of the R-3 Multiple-Family Residential Zone; the permitted and conditional uses allowed within said zone; height

regulations, setback requirements, area requirements, accessory uses, and off-street parking requirements within said zone.

Chapter 17.32. C-1 Neighborhood Commercial Zone: Setting forth the purpose of the C-1 Commercial Zone; the permitted and conditional uses allowed within said zone; and the height regulations, setback requirements, area requirements, accessory uses and off-street parking requirements within said zone.

Chapter 17.36. C-2 Community Commercial Zone: Setting forth the purpose of the C-2 Community Commercial Zone; the permitted and conditional uses allowed within said zone; and the height regulations, setback requirements, area requirements accessory uses and off-street parking requirements within said zone.

Chapter 17.40. C-3 Service Commercial Zone: Setting forth the purpose of the C-3 Service Commercial Zone; the permitted and conditional uses allowed within said zone; and the height regulations, setback requirements, area requirements, accessory uses and off-street parking requirements within said zone.

Chapter 17.44. M-1 Light Industrial Zone: Setting forth the purpose of the M-1 Light Industrial Zone; the permitted and conditional uses allowed within said zone; and the height regulations, setback requirements, area requirements, accessory uses and off-street parking requirements within said zone.

Chapter 17.48. M-2 Heavy Industrial Zone: Setting forth the purpose of the M-2 Heavy Industrial Zone; the permitted and conditional uses allowed within said zone; and the height regulations, setback requirements, area requirements, accessory uses and off-street parking requirements within said zone.

Chapter 17.52. A-1 Agricultural Zone: Setting forth the purpose of the A-1 Agricultural Zone; the permitted and conditional uses within said zone; and the height regulations, setback requirements, area requirements, accessory uses and off-street parking requirements within said zone.

Chapter 17.56. A-2 Agricultural Zone: Setting forth the purpose of the A-2 Agricultural Zone; the permitted and conditional uses allowed within said zone; and the height regulations, setback requirements, area requirements and off-street parking requirements within said zone.

Chapter 17.60. Floodplain Overlay Zone: Setting forth the purpose of the Floodplain Overlay Zone; where said zone shall be applicable; adopting the Federal Flood Insurance Rate Map; requiring a building permit within said zone; defining building permit; appointing the city administrator as the administrator of said zone; describing the duties of the administrator; describing the general standards applicable to said zone for anchoring, construction, utilities and subdivisions; setting forth specific standards for residential and nonresidential construction, placement of mobile homes location of floodways and floodplain compliance disclaimer.

Chapter 17.61. Wind Turbines: Setting forth the purpose of the chapter on Wind Turbines; and listing the minimum conditions and restrictions for roof-mounted and pole-mounted wind turbines

Chapter 17.62. Planned Unit Development: Providing a chapter known as the "Planned Unit Development Ordinance of the City of Soda Springs"; describing the purpose therefor; defining the term "planned unit development" "PUD" and its relationship to other land use controls; minimum area required for a PUD; the uses allowed for a PUD; the requirements for ground coverage, setbacks, height,

and density; the ownership required for PUD application and approval; setting forth the standards for common open space in residential PUD's, maintenance of the common areas, standards for streets and utilities; requiring the PUD to be essentially independent and contained, to have restrictive covenants, community facilities; requiring a preliminary plat for a PUD and the standards for said plat, engineering approval, and the amount of initial filing fee; requiring an application to be submitted to the Planning & Zoning Commission and the documents to be submitted with the application, hearing before the Planning & Zoning Commission, and city council action; discussing the requirements for a final plat and the standards applicable thereto, bonding requirements, requiring the issuance of building permits and plot plans, the reasons and methods for revocation of approval of a PUD by the city, and providing for phased development of a PUD and the standards for a phased development.

Chapter 17.63. Signs: Setting forth that said chapter shall govern the construction of signs within the Commercial, Industrial, and Agricultural zones of the city and within the Area of City Impact; the content limitations for said signs; the construction, height, size and locations of signs, and addressing political signs, and providing for penalties for violation of the provisions of said Chapter governing signs.

Chapter 17.64. Amendments: Providing for the procedures for amendment of the Zoning Ordinance of the City, the initiation of such proceedings, the contents of the application to amend the ordinance or zoning map; required filing fees; describing the procedure for zoning district and zoning text amendments; requiring a public hearing before the Planning and Zoning Commission; the procedure required for a text amendment and the required recommendations by the Planning and Zoning Commission; action by the Council after recommendations of the Commission and the procedures for doing so.

Chapter 17.68. Conditional Use Permits: Describing the procedures for seeking a conditional use permit; the requirement for filing an application and the required contents of the application; setting forth the standards applicable to conditional uses and the items which must be considered prior to any approval or disapproval; allowing the Commission to prescribe appropriate conditions to a permit; requiring a public hearing by the Commission on any proposed conditional use permit; describing the standards and time periods governing action by the Planning and Zoning Commission; and setting forth the standards for Council approval or disapproval of a permit and required notification to the applicant.

Chapter 17.72. Variances: Setting forth the procedure and conditions for granting a variance to the requirements of the Zoning Ordinance; describing the contents and requirements for an application for variance; the filing fee required; the requirement for a public hearing before the Planning and Zoning Commission; and the procedures for Commission and Council action on an application for variance.

Chapter 17.76. Filing Fees: Setting forth the filing fees for amendment, reclassification, conditional use and variances.

Chapter 17.80. Enforcement: Providing that the City may be appointed for enforcement of the provisions of the Zoning Ordinance and Title 17, and prescribing that a person violating the ordinance or Title shall be guilty of a misdemeanor and punished in accordance with said Chapter.

EXHIBIT "C" SUMMARY OF SUBDIVISION ORDINANCE OF SODA SPRINGS, IDAHO, AS CODIFIED IN TITLE 16, SODA SPRINGS MUNICIPAL CODE.

Chapter 16.04. General Provisions: Providing for a short title; the purpose of the ordinance to protect public health safety and welfare by establishing regulations for the subdivision of land into two or more plots; declaring the applicability of the ordinance to the subdivision of land, resubdivision of land, dedication of streets or alleys, and development of condominium projects; and providing for exceptions to the subdivision requirements.

Chapter 16.08. Definitions: Providing for definitions of terms used in the ordinance.

Chapter 16.12. Procedure: Requiring a pre-application be filed prior to application for a preliminary plat for a subdivision; requiring the city to review the pre-application; requiring the applicant to file a preliminary plat following approval of a pre-application, describing the form of presentation required, the identification and descriptive data, the existing conditions data, proposed conditions data, and the proposed utility methods for the subdivision; certification of an application by the city; review by city agencies and other agencies having jurisdiction and interest in the proposed subdivision; setting forth the procedure for action by the Planning and Zoning Commission for approval or disapproval of a preliminary plat; setting forth the procedure for action by the City Council on the application for preliminary plat; describing the preparation of a final plat following approval of a preliminary plat; setting forth the contents required for a final plat such as method and medium of presentation, the identification data required, the survey and descriptive data required, the dedication of streets, alleys and other easements for public use, and the acknowledgment by the owner of such dedications; required certifications on a final plat; requiring the filing of the final plat with the City Council and the contents of the plat; setting forth the time limitations for filing and certifying the final plat; requiring the final plat be submitted for agency review; and setting forth the procedure for city council action on a final plat.

Chapter 16.16. Design Standards: Requiring subdivisions to conform to the standards of the city comprehensive plan, zoning ordinance and other ordinances of the city; setting forth the arrangement, character, extent, width, length, grade and location of all streets and intersections within a subdivision and types of streets and intersections which may be constructed; setting forth the design, and length of blocks and pedestrian ways within a subdivision; setting forth the size, width, depth, shape and orientation and setback lines for lots.

Chapter 16.20. Improvements: Requiring that all improvements of streets, alleys or easements are the responsibility of the subdivider; that plans for improvements be prepared by a registered engineer; that construction drawings be filed with the city; that prior to recording the final plat that all improvements have been constructed or a proper surety bond or other acceptable guarantee be posted and accepted by the city; that the developer submit as-built plans and specifications; that curbs, gutters, paved streets, concrete sidewalks, stormwater disposal, sanitary sewer systems, central water systems, and monuments have been constructed except where allowed to be waived by the city.

Chapter 16.24. Variances: Allowing the city to grant variances to the subdivision ordinance and regulations if it finds that extraordinary hardships may result from strict compliance unless such a waiver would have the effect of nullifying the intent and purpose of the Comprehensive Plan and the Subdivision Ordinance; setting forth that a variance will not be granted for the fact that the owner could

realize a greater financial return or that the property was purchased with knowledge of existing restrictions; but allowing for modification of standards and requirements after recommendation of the Planning and Zoning Commission where such modifications still permit adequate public space and improvements for the circulation, recreation, light, air and service needs of the property, but may also require conditions as will secure the objectives of the standards or requirements so waived or modified.

THE FULL TEXT OF ORDINANCE NO. 661, THE COMPREHENSIVE PLAN, THE ZONING ORDINANCE (TITLE 17), AND THE SUBDIVISION ORDINANCE (TITLE 16) ARE AVAILABLE AT THE CITY HALL LOCATED AT 9 WEST 2ND SOUTH STREET, SODA SPRINGS, IDAHO, AND THE SAME SHALL BE PROVIDED TO ANY CITIZEN UPON PERSONAL REQUEST DURING NORMAL OFFICE HOURS.


DATED THIS 28TH DAY OF OCTOBER, 2016.

CARIBOU COUNTY



EARL SOMSEN, CHAIRMAN

ATTEST:



DENISE HORSLEY-COUNTY CLERK

CERTIFICATION OF ATTORNEY

I, S. Douglas Wood, the undersigned, Attorney for Caribou County, Idaho, do hereby certify that I have read the attached Summary of Ordinance No. 661 and Exhibit "A" Comprehensive Plan, Exhibit "B" Zoning Ordinance (Title 17), and the Subdivision Ordinance (Title 16) and that same is true and complete and provides adequate notice to the public of said ordinance and exhibits.

Dated this 28th day of November , 2016.



S. Douglas Wood- County Attorney

SODA SPRINGS CITY LIMITS AND IMPACT ZONE

LAND LOCATED IN PORTIONS OF TOWNSHIP 8 SOUTH, RANGE 41 EAST, TOWNSHIP 8 SOUTH, 42 EAST, TOWNSHIP 9 SOUTH, 41 EAST AND TOWNSHIP 9 SOUTH, 42 EAST, BOISE MERIDIAN, COUNTY OF CARIBOU, STATE OF IDAHO AND FURTHER DESCRIBED AS FOLLOWS:

TOWNSHIP 8 SOUTH, 41 EAST:

THE SE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 36

TOWNSHIP 8 SOUTH, 42 EAST:

THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 31

THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 32

TOWNSHIP 9 SOUTH, 41 EAST:

ALL OF SECTION 1

ALL OF SECTION 12

ALL OF SECTION 13

EAST HALF OF SECTION 2

EAST HALF OF SECTION 11

EAST HALF OF SECTION 14

THE NE $\frac{1}{4}$ OF SECTION 23

THE NORTH HALF OF SECTION 24

TOWNSHIP 9 SOUTH, 42 EAST:

ALL OF SECTION 5

ALL OF SECTION 6

ALL OF SECTION 7

ALL OF SECTION 8

ALL OF SECTION 18

ALL OF SECTION 17

NORTH HALF OF SECTION 20

NORTH HALF OF SECTION 19

THE SW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 4

THE NW $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 4

THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 9