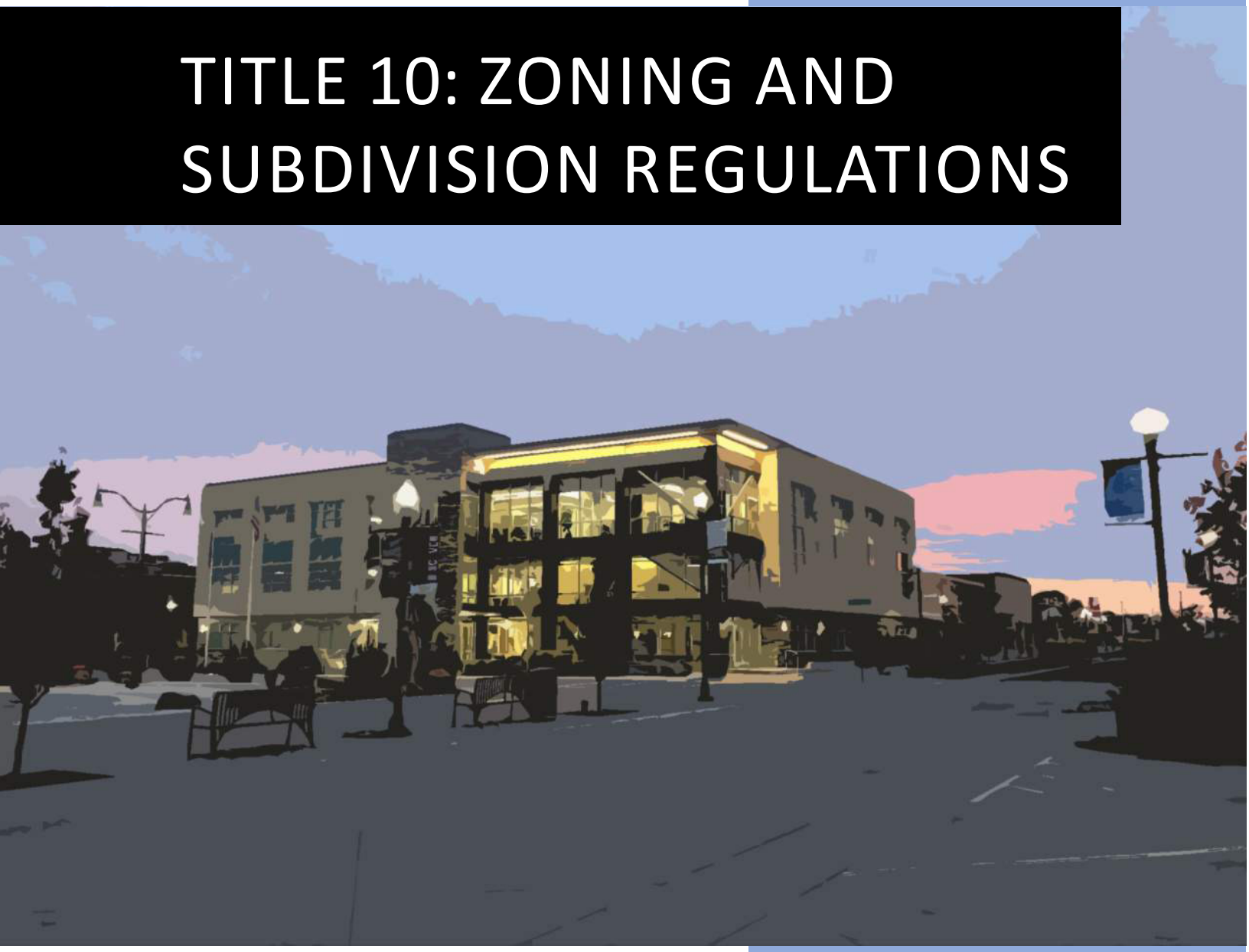
TITLE 10: ZONING AND SUBDIVISION REGULATIONS



TWIN FALLS Idaho
People Serving People

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10-1: GENERAL PROVISIONS

10-1-1: EFFECTIVE DATE.

The Twin Falls City Uniform Development Code was adopted on December 8, 2025 and became effective on January 1, 2026.

- Amended by Ordinance 2026-006

10-1-2: PURPOSE AND INTENT.

This Uniform Development Code is enacted to exercise the full range of authority available under Idaho Code 67-6502.

10-1-3: AUTHORITY

A. Pursuant to the powers and jurisdictions vested through the laws, statutes and regulations of the State of Idaho, the Twin Falls Council does hereby exercise the power and authority to adopt zoning and subdivision regulations to regulate the development and use of lands under its jurisdiction. Such regulation of the development of land and the attachment of reasonable conditions to land development is an exercise of valid police power delegated by the State of Idaho to this City. The developer has the duty of compliance with these restrictions and standards set forth by the City of Twin Falls for design, dedication, improvement, and restrictive use of the land to conform to the physical and economic development of the City and to the safety and general welfare of the current and future property owners within subdivisions, neighborhoods, and the community at large.

B. Under the power and authority so vested, the Twin Falls Council hereby declares that no building permit or zoning permit shall be issued for any property, lot, parcel or plat of land; nor shall any excavation or filling of land; or construction of any public or private improvements take place or be commenced thereon; except in conformity with these regulations; and no land subject to these regulations shall be subdivided and sold or offered for sale, until the owner has obtained approval of a final plat in accordance with these regulations and the approved plat is filed with the County Recorder.

10-1-4: APPLICABILITY AND CONFORMITY

A. The Uniform Development Code applies to all buildings, land, property, site improvements, and structures within the City of Twin Falls.

B. In their interpretation and application, the provisions of this Uniform Development Code are the minimum requirements necessary to meet the purpose and intent of these regulations.

C. Except as otherwise provided by these regulations, land, buildings, and premises in any district shall hereafter be used only in accordance with the regulations established for that district and the following general provisions.

   1. No building shall be erected, constructed, relocated, or structurally altered to have a greater height, proportion of coverage, or smaller yards or open spaces than permissible under the limitations set forth by these zoning district regulations No yards, open spaces, or off-street parking space or loading space existing or provided shall be reduced below the minimum requirements set forth in these regulations, or further reduced if already less than said minimum requirements.

2. An open space, yard, or parking/loading space that is needed to comply with regulations for one building or use cannot count towards the requirements for another building or lot unless explicitly allowed by the regulations.
3. No legal lot held in single ownership at the effective date of these regulations shall be reduced in dimension or area so as to be smaller than required by this Title, unless otherwise permitted within this Title.

D. Control Over Less Restrictive Agreements, Laws, and Regulations. The Uniform Development Code does not nullify any private agreement or covenant, and the City of Twin Falls will not enforce any private agreement, covenant, or contract. Wherever the Uniform Development Code is more restrictive than a private agreement or covenant, the Uniform Development Code controls. If any condition or requirement imposed by the Uniform Development Code is more restrictive than a condition or requirement imposed by any other law, rule or regulation of any kind, or contains and actual, implied, or apparent conflict, the more restrictive condition or requirement controls.

E. References to Other Laws. Whenever a provision of the Uniform Development Code refers to any other part of the Twin Falls City Code, the reference applies to any subsequent amendment of that law.

F. Text and Graphics. Illustrations, photographs, and graphics included in the Uniform Development Code are to illustrate the intent and requirement of the text. In the case of a conflict between the text and any Illustrations, photographs or graphics, the text controls.

G. Current Versions & Citations. All references to other regulations or manuals in this Title refer to the most current adopted version and citation for those regulations or manuals, unless expressly indicated otherwise. When the referenced regulations or documents have been repealed and not replaced by other regulations or manuals, Title requirements for compliance are no longer in effect, unless in direct conflict with the health, safety, and welfare of the general public.

10-1-5: MEDIATION

A. Mediation may be requested in writing by the applicant, an affected party, the Planning & Zoning Commission, or the Council. Mediation may occur at any point during the decision-making process, or after a final decision has been made. If mediation occurs after a final decision, any resolution of differences through mediation must be the subject of another public hearing before the decision-making body.

B. The applicant and any other affected persons objecting to the application shall participate in at least one mediation session if mediation is requested by the Planning & Zoning Commission or the Council. The Council shall select and pay the expense of the mediator for the first meeting among the interested parties. Compensation of the mediator shall be determined among the parties at the outset of any mediation undertaking. An applicant may decline to participate in mediation requested by an affected person, and an affected person may decline to participate in mediation requested by the applicant, except that the parties shall participate in at least one mediation session if directed to do so by the governing board.

C. During mediation, any time limitation relevant to the application shall be tolled. Such tolling shall cease when the applicant or any other affected person, after having participated in at least one mediation session, states in writing that no further participation is desired and notifies the other parties, or upon notice of a request to mediate wherein no mediation session is scheduled for 28 days from the date of such request.

D. The mediation process may be undertaken pursuant to the general limitations established by this section.

E. The mediation process shall not be part of the official record regarding the application.

10-1-6: TRANSITIONAL DEVELOPMENT.

A. Applications in Process. Development applications pending approval that are deemed complete by the Administrator and received prior to the effective date of these regulations will be reviewed under the terms of the previous title with regards to use, density, intensity, location, and site design features that impact any of these essential elements. Otherwise, the provisions of these regulations will be met with regards to any element of use or development that doesn't impact an essential element, as noted, or negatively affect a valid vested right as determined by the Administrator. Such provisions include, but are not limited to, landscaping, number and location of driveways, lighting, and signage.

B. Unexpired Permits.

1. The enactment of this Title shall not terminate or otherwise affect rights, variances, and permits acquired or authorized for work that is actively in progress under the provisions of any title hereby repealed.
2. Where a building permit has been issued for the construction of a building or structure, and for an authorized use and occupancy thereof in accordance with the law in place prior to the effective date of these regulations said building or structure may be completed in conformance with the approved plans and on the basis for which the building permit has been issued, provided construction of the building or structure is commenced within 180 days of the effective date of the permit and diligently pursued to completion.

C. Prior Actions and Penalties. This Title shall not be construed as eliminating or reducing any action now pending under, or by virtue of, an existing law or previous title, nor shall it be construed as discontinuing, reducing, modifying, or altering any penalty accruing or about to accrue under such law or title.

10-1-7: SEVERABILITY.

If any section, paragraph, clause, sentence or provision the Uniform Development Code is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate, or nullify the remainder of the Uniform Development Code. The effect of the judgment is confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which judgment or decree was rendered.

10-1-8: VIOLATION AND PENALTIES.

A. Whenever a violation of this Title occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall fully state the causes and basis of the same and shall be filed with the Administrator. The Administrator shall properly record such complaint, immediately investigate the same and take such action, or cause the same to be taken thereon as provided by this Title. The City Attorney shall, in addition to taking whatever criminal action is deemed necessary, take steps to civilly enjoin any violation of this Title.

B. Any violation of the provisions of this Title or any failure to comply with any of its requirements shall constitute a misdemeanor. Each day such violation continues beyond notice shall be considered a separate offense. The landowner, tenant, subdivider, builder, developer, public official, or any other person who commits, participates in, assists in or maintains such continuing violation may be found guilty of a separate offense for each day the violation continues. Nothing contained herein shall prevent the Council or any other public official or private citizen from taking such lawful action as it necessary to restrain or prevent any violation of this Title or the Idaho Code.

C. Any person convicted of violating any of the provisions of this Title shall be punishable by imprisonment for a term not to exceed 90 days, a fine not to exceed $300.00, or by both such fine and imprisonment, or as the Court shall deem necessary in the interest of justice.

10-1-9: ADMINISTRATION.

A. Planning & Zoning Director. The Planning & Zoning Director, throughout this Title referred to as the Administrator, shall administer the provisions of this Title and provide guidance to the Planning & Zoning Commission and the Council, and in addition, shall have the following duties:

1. Advise interested persons of the Unified Development Title provisions.
2. Adhere to best planning practices that promote the goals and objectives of the adopted Comprehensive Plan and other related adopted City policy documents.
3. Aid and assist applicants in the preparation and submission of required applications.
4. Issue zoning permits, notifications, and similar administrative duties.
5. Investigate all violations of this Title and notify the person responsible for such violations, ordering the action necessary to correct such violation.
6. Whenever there is doubt as to this classification of use not specifically mentioned in this Title, the determination shall be made by the Administrator. Such determination shall be based upon detailed description of the proposed use and such other information as may be required. The Administrator shall make such investigations as are necessary to compare the nature and characteristics of the proposed use with those of listed uses in the various districts, and shall determine that the use is, in all essentials, pertinent to the objectives of this Title, of the same character as a use listed as allowed or as a special use permitted in one of such specified district or districts. No use added by such administrative determination shall permit in any district a use which is a special use permitted in such districts or in any less restricted district, nor shall same permit a use which is an allowed use in a less restrictive district. The determination of the Administrator shall be final unless an appeal is made as hereinafter provided.
7. Appeals to the Planning & Zoning Commission concerning the Administrator's interpretation and administration of this Title may be taken by any person aggrieved by a decision of said Administrator. Said appeal will follow the procedures as found in 10-8-4(G) of this Title.

B. Planning & Zoning Commission. This Title establishes a Planning & Zoning Commission which may be referred to as the Commission throughout these regulations. The Commission shall be constituted and shall function according to bylaws established and referenced herein and shall have all of the power or authority to consider titles or to recommend amendments to or repeal of any portion of this Title. The Commission shall provide guidance and assistance to the Council, holding public hearings as required by law, and shall grant or deny applications presented to the Commission, and shall make timely written recommendations to the Council in all matters relating to this Title in which the Council has final decision-making powers. Any action taken by the Commission which would be final unless appealed may be reviewed and heard by the Council per 10-8-4.

C. Bylaws Of Planning & Zoning Commission. The following organizational bylaws for the Commission are hereby adopted as an integral part of this Title and shall function as guidelines for said Commission in executing their roles and responsibilities in administering this Title.

1. Creation and Purpose: In fulfilling the powers and duties by law conferred upon the Commission, the Commission shall, among other things, bear in mind the purpose of this Title, as established in 10-1-1, and the impact of decisions made in consideration of this purpose.
2. Duties of the Commission: Consistent with the purposes of the Commission hereinabove set forth, the Commission shall have the following duties together with such other duties as are prescribed by law:
   a. Initiate proposed amendments to this section.
   b. Conduct a complete review and audit of the zoning code once every three years. The review will consist of measuring how the Uniform Development Code assists in meeting the goals and actions described by the Comprehensive Plan, and similar City policy documents.
   c. Review all proposed amendments to this Title and make recommendations to the Council.
   d. Conduct a comprehensive planning process designed to prepare, implement, review, and update a comprehensive plan as required by Idaho State Law.
   e. Review all districts, subdistricts, and overlay districts, and make recommendations to the Council.
   f. Grant special use permits as specified in this Title and under the conditions as herein specified with such additional safeguards as will uphold the intent of this Title.
   g. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Administrator.
   h. Authorize such variances from the terms of this Title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of this Title will result in unnecessary hardship, and so that the spirit of this Title shall be observed and substantial justice done.
3. Membership Terms and Qualifications:
   a. The Commission shall consist of seven members. All members shall be appointed by the mayor, and confirmed by a majority vote of the full Council.
   b. Members shall serve a term of three years beginning regularly on March 1st of each year.

c. Members shall have resided in the City of Twin Falls for two continuous years preceding their appointment, shall be residents of the City of Twin Falls at the time of appointment and said members must remain residents of the City during the term of office to which they were appointed.

d. As required by State Code 67-6526-4(K), or as amended, persons living within the delimited area of impact shall be entitled to representation on the Planning & Zoning Commission. Such representation shall as nearly as possible reflect the proportion of population living within the City of impact, as opposed to the population living within the areas of impact.

   i. The Council shall thereby appoint one seat, of the seven member Commission, as the City Area of Impact representative.

   ii. Appointments shall follow the process, schedule, and term limits found in City Code 10-1-11(C).

e. In appointing members to the Commission, the Council shall be certain that the area and interest within its jurisdiction are broadly represented by the appointed membership. Members shall be selected and appointed without respect to political affiliations.

4. Vacancies & Removal of Commission Members: Vacancies occurring otherwise than through the expiration of appointed terms shall be filled in the same manner as the original appointments. A member appointed to fill an unexpired term shall serve the remainder of the unexpired term. Members shall not be appointed to more than two full consecutive terms. Members may be removed for cause only by a majority vote of the full Council.

5. Conflict of Interest: A member of the Commission shall not participate in any proceeding or action when the member, his employer, or his employee, business partner or associate, his business, or any person related to him by affinity or consanguinity within the second degree has an economic interest in the procedure or action. Any action or potential interest in any proceedings shall be disclosed at or before any meeting, duly entered and recorded in the minutes, at which the action is being heard or considered.

6. Organization & Meetings: Upon organization, and thereafter at the first regular meeting in March of each year, the Commission shall elect, by a majority of the full membership, a chairperson and vice chairperson, and shall create and fill in a similar manner any other office that it may deem necessary.

   a. The chairperson may establish subcommittees, advisory committees, or neighborhood groups to advise and assist in carrying out the responsibilities of the Commission.

   b. The chairperson (or vice chairperson) shall preside at all regular meetings of the Commission which may be scheduled on the second and fourth Tuesdays of each month for no less than nine months in a year. All meetings and records shall be open to the public and a record of all meetings, hearings, resolutions, studies, findings, permits, recommendations and actions shall be maintained by the Commission.

7. Public Hearings.

   a. The chairperson shall preside over and conduct all public hearings on all matters presented to the Planning & Zoning Commission. No public hearings shall be held except and until notice has been provided to the public in conformance with the statutes of the State of Idaho.

   b. The following rules shall be observed in the conduct of any public hearing before the Commission, hereinafter referred to as the hearing body. The following rules shall be known as the "Twin Falls Rules of Procedure."

      i. The applicant shall not make any material changes to the application or proposal after publication of the notice of public hearing. If the applicant wishes to make a change to the application after the publication of the notice of public hearing, the applicant shall notify the Administrator and the hearing shall be canceled, to be rescheduled after the changes are submitted for staff review.

      ii. Prior to opening the public hearing, the presiding officer shall review the public hearing process.

      iii. All persons permitted to testify or speak before the hearing body at a public hearing shall declare their name and residency for the record. This rule shall not apply to staff or technical witnesses directed by the presiding officer to give evidence or information to the hearing body.

      iv. No person shall be permitted to speak before the hearing body at a public hearing until such person has been recognized by the presiding officer.

      v. All public hearing proceedings shall be recorded, and all persons speaking at such public hearings shall speak in such a manner as will assure that the recorded testimony or remarks will be accurate and trustworthy.

      vi. Any exhibit introduced by any person shall be retained by the hearing body and made a part of the record therein.

      vii. Presentations and Testimony shall follow this order and rules:

         A. Staff will present the information of the request.

         B. The applicant will then give their initial presentation which shall be limited to 15 minutes. The hearing body may grant additional time if a written request has been submitted prior to the public hearing.

         C. Members of the hearing body may then ask questions regarding the application.

         D. Testimony from the public may be limited by the presiding officer to no less than two minutes per person.

         E. Five or more persons receiving written notice of the public hearing may appoint a person to speak for them by submitting written authorization to the Administrator prior to 12:00 P.M. on the date of the hearing. Appointed spokespersons shall be limited to 15 minutes for their presentation.

         F. Written comments, including e-mail, shall be received 2 business days prior to the date of the hearing to be accepted for consideration by the hearing body.

G. The applicant will be permitted five minutes for rebuttal/closing statements. After all testimony has been given, the public hearing shall be closed and no additional information may be requested or given, unless the public hearing is reopened.

H. The speaker shall not be interrupted by members of the hearing body until his time limit has been expended or until he has finished his statement.

I. At the end of a speaker's comments, each member, when recognized by the presiding officer, may be allowed to question the speaker and the speaker shall be limited to answers to the questions asked. The presiding officer may limit the time permitted for the answer. The question and answer period shall not be included in the speaker's time limit, as established.

J. Any person not conforming to any of the listed rules may be prohibited from speaking before the public hearing. Should any person refuse to comply with such prohibition, he/she may be asked to leave the hearing, and thereafter removed from the room by order of the presiding officer.

c. The main motion on the application shall be in the affirmative, to approve the application, and may include conditions from the staff report, or members of the hearing body. The main motion may be amended to establish or remove conditions. If the motion passes, the application is approved. If the motion fails, the application is deemed denied. Motions on appeals shall also be in the affirmative to approve the action requested by the applicant.

8. Quorum for The Conducting of Business and Voting:

   a. A majority of the membership shall constitute a quorum for the transaction of business at any meeting of the Commission.

   b. In the event any regular member is absent or not sitting due to a conflict of interest, said member shall not be counted for the purposes of constituting a quorum.

   c. Each member shall be entitled to one vote and the acts of a majority of a quorum present at any regular or special meeting shall be the acts of the Commission.

9. These bylaws may and shall be amended in the same manner provided for amendments to this Title in general.

10. Special Meetings.

   a. Special meetings of the Commission may be held at such times and at such places as agreed on by at least four members at a regularly scheduled public meeting. Written notice of all such special meetings, including the time, date, and purpose of said meetings shall be provided to all members of the Commission. A special meeting can take place subject to the rules and process established in Section 74-204 of Idaho Code.

   b. No business may be conducted at any such special meeting upon any application or request of any citizen except and unless notice of the request and of the special meeting has been published as required by law.

10-1-10. RULES OF LANGUAGE CONSTRUCTION.

A. Meaning and Intent.

   1. All references to other county, state, or federal regulations or policies mean the most current version and citation for those regulations and policies unless expressly indicated otherwise. When the referenced regulations have been repealed and not replaced, any requirements under these regulations for compliance with such regulations or policies shall be consistent with state statutes at the time of code adoption or amendment unless such action is determined by the Administrator to violate current law. To any extent such other regulation has not yet been adopted, such reference shall be ignored.

   2. All references to employees, public officials, bodies, and agencies mean those of the City of Twin Falls, unless otherwise expressly stated.

   3. Whenever a provision vests authority in the head of a department or other officer or employee of the City to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority.

B. Computation of Time.

   1. References to "days" are to calendar days unless otherwise expressly stated. Reference to "business days" are references to regular working days of the City, excluding weekends and holidays observed by the City.

   2. In computing any period of time prescribed or allowed by these regulations, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday, or a holiday, in which event the period runs until the end of the next day. As used in these regulations, "holiday" includes any day designated as such by the City.

   3. A day concludes at the close of business (5:00 p.m.), and any materials received after that time will be deemed to have been received the following day.

C. Tenses and Usage.

   1. Words and numbers used in the singular include the plural, and words and numbers used in the plural include the singular.

   2. Words used in the present tense include the past and future tense. The reverse is also true.

   3. The words "shall," "will," and "must" are always mandatory; the word "may" is permissive, except when the context of its particular use is negative (e.g., "may not").

   4. Requirements using numbers as stated "up to x," "not more than x," and "a maximum of x," always include "x."

   5. Any reference to a chapter or section shall mean a chapter or section of these regulations, unless otherwise specified.

   6. The word "district" is synonymous with the word "zone."

   7. The word "person" includes an individual, firm, association, organization, partnership, trust, company, corporation, governmental unit, and any combination thereof.

8. The words "used" or "occupied" include the words "intended, designed, or arranged to be used, or occupied."
9. The word "lot" includes the words "plot," "tract," or "parcel of land" as the context indicates.
10. The term "erected" means "constructed," "altered," "moved," or "repaired."
11. The word "street" includes the words "road," "route" and "highway."
12. Words used in the masculine gender include the feminine gender and vice versa, and gender-neutral words may substitute for gender-specific words (e.g., "they" instead of "she").
13. References to NAICS codes shall mean those codes assigned to businesses in the most recent edition of the North American Industrial Classification Manual published by the United States Office of Management and Budget unless otherwise explicitly stated. NAICS Codes are listed as an aid in interpretation and determination of specific uses included in a general class of uses.
14. The word "contiguous" as applied to lots or districts shall be interpreted as meaning "sharing a common boundary, abutting."
15. The phrase "on the premises of," as applied to accessory uses or structures shall be interpreted to mean "on the same lot or on a contiguous lot in the same ownership."

D. Conjunctions. Unless the context clearly indicates otherwise, conjunctions have the following meanings within these regulations.

1. The word "and" in a list indicates that all connected items or provisions apply.
2. The word "or" in a list means that connected items or provisions may apply singularly or in combination.

10-1-11. NONCONFRMING USES OR BUILDINGS.

A building or use made nonconforming but which was lawfully existing or under construction at the time of adoption hereof may continue to be used or occupied, subject to the provisions of this section. The requirements of this section may be waived for residences and residential uses by motion and minute entry to the City Council.

A. Discontinuance of Nonconforming Uses and Buildings:

1. Uses: For any of the following reasons, a nonconforming use shall be discontinued and further use of the property shall conform to the provisions of this title:
   a. When a nonconforming uses involving a shall be discontinued and further use of the property shall conform to the provisions of this title.
   b. When a nonconforming use not involving a building is discontinued from use for a period of one year.
   c. When a nonconforming use not involving a building is discontinued from use for a period of six (6) months.
   d. When a nonconforming use involving a building or structure having an appraised value less than two thousand dollars ($2,000.00) or involving no building structure is still in existence two (2) years after the effective date hereof.
   e. Notwithstanding the foregoing, a legal nonconforming use involving a building may be resumed or replaced by another nonconforming use by special use permit if said legal nonconforming use has not been discontinued more than five (5) years. In addition to the general standards applicable to special uses the applicant must show that the existing building cannot reasonably be converted to a conforming use.
2. Buildings: A nonconforming building shall be discontinued and removed or brought into conformance with this title within two (2) years after the effective date hereof if the building or structure has an appraised value less than two thousand dollars ($2,000.00) or if the modification to bring into conformance with the provisions of this title will cost less than five hundred dollars ($500.00).

B. Replacement of Nonconforming Building: A nonconforming building or conforming building housing a nonconforming use damaged by fire, collapse, explosion, or act of God, subsequent to the effective date hereof, may be replaced or repaired providing:

1. The new building does not have a nonconforming feature that the original building did not have;
2. The new building does not exceed the size of the original building except as provided by 10-2-2 (D) & 10-2-4 (D) of this section;
3. A nonconforming use is not expanded or changed; and
4. A building permit for the replacement or repair is issued within six (6) months of the date of damage. The Planning and Zoning Commission may approve request for extensions within the original six (6) months.

C. Expansion of Nonconforming Building or Nonconforming Uses: Except as provided by 10-2-2 (D) & 10-2-4 (D):

1. No building or structural alteration, improvement or reconstruction shall be made which expands a nonconforming building or conforming building housing a nonconforming use beyond any part of the existing wall or roofline.
2. No additional buildings or structures may be constructed or relocated on the property to house the same or any other nonconforming use. Under no circumstances may the person or entity responsible for an nonconforming building or use expand such building or use by the acquisition of additional real property.
3. No person or entity may acquire additional real property to bring the nonconforming building or use s into conformance with this title unless the use shall also conform to the requirements of this title. (Ord. 2026-006)

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10-2: APPLICATION PROCEDURES

10-2-1: GENERAL.

Chapter Purpose. This chapter outlines the zoning actions and appeals associated with the Twin Falls Uniform Development Code. Organization is based upon which entity has final approval over the action in question.

Table 1 Zoning Application Review & Procedures Chart

Zoning Application	City Staff	Historic Preservation Commission	Planning & Zoning Commission	City Council	Final Action
R – Recommendation D – Decision A – Appeal H – Public Hearing					
Administrative Final Decisions					
Building Permit	D		A	A	Permit
Landscaping Field Modification	D				Permit
Nonconforming Expansion Waiver	D		A	A	Permit
Shared Parking Request	D		A	A	Permit
Site Plan Permit	D		A	A	Permit
Zoning Use Permit	D		A*	A*	Permit
Historic Preservation Commission Final Decisions					
Certificate of Appropriateness		D		A	Certificate
Planning & Zoning Commission Final Decisions					
Additional Building Height Request			H/D	A	Permit
Alternative Landscaping Plan			D	A	Reasoned Decision
Nonconforming Expansion Permit			H/D	A	Permit
Special Use Permit			H/D	A	Permit
Variance			H/D	A	Reasoned Decision
Zoning Permit – Revocation			H/D	A	Reasoned Decision
City Council Final Decisions					
Annexation			H/R	H/D	Ordinance
Comprehensive Plan Amendment			H/R	H/D	Resolution
Vacation of Platted Element(s)			H/R	H/D	Reasoned Decision
Vacation of Public Right-of-Way			H/R	H/D	Reasoned Decision
Zoning Development Agreement			H/R	H/D	Ordinance
Zoning District & Title Amendment			H/R	H/D	Ordinance

Zoning Application	City Staff	Historic Preservation Commission	Planning & Zoning Commission	City Council	Final Action
Subdivisions					
Short Plat	D		A	A	Reasoned Decision
Preliminary Plat			D	A	Reasoned Decision
Final Plat				D	Reasoned Decision

NOTES:

*Appeals of a Zoning Use Permit shall only be based upon the correct application of code conditions. The appeal shall not be utilized to request a modification or deviation of a zoning use permit as found in 10-6 of this Title.

10-2-2: ADMINISTRATIVE DECISIONS.

A. Criteria Applicable to All Administrative Decisions.

1. Action by the Administrator: The Administrator shall make a determination within 15 business days after submission of a complete application.
2. Appeal of an Administrative Decision: The Administrator's decision may be appealed following the process outlined in City Code 10-2-7.

B. Building Permit. No person shall erect, construct, enlarge, alter, repair, move, convert or demolish any building or structure in the city or cause the same to be done without first obtaining a separate building permit for each such building or structure from the city building official.

1. Certificate of Occupancy Required: It shall be unlawful to use, occupy, or permit the use or occupancy of any building, premises, or part thereof, thereafter created, erected, changed, converted, or wholly or partly altered, or enlarged in its use or structure, until a certificate of occupancy has been issued stating that the proposed use of the building and/or land conforms to the requirements of this Title, and with all conditional provisions that may have been imposed.
    a. A temporary certificate of occupancy may be initially issued for a period not to exceed six months.
        i. A nonrefundable fee, and refundable retainer, as determined by the adopted master fee schedule, shall be collected prior to issuance of a temporary certificate of occupancy.
        ii. One extension may be granted for an additional three months upon new application and payment of additional nonrefundable fee.
        iii. Temporary Certificates expire at 5:00 P.M. on the date listed.
        iv. The refundable retainer shall be returned upon completion and issuance of certificate of occupancy.
        v. In the event a temporary certificate expires without completion of the Required Improvements, the entire retainer amount shall be forfeited to the City of Twin Falls. In addition to the retainer forfeiture, the City may also initiate revocation proceedings of any permit, license, or any other approval, according to their respective revocation procedures.
2. Application For Permit: To apply for a permit the applicant shall first file an application in writing on a form furnished for that purpose by the city building official, who shall determine the acceptability of the request in conformance with the building code, and who shall thereupon issue or deny the application.

C. Landscape Plan Field Modifications. Staff may approve Landscape Plan Field Modification(s) for required landscaping.

1. Such Field Modifications may be approved by the Administrator per the requirements established in 10-9-13.
2. Staff must approve or deny Landscape Field Modifications within five business days after receipt of a written request. The written request, if approved, shall become part of the pertinent building permit.

D. Nonconforming Expansion Waiver. A nonconforming expansion waiver is required for any proposed alteration, improvement, reconstruction or expansion which requires a building permit of any property that consists of an existing residential nonconforming building, structure, or use.

1. Application. The Nonconforming Expansion Waiver application will require all information deemed necessary as determined by the Administrator.
2. Authority to Grant. The Administrator shall authorize Nonconforming Expansion Waiver permits upon review that the requested waiver does not expand or increase the nonconforming building, structure, or use associated with the subject property and other applicable regulations in Twin Falls City Code, have been met.

E. Shared Parking Requests.

1. A Shared Parking Request may be granted per the requirements established in 10-8-10 of this Title.
2. Authority to Grant: The Administrator shall authorize Shared Parking Requests upon demonstration of the conditions in City Code 10-8-10, and other applicable regulations in Twin Falls City Code, have been met.

F. Site Plan Permit: The site plan permit shall follow the same process and regulations as outlined in the Building Permit section of this chapter.

G. Zoning Use Permit.

1. A Zoning Use Permit is a land-use otherwise prohibited by the terms of this title in a given zone, but may be allowed with conditions under specific provisions of this title as found in City Code 10-6: Zoning Use Permit.
2. Authority to Grant. The Administrator shall authorize Zoning Use Permits upon demonstration that the conditions in City Code 10-6, and other applicable regulations in Twin Falls City Code, have been met.
    a. If the applicant fails to provide proof of compliance within one year of approval, the zoning use permit shall be void. (Ord. 2026-006)

10-2-3: HISTORIC PRESERVATION COMMISSION DECISIONS.

Certificate of Appropriateness: See 10-4 of this Title.

10-2-4: PLANNING & ZONING COMMISSION DECISIONS.

A. Criteria applicable to All Planning & Zoning Commission Decisions.

1. Non-Precedent Clause. A decision shall not be considered as establishing a binding precedent to grant other Planning and Zoning Commission decisions.
2. Commission Request for Additional Information. Prior to granting a decision, the commission may request studies from the planning staff or public agencies concerning social, economic, fiscal and environmental effects of the proposed application.
3. Post Hearing Commission Action. Within 30 days after the public hearing, the commission shall either approve, conditionally approve or disapprove the application as presented.
4. Notification to Applicant. Within ten days after a decision has been rendered the administrator shall provide the applicant with written notice of the action on the request. Upon granting or denying an application the written notice from the commission shall specify:
   a. The regulations and standards used in evaluating the application.
   b. The reasons for approval or denial.
   c. The actions, if any, that the applicant could take to obtain approval.
5. The Planning and Zoning Commission's decision may be appealed following the process outlined in City Code 10-2-7.

B. Additional Height Request. An applicant may request for a greater height allowance following the same process and regulations as outlined in the Special Use Permit section of this chapter.

C. Alternative Landscaping Plan. See 10-9-6 of this Title.

D. Nonconforming Expansion Permit. A nonconforming expansion permit is required for any proposed expansion of any component of an existing nonconforming building, structure, or use.

1. Application. The Nonconforming Expansion Permit application will require all information deemed necessary as determined by the Administrator.
2. Public Hearing. Upon receipt of a complete application for a nonconforming expansion, the Planning and Zoning Commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in section 10-2-10 of this title.
   a. Standards Applicable to Nonconforming Expansions. The commission shall review the facts and circumstances to evaluate the following before approving a nonconforming expansion:
      i. Will the proposed expansion be harmonious with and in accordance with the general objectives of the comprehensive plan and/or zoning regulation?
      ii. Will the proposed expansion be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity?
      iii. Will the proposed expansion involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare of the surrounding neighborhood by reason of excessive production of traffic, noise, smoke, fumes, glare or odors?
      iv. Will the proposed expansion have any other adverse impact upon the surrounding neighborhood?
      v. Considerations relating to traffic safety:
         (A) The effect of the site development plan on traffic conditions on contiguous streets.
         (B) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.
         (C) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
         (D) The location, arrangement and dimensions of truck loading and unloading facilities.
         (E) The circulation patterns within boundaries of the development.
         (F) The surfacing and lighting of off-street parking facilities.
      vi. Considerations relating to outdoor advertising and noise:
         (A) The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent developments.
         (B) The nuisance effect of additional noise.
      vii. Considerations relating to landscaping:
         (A) The location, height and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent developments or to conceal storage areas, utility installation or other unsightly development.
         (B) The planting of ground cover or surfacing to prevent dust and erosion.
         (C) The unnecessary destruction of existing healthy trees.
         (D) The restoration of natural vegetation.
         (E) The aesthetic effects on motorists, bicyclists and pedestrians passing along public rights of way adjacent to or included with the development.
      viii. Considerations relating to buildings and site layout: The considerations of exterior design in relation to adjoining structures in height, bulk and area openings, breaks in the facades and facing on streets, line and pitch of roof and arrangement of structure on the parcel.
      ix. Considerations relating to drainage and utilities:

(A) The effect of the site development plan in relation to the adequacy of the storm and surface water drainage proposals.

(B) The use of city sewer and water.

(C) The underground placement of utilities.

b. The commission may impose special conditions designed to lessen the impact of the proposed expansion on the surrounding neighborhood and in order to make the proposed expansion more compatible with the same. Violation of such special conditions, when made a part of the terms under which the nonconforming building expansion permit is granted, shall be deemed a violation of this Title.

E. Special Use Permit. A special use is a use otherwise prohibited by the terms of this title in a given zone, but may be allowed with conditions under specific provisions of this title and when not in conflict with a comprehensive plan.

1. Authority to Grant. The commission may authorize in specific cases special uses, subject, however, to the minimum conditions and requirements of the zoning district in which they are located and subject to additional conditions and requirements necessary to protect the best interest of affected persons and the city as a whole.

2. Application. An application for special use permit shall be filed with the administrator by at least one owner or lessee of property:

a. When a special use is proposed; or,

b. When an expansion of more than 25% over the original square footage approved through the special use permit process or a total increase in square footage over 10,000 square feet, whichever is less, or relocation of an existing special use is proposed.

3. Application Information. The Special Use Permit application will require all information deemed necessary as determined by the administrator.

4. Public Hearing. Upon receipt of a complete application for a special use permit, the Planning & Zoning Commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in Section 10-2-10 of this Title.

5. Standards Applicable to Special Uses. The commission shall review the particular facts and circumstances of each proposed special use in terms of the following standards:

a. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.

b. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.

c. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

d. Will not be hazardous or disturbing to existing or future neighboring uses.

e. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.

f. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

g. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive noise, smoke, fumes, glare or odors.

h. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

i. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

6. Conditions and Restrictions. In granting any special use, the commission may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title. Conditions of approval may include but not be limited to:

a. Minimizing adverse impact on other developments.

b. Controlling the sequence and timing of development.

c. Controlling the duration of development.

d. Assuring the development is maintained properly.

e. Designating the exact location and nature of development.

f. Requiring the provision for on site or off-site public facilities or services.

g. Requiring more restrictive standards than those generally required in this title.

7. If the applicant fails to provide proof of compliance within one year of approval, the special use permit shall be void.

F. Variance. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

1. Authority to Grant.

a. The commission may authorize in specific cases such variance from the terms of this title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title would result in unnecessary hardship.

b. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for issuance of a variance.

c. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this title would result in unnecessary hardship or the loss of a building or site that is on a national, state or local register of historic places or sites.

d. Variances Concerning Uses Prohibited. Under no circumstances shall the commission grant a variance to allow a use not permissible under the terms of this title in the district involved, or any use expressly or by implication prohibited by the terms of this title in said district.

2. Application. The Variance application will require all information deemed necessary as determined by the administrator.

3. Public Hearing. Upon receipt of a complete application for a variance, the Planning and Zoning Commission shall hold a public hearing. Notice for public hearings shall be provided as set forth in section 10-2-10 of this title.

   a. Standards Applicable to Variances. The commission shall review the particular facts and circumstances to evaluate whether the proposed variance meets all of the following:

      i. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

      ii. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.

      iii. That special conditions and circumstances do not result from the actions of the applicant.

      iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.

      v. That a literal enforcement of the provisions of this title would result in unnecessary hardship. For purposes of this section, where a reasonable conforming use is, or can be, located on a lot or parcel, there is no unnecessary hardship.

   b. A variance shall not be granted unless the commission makes specific findings of fact based directly on the particular evidence presented to it that support conclusions that the above-mentioned standards and conditions have been met by the applicant.

   c. The Planning and Zoning Commission may prescribe appropriate conditions and safeguards in conformity with this Title.

G. Zoning Permits - Revocation.

   1. Any Special Use Permit or Zoning Use Permit hereinafter called permit may be revoked for the following reasons:

      a. When a significant change in the use that does adversely impact neighboring developments occurs.

      b. For violation of supplementary conditions, safeguards and/or restrictions imposed by the city council or the planning and zoning commission at the time the permit was granted.

      c. Use of a zoning permit or certificate for a use other than the use for which said permit or certificate was issued.

   2. A petition for revocation may be initiated in the following manner:

      a. By adoption of a motion by the commission for revocation of the permit.

      b. By adoption of a motion by the council for revocation of the permit.

      c. By the filing of a petition by an aggrieved property owner or person who has an existing interest in property within the area affected by the contested use.

   3. Notice of initiation of revocation proceedings shall be provided to the permit holder in writing within 15 days of the filing of the petition for revocation or the passage of a motion initiating revocation proceedings. Notice shall include the following:

      a. The name of the party or parties petitioning for a permit revocation.

      b. The date and time of passage of a motion to revoke by the zoning body, or the date of filing of the petition to revoke.

      c. The change in circumstances that has been alleged to have occurred and the adverse impact that said change in circumstances is expected to have.

      d. The supplementary conditions, safeguards and restrictions alleged to have been violated.

   4. A public hearing on the motion or petition to revoke shall be held before the appropriate zoning body. The permit holder, city staff and/or any aggrieved party may present testimony or other evidence at said hearing. Said hearing shall be held within 45 days of the filing of a petition for revocation or the passage of a motion initiating revocation proceedings. Notice for public hearings shall be provided as set forth in section 10-2-10 of this title.

   5. The decision of the zoning body hearing a revocation proceeding shall be based on the record. If said zoning body finds substantial evidence on the record that continuance of the use in question will result in a significant adverse impact on the surrounding developments or other affected parties, and that the permit holder is unable or unwilling to alleviate the adversity, or if said zoning body finds substantial evidence on the record that conditions, safeguards or restrictions imposed by the commission or council have been violated, the zoning body may revoke the permit in question.

   6. A permit that has been revoked may be reinstated only by reapplying for said permit.

   7. Within ten days after a decision has been rendered, the administrator shall provide the permit holder with written notice of the action taken.

10-2-5: CITY COUNCIL FINAL DECISION

A. Annexation.

   1. Prior to annexation of an unincorporated area the subject property must meet the following:

      a. The subject property must be contiguous with a City of Twin Falls incorporated parcel or lot; and

      b. The subject property must be within the Twin Falls Planning Boundary as adopted by the City of Twin Falls.

2. Annexation Process.

   a. The commission shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. The hearing shall not consider comments on annexation and shall be limited to the proposed zoning district(s). The Commission shall recommend to the Council approval, denial, or approval with modifications of the proposed zoning district(s).

   b. After a recommendation by the Commission concerning the annexation plan and proposed zoning district(s) of the subject property, the City Council shall hold a public hearing and make a final decision.

B. Comprehensive Plan Amendments. Follow the procedure for Title Amendment (10-2-5(F)).

1. The final action taken by the City Council is to pass a resolution.

2. Resubmission of Application. No application for a reclassification of any property that 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 year from the date of such final action.

C. Vacation of Platted Element(s).

1. Petition Required.

   a. Any property owner desiring to vacate plats or platted elements such as lots or easements, shall file a completed application with the Administrator.

   b. In the case where lots have been sold in a platted area, the petition should include an acknowledged written statement from each of the owners of the aforesaid sold lots indicating whether or not they are in agreement with the proposed vacation.

2. Administration Action. Upon receipt of the completed petition the Administrator shall place it on the agenda for consideration at the next available Commission meeting.

3. Public Hearing. The Commission shall hold a public hearing and make recommendations on all petitions for vacation of plats or platted elements.

4. Public Notice Requirement. Notice of said public hearing shall be given, by certified mail with return receipt, at least ten days prior to the date of the public hearing to all property owners within 300 feet of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two consecutive weeks in the official newspaper of the City, the last of which shall not be less than seven days prior to the date of said hearing.

5. Commission Recommendation. Within 60 days from the receipt of the petition for vacation, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

6. Action by Council. The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission.

D. Vacation of Public Right-of-Way.

1. Petition Required.

   c. Any property owner desiring to vacate an existing public right of way shall complete and file a petition with the Administrator.

   d. In the case where lots have been sold in a platted area, the petition should include an acknowledged written statement from each of the owners of the aforesaid sold lots indicating whether or not they are in agreement with the proposed vacation.

2. Administration Action. Upon receipt of the completed petition the Administrator shall place it on the agenda for consideration at the next available Commission meeting.

3. Public Hearing. The Commission shall hold a public hearing and make recommendations on all petitions for vacation of public right-of-way.

4. Public Notice Requirement. Notice of said public hearing shall be given, by certified mail with return receipt, at least ten days prior to the date of the public hearing to all property owners within 300 feet of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two consecutive weeks in the official newspaper of the City, the last of which shall not be less than seven days prior to the date of said hearing.

5. Commission Recommendation. Within 60 days from the receipt of the petition for vacation, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.

6. Action by Council. The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission. Upon approval the Council shall provide adjacent property owners with a signed Quit Claim Deed for the vacated rights of way in such proportions as are prescribed by Idaho Statute.

E. Zoning Development Agreement:

1. Zoning Development Agreement Amendments and Planned Unit Development Amendments shall follow the process outlined in this section.

2. A zoning development agreement (ZDA) is designed to accommodate appropriate combinations of uses that may be planned, developed, and operated as integral land use units either by a single owner or a combination of owners. A ZDA is intended to accomplish some, or all of the following:

   a. Foster and promote a variety of appropriate land use combinations in a preplanned development pattern;

   b. Encourage developers to use a creative approach in land development;

   c. Retain and conserve natural land and topographic features;

   d. Promote greater use of streetscape and pedestrian oriented aesthetics;

   e. Promote the creation and efficient use of open spaces;

   f. Create flexibility and variety in the location of improvements on lots;

   g. Provide flexibility in development standards to facilitate creative land development concepts.

3. A ZDA subject parcel shall be a minimum of two acres unless the planning and zoning commission recommends and the city council finds that property of less than two acres is suitable as a ZDA by virtue of:
   a. Unique character; or
   b. Infill development; or
   c. Topography or landscaping features; or
   d. Qualifying as an isolated problem area.
4. Each Zoning Development Agreement shall, at minimum, consist of the following elements:
   a. Development Agreement
   b. Conceptual Development Plan
5. Development Agreement:
   a. The agreement shall declare and outline the underlying zone(s).
   b. The property and buildings within a ZDA shall conform to all sections of this title unless specifically addressed in the Development Agreement document. All applications to the city shall list all requested variations from the standard requirements. Applications without this list shall be considered incomplete.
   c. Deviations from the underlying zoning requirements such as uses, setbacks, heights, lot coverage, etc.
   d. Infrastructure improvements such as roads, utilities, and public facilities.
   e. Contributions or improvements for the overall public benefit such as open spaces, parks, etc.
   f. Expected timeline of development. State date and completion date.
6. ZDA Conceptual Development Plan.
   a. A ZDA shall include a conceptual development plan that illustrates the standards contained therein. This plan shall be submitted by the applicant at the time the zoning and ZDA request is submitted. The plan shall show the applicant's intent for the use(s) of the land within the proposed ZDA in a visual manner.
   b. Conceptual Plan Elements:
      i. Required.
         (A) Proposed general land use(s)
         (B) Public/Private Streets & Access
         (C) Preliminary Residential lot arrangements and dwelling unit count
         (D) Preliminary Commercial building arrangements and building coverage of the site.
         (E) Landscaped areas
         (F) Color renderings or elevations to illustrate proposed architectural standards or requirements.
         (G) Parking Areas
         (H) Exterior boundary setbacks
      ii. Items to consider
         (A) Storm drainage
         (B) Supporting text material to further explain the characteristics of the plan
         (C) Access to sidewalks and trails
         (D) Parks and open space location and size
         (E) Topography
         (F) Easements
7. Conformance to Zoning Development Agreement. Final development plans, including plats, construction plans, and/or site plans, submitted for the development of the ZDA subject parcel shall conform to the approved Zoning Development Agreement.
   a. Minor Variations. Details on the final development plan(s) with minor variations from the conceptual development plan may be approved by the administrator, or designated city official without public hearing.
   b. Changes to any of the following items constitute a departure from the conceptual development plan, thus changing the ZDA and the basic relationship of the proposed development to the adjacent property:
      i. The permitted uses,
      ii. Increase in density,
      iii. Increase in building height,
      iv. Increase in building coverage of the site,
      v. Reduction in the off-street parking ratio,
      vi. Reducing the building setbacks provided at the boundary of the site,
      vii. Reduction of any open space plans, or
      viii. Alteration of the primary architectural elements or building materials.
      ix. Any other item that changes the basic relationship of the proposed development to the adjacent property, as determined by the Administrator.
   c. If it is determined that a proposed change(s) constitutes a departure from the ZDA, it may be amended using the initial approval process contained herein.
8. Procedure.
   a. Any applicant shall schedule a project coordination meeting with the administrator, or his/her designee.
   b. The procedure for establishing a ZDA shall follow the procedure for zoning map amendments as set forth in Chapter 14.
   c. Each ZDA shall submit a completed application and associated fee to the administrator.

d. The city council shall not adopt an ordinance rezoning the subject parcel until the property owner/developer has submitted a signed ZDA. The signed ZDA (Development Agreement Document and Conceptual Development Plan) shall be attached as an exhibit to the rezoning ordinance and recorded in the office of the county recorder.

e. Approval of a ZDA shall be based on the following standards:

i. The proposed uses shall not be detrimental to the health, safety and general welfare of the public.

ii. Any variation from the underlying zoning district development requirements must be warranted by the design and amenities incorporated in the conceptual development plan.

iii. The underlying zoning district and the conceptual development plan shall conform to the comprehensive plan.

iv. Existing and/or proposed streets and utility services are suitable and adequate for the proposed development.

v. How the request at the location in question would be in the community's best interest;

vi. How the list of uses permitted would blend with surrounding land uses;

vii. If the subject site is physically suitable for the type and intensity of land uses permitted under the proposed zoning district;

viii. If the uses permitted in the proposed development would be adequately served by public facilities and services such as thoroughfares, police and fire protection, drainage, refuse disposal, water, sewer, and schools, to ensure the public health, safety and general welfare;

ix. If the uses permitted in the proposed development would be compatible in terms of their scale, mass, coverage, density, and intensity with adjacent land uses;

x. Whether the proposed zoning designation is consistent with the comprehensive plan land use map designation.

9. Reversionary Clause. An expected development schedule. If no development has occurred on the ZDA subject parcel within the time identified, not to exceed 10 years, the planning and zoning commission and city council may review the original ZDA development requirements and conceptual development plan to ensure their continued validity. If the city determines the concept is no longer valid, then:

a. The city may initiate a process to change the zoning classification, or

b. New ZDA development requirements and/or a new conceptual development plan may be required to be approved prior to the city issuing a building permit for any portion of the area for which the ZDA is applicable.

F. Zoning District Change & Title Amendments.

1. Authority to Amend. Whenever the public necessity, convenience, general welfare or good zoning practices require, the city council may, by ordinance, after receipt of recommendation thereon from the commission and subject to procedures provided by law, change the zoning district classification of property.

2. Initiation of Zoning District Changes.

a. By adoption of a motion by the commission.

b. By adoption of a motion by the council.

c. By the filing of an application by a property owner or a person who has an existing interest in property within the area proposed to be changed or affected by said amendment.

3. Criteria For Review of Zoning District Change. The planning and zoning commission and city council shall review the facts and circumstances of each proposal in terms of the following standards:

a. How the requested zoning at the location in question would be in the community's best interest;

b. How the list of uses permitted by the zoning ordinance would blend with surrounding land uses;

c. If the subject site is physically suitable for the type and intensity of land uses permitted under the proposed zoning district;

d. If the uses permitted in the proposed zoning district would be adequately served by public facilities and services such as thoroughfares, police and fire protection, drainage, refuse disposal, water, sewer, and schools, to ensure the public health, safety and general welfare;

e. If the uses permitted in the proposed zoning district would be compatible in terms of their scale, mass, coverage, density, and intensity with adjacent land uses;

f. Whether the proposed zoning designation is consistent with the comprehensive plan land use map designation.

4. Commission Action.

a. The commission shall hold a public hearing and evaluate the request to determine the extent and nature of the amendment requested.

b. Within 60 days from the receipt of the proposed amendment, the commission shall transmit its recommendation to the council. The commission may recommend that the zoning district change be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The commission shall ensure that any favorable recommendations for zoning district changes are in general conformance with the comprehensive plan.

5. Action by City Council. Prior to adopting, revising or rejecting the proposed zoning district change as recommended by the commission, the Council shall conduct at least one public hearing. Upon granting or denying an application to amend this title, the council shall specify:

a. The regulations and standards used in evaluating the application.

b. The reasons for approval or denial.

c. The actions, if any, that the applicant could take to obtain approval of the requested zoning district change.

10-2-6 SUBDIVISION PROCESS.

See Twin Falls Municipal Code 10-12 for subdivision (Short Plat, Preliminary Plat, and Final Plat) process and notification procedures.

10-2-7 APPEAL PROCESS.

A. Standing to Appeal. Any person aggrieved by a decision made by the Administrator, HPC, PZC, may file an appeal with the applicable appeal body as listed within Table 1, Section 10-2-1.

1. Reconsideration of City Council Decisions. Decisions made by the City Council are final.

2. Per Idaho Code §67-6535(2)(b) (or as amended), any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards.

B. Timing of Appeal. The appealing party shall submit a complete appeal application and fee to the administrator within 14 days of the written decision.

C. Scheduling of Appeal. The application for appeal shall be forwarded to applicable appeal body, no later than 45 days after the appeal is filed.

D. Notice of Filed Appeal. The Administrator shall give notice that an appeal has been received to the parties of record. Failure of delivery or delay of receipt of the notice shall not extend the appeal period or be grounds for appeal.

E. Notice of Appeal Required.

1. The appealing applicant shall follow the same process and notification requirements as the original party.

2. Decisions made outside a public hearing do not require a public hearing upon appeal.

10-2-8: TRANSFER, REACTIVATION AND DISCONTINUANCE OF SPECIAL USE AND ZONING USE PERMITS

A. Transfer of Permits. A permit is not transferable from one parcel of land to another, but may be transferable from one owner to another, provided all conditions of the permit continue to be met.

B. Reactivation of Permits. Permits which have not been established within one year of the date of issuance of the permit, may be reviewed by staff to determine if the facts and circumstances have changed; staff may call for a new permit application.

C. Discontinuance of Permits.

1. Discontinuance of a permit shall comply with Idaho Code §67-6538.

2. If the property is redesigned for a different use, the property owner shall be deemed to have abandoned any legal nonconforming right to the prior use of the property.

10-2-9: PUBLIC HEARING NOTICE REQUIREMENTS

Public notice shall be provided for land use actions requiring a public hearing. Public notice shall comply with the following requirements. Public hearings for zoning title amendments and comprehensive plan amendments not relating to a specific property, are not required to provide mail and site posting notice. Public notice for appeals shall follow the public notice requirements of the original application.

A. Mail. Mail notice shall be provided as follows when required:

1. At least 15 days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be provided by mail to the following:

a. Property owners, or purchasers of record, within the land being considered;

b. Property owners, or purchasers of record within the specified distance from the subject property perimeter as listed below:

Zoning District of Subject Property	Notification Distance
AG, RR, TN-1, TN-2, OS	500 feet
TN-3, AP, CC, COM, MU, CMT, CSI,	750 feet
IND-1, IND-2	1,000 feet

c. Any additional property owners, or purchasers of record, that may be impacted by the proposed change as determined by the administrator, and

d. All political subdivisions providing services within the planning jurisdiction, including the city, school districts, and the Magic Valley regional airport manager.

2. Vacations shall follow mailing requirements as outlined in Idaho Code §50-13.

3. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.

4. The applicant shall mail the notices to the required property owners. Upon mailing, the applicant shall sign an affidavit stating that he has notified in writing the required property owners as to his purpose of application, time and place of hearing, residents served, and date of service. A copy of the notification shall be attached to the affidavit and returned to the city not less than ten (10) days prior to the hearing.

B. Site Posting. Notice shall be posted on site as follows when required:

1. At least 15 days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be posted on the premises.

2. The applicant shall post the required notice on the premises as follows:

a. Notice shall be provided by not less than one sign located on the subject property adjacent to each street frontage of the property. In the event that the subject property is not adjacent to a public street, signs may be placed within the nearest public street right of way with prior approval from the administrator and the owner of the right of way.

b. Signs shall be placed on the property so as to remain clearly visible from adjacent streets. In the event that visibility of signs located on the property is obstructed, signs may be placed within the adjacent street right of way with prior approval from the administrator and the owner of the right of way.

c. Additional notice signs may be required as determined by the administrator.

d. The applicant shall remove the posted notice sign(s) from the property not more than five (5) days after the conclusion of the final public hearing for the proposed action.

3. Notice Sign Design Requirements.

a. Notice signs shall be made from metal, plywood, corrugated plastic, or an equivalent surface and shall be mounted on two posts in a manner that is most visible to the street.

b. Size of Notice Signs

i. Notice signs shall be a minimum of two feet tall by three feet wide.

c. Notice signs shall have a background white in color and shall include each of the following with a minimum size of two inch black letters:

i. The words, "Notice of Public Meeting,"

ii. The words, "for more information call", and then the phone number for the city's planning and zoning department, and

iii. The official city logo.

d. Notice signs shall include a space 8.5 x 11 inches in size for notice of the time and place of the hearing and a summary of the proposal.

e. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.

C. Newspaper. Newspaper notice shall be provided as follows when required:

1. At least 15 days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction of the city.

2. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.

3. The administrator shall cause the newspaper notice to be prepared and published.

D. City Website. Notice shall be provided on the city website as follows when required:

1. At least 15 days prior to the hearing, notice of the time and place of the hearing and a summary of the proposal shall be posted on the city website, www.tfid.org.

2. When a public hearing is to be conducted by the city council for a proposal that the planning and zoning commission has made a recommendation on, the notice for that hearing shall include the commission's recommendation in addition to the time and place of the hearing and a summary of the proposal.

3. The administrator shall cause the notice to be posted on the city website.

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10-3: ZONING DISTRICTS

10-3-1 Purpose

The purpose of this chapter is to establish zoning districts that reflect community priorities established in Grow With Us, the City of Twin Falls' Comprehensive Plan (adopted in 2016), where compatible uses and development densities are assigned to create, protect, and maintain quality of life for all Twin Falls residents.

10-3-2 Standards applicable to all districts

A. For the purpose of this chapter, a lot shall be one or more lots, platted in accordance with this title, or shall be a parcel/property that may include parts of platted or un-platted lands existing at the effective date hereof.

B. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this Code at the time it was created, except that residential uses shall be limited to a single household unit per building

C. Access: All lots shall have vehicular access on a dedicated improved public street with a 50 foot minimum right-of-way unless a secondary means of permanent vehicular access has been approved.

D. Walls, Fences, Hedges, Trees, Shrubs and Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures may be permitted up to the property line, when not in conflict with other provisions of Twin Falls Municipal code 9-9-16.

   1. Walls, fences, hedges, trees, shrubs or landscaping structures shall not be placed within public rights of way without first obtaining a Right of Way Encroachment Agreement from the City.

E. Architectural Projections

   1. Architectural projections of detached accessory buildings shall not be closer than two feet to the side property line.
   2. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet to the side property line.
   3. All architectural projections shall not project more than 3 ft.

F. Interpretation of Setbacks:

   1. Any street frontage shall have a front setback of the applicable zone
   2. On a corner lot the rear setback may be reduced to the side yard setback.
   3. On a lot that has three front setbacks, the other setback may be reduced to the side yard setback.

G. Use of Lots: Each building, except accessory structures, shall be located on a separate lot. Each lot, and the buildings or structures thereon, shall conform to the minimum dimensional standards contained herein.

H. The uses listed in Table 1 below are either defined in Chapter 15 of these regulations or derived using the North American Industrial Classification System (NAICS), the Land-Based Classification Standards (LBCS) published by the American Planning Association (APA), or in other resources cross-referenced in these regulations.

I. Key to Use Table.

1. Permitted use. Uses identified with a "P" permitted by right in the subject district and must comply with all applicable design and development standards.

2. Zoning uses. Uses identified with a "Z" may be permitted in the subject district if reviewed and approved with conditions under specific provisions of this Title found in City Code 10-6: Zoning Use Permit Regulations.

3. Special uses. Uses identified with an "S" may be permitted in the subject district if reviewed and approved in accordance with the special use permit review procedures found in Chapter 2 of this title.

4. Prohibited uses. Uses identified as a blank are expressly prohibited in the subject district. (Ord. 2026-006)

J. Interpretation of Uses Not Clearly Defined. Where a use is not specifically listed, its status shall be determined by the Zoning Officer by evaluating the use against those similar in purpose, function, character, and effect to determine its appropriateness based on the overall intent of the district. A formal request shall be submitted for interpretation, and the Zoning Officer's final determination shall be made in writing and kept on file in the Community and Planning Services offices as a record of the interpretation.

K. Table of Uses. (Ord. 2026-006)

Table 1 Table of Uses by Zoning District

LAND USE/ ACTIVITY	OS OPEN SPACE	PRO PROFESSIONAL OFFICE OVERLAY	AG AGRICULTURE	RR RURAL RESIDENTIAL	TN-1 TOWN NEIGHBORHOOD 1	TN-2 TOWN NEIGHBORHOOD 2	TN-3 TOWN NEIGHBORHOOD 3	CMT COMMUNITY MARKET	MU MIXED USE	CC CENTRAL CITY	COM COMMERCIAL	IND1 LIGHT INDUSTRIAL	IND2 HEAVY INDUSTRIAL	AP AIRPORT	CSI COLLEGE OF SOUTHERN IDAHO
1. AGRICULTURE & ANIMALS															
Agritourism Activity (within 300' of Residential Use or Residential Zone)			S	S											
Agritourism Activity (more than 300' from Residential Use or Residential Zone)			P	P											
Community Garden	P		P	P	Z	Z	Z	Z	P	P	P	P	P	P	P
Farm			P	P											P
Fish Hatchery	S		P										S		
Farms – animals on pasture	P		P	P											
Farms – plants and trees	P		P	P								P	P		
Kennel - Indoor			P							S	P	P	P		
Kennel - Outdoor			P								S	S	P		
Livestock Sales			S									S	P		
Nursery – Major			P	S								P	P	S	P
Nursery – Minor			P	P				S	P	P	P	P	P	P	P
Stable, Commercial			P										S		S
Veterinary Clinic -Minor			P					S	S	S	S	P	P		P
Veterinary Clinic – Major			P									S	S		S

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2. ASSEMBLY															
Botanical Gardens and Arboretums	S		S	S	S	S	S	S	P	P	P	P	P	P	P
Convention Center {>500)	S		S						S	S	S	S	S	S	S
Event Center - Major {100 - 500 people}	S		S	S					S	S	Z	Z	Z	P	P
Event Center - Minor { <100}	S		Z	Z				Z	Z	Z	Z	P	P	P	P
Funeral Center								S	P	P	P				
Museum / Learning Center - Major	S		S					S	Z	S	Z			P	P
Museum / Learning Center - Minor	P	S	P	Z				Z	Z	Z	P			P	P
Religious Facility			Z	Z	Z	Z	Z	Z	P	P	P	P	P	Z	P
3. CIVIC/INSTITUTIONAL															
Cemetery	S		S								S	P	P		
City of Twin Falls Facilities - Owned or Operated	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
College, University, Trade, or Boarding School									S	S	P		P	P	P
Detention Center (Jail - Juvenile and Adult, Work Release)											S	S	P		
Emergency Service Stations										P	P	P	P		S
Judicial Facility									P	P	P	P	P		
School			S	S	S	S	S	S	S	S	P				P

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4. COMMERCIAL SALES and SERVICES															
Administrative or Professional Office - Major								S	P	P	P	P	P	P	P
Administrative or Professional Office - Minor		S						P	P	P	P	P	P	P	P
Artisan's Workshop - Major								Z	Z	Z	P	P	P		
Artisan's Workshop - Minor								Z	P	P	P	P	P		
Auction Services and/or Public Sales Establishment									Z	Z	Z	P	P		
Bar/Night Club/ Smoking Lounge									S	S	S	S	S	S	
Barber & Cosmetology Services		S						P	P	P	P	P	P	P	P
Body Art Studio								Z	Z	Z	Z	P	P		
Car Wash									S	S	Z	P	P		
Consumer Goods Repair								S	S	S	S	P	P		
Drive-Thru								S	Z	Z	Z	Z	Z		S
Dry Cleaning/ Laundering - Major										S	S	P	P		S
Dry Cleaning/ Laundering - Minor		S						S	P	P	P	P	P		P
Equipment and Machinery Repair, Major										S	S	P	P		
Equipment and Machinery Repair, Minor										S	P	P	P		

Table 1 Table of Uses by Zoning District

LAND USE/ ACTIVITY	OS	PRO	AG	RR	TN-1	TN-2	TN-3	CMT	MU	CC	COM	IND1	IND2	AP	CSI
	OPEN SPACE	PROFESSIONAL OFFICE OVERLAY	AGRICULTURE	RURAL RESIDENTIAL	TOWN NEIGHBORHOOD 1	TOWN NEIGHBORHOOD 2	TOWN NEIGHBORHOOD 3	COMMUNITY MARKET	MIXED USE	CENTRAL CITY	COMMERCIAL	LIGHT INDUSTRIAL	HEAVY INDUSTRIAL	AIRPORT	COLLEGE OF SOUTHERN IDAHO
Equipment and Machinery Sales/ Rental, Major										S	S	P	P		
Equipment and Machinery Sales/ Rental, Minor								Z	S	Z	P	P	P		
Financial Institution		S						S	P	P	P	P	P	P	P
Fuel/Charging Station								S	S	Z	Z	Z	Z		Z
Health/Fitness Facility - Major								S	S	S	S	P	P		P
Health/Fitness Facility - Minor								S	P	P	P	P	P		P
Laundromat, Self Serve								S	P	P	P	P	P		P
Manufactured building sales											S	P	P		
Mortuary										Z	Z	P	P		
Paint Booth										Z	Z	Z	Z		Z
Pawnshop										Z	Z	Z	Z		
Payday Loan / Check Cashing Service										Z	Z	Z	Z		
Pet Grooming								S	Z	Z	Z	Z	Z		
Photography studios		S						P	P	P	P	P	P		
Print Shop – Major									S	S	P	P	P		
Print Shop – Minor								P	P	P	P	P	P		P
Restaurant								S	P	P	P	P	P	P	P
Retail Shop								Z	P	P	P	P	P	P	P
Retail Store - Major									S	S	P	P	P	P	
Retail Store - Minor								S	P	Z	P	P	P	P	P
Seamstress/Tailor								P	P	P	P	P	P		
Theater - Indoor									S	P	P	P	P		P

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	OPEN SPACE	PROFESSIONAL OFFICE OVERLAY	AGRICULTURE	RURAL RESIDENTIAL	TOWN NEIGHBORHOOD 1	TOWN NEIGHBORHOOD 2	TOWN NEIGHBORHOOD 3	COMMUNITY MARKET	MIXED USE	CENTRAL CITY	COMMERCIAL	LIGHT INDUSTRIAL	HEAVY INDUSTRIAL	AIRPORT	COLLEGE OF SOUTHERN IDAHO
Theater - Outdoor	S									S	S	S	S		S
Truck Stop											S	S	S		
Vehicle Rental Facility										S	P	P	P	S	
Vehicle Sales										S	Z	P	P		
Vehicle Sales - Heavy Trucks										S	S	S	P		
Vehicle Sales – Temporary										Z	Z	Z	Z		
5. HEALTH/HUMAN CARE															
Assisted Care/Living Facility - Major							S	S	S	P	P				
Assisted Care/Living Facility - Minor		S					S	P	P	P	P				P
Daycare Center		S						P	P	P	P				P
Daycare Facility			Z	Z	Z	Z	Z	P	P	P	P			Z	P
Daycare Home			P	P	P	P	P	P	P	P	P				
Hospital										S	S				
Medical Clinic, Major									S	P	P				P
Medical Clinic, Minor		S						P	P	P	P				P
Shelter Home			S				S	S	S	S	P	P	P		
Addicition Treatment Facility			S							P	P	P	P		
6. INDUSTRIAL															
Electric Power Generating Plant	S											S	S		
Fuel sales (bulk)											S	S	S		
Grain & Seed Processing			P									S	P		
Manufacturing, Heavy												S	P		
Manufacturing, Light										S	S	S	P		P

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LAND USE/ ACTIVITY	OS OPEN SPACE	PRO PROFESSIONAL OFFICE OVERLAY	AG AGRICULTURE	RR RURAL RESIDENTIAL	TN-1 TOWN NEIGHBORHOOD 1	TN-2 TOWN NEIGHBORHOOD 2	TN-3 TOWN NEIGHBORHOOD 3	CMT COMMUNITY MARKET	MU MIXED USE	CC CENTRAL CITY	COM COMMERCIAL	IND1 LIGHT INDUSTRIAL	IND2 HEAVY INDUSTRIAL	AP AIRPORT	CSI COLLEGE OF SOUTHERN IDAHO
Manufacturing, Medium											S	S	P		
Recycling Center												S	P		
Recycling Plant												S	S		
Slaughterhouse												S	S		
Storage Facility, Self-service										S	S	P	P		
Storage Yard										S	S	P	P		S
Taxidermy studio										S	S	S	P		
Testing laboratories, Major										S	S	S	P		
Testing laboratories, Minor		S						S	S	P	P	P	P		P
Vehicle Impound Yard												S	S		
Vehicle Repair Services, Major										S	S	S	S		S
Vehicle Repair Services, Minor										S	Z	P	P		P
Warehouse/ Distribution Center										S	S	P	P	S	
Wrecking, Salvage & Junkyard												S	S		
7. LODGING															
Bed & Breakfast Facility		S	S	S			S	P	S	P	P				S
Campground / Recreational Vehicle Park	S										S				
Dormitory															P
Hotel										P	P				P
Motel										S	S				

Table 1 Table of Uses by Zoning District

LAND USE/ ACTIVITY	OS OPEN SPACE	PRO PROFESSIONAL OFFICE OVERLAY	AG AGRICULTURE	RR RURAL RESIDENTIAL	TN-1 TOWN NEIGHBORHOOD 1	TN-2 TOWN NEIGHBORHOOD 2	TN-3 TOWN NEIGHBORHOOD 3	CMT COMMUNITY MARKET	MU MIXED USE	CC CENTRAL CITY	COM COMMERCIAL	IND1 LIGHT INDUSTRIAL	IND2 HEAVY INDUSTRIAL	AP AIRPORT	CSI COLLEGE OF SOUTHERN IDAHO
8. RECREATION/ENTERTAINMENT															
Athletic Arena or Stadium - Public Owned	S		S	S	S	S	S	S	S	S	P	P	P	P	P
Athletic Arena or Stadium - Private Owned										S	S	S	S	S	P
Fun Center - Minor								P	P	P	P	P	P		P
Fun Center - Major								S	Z	Z	Z	S	P		P
Fun Park									S	S	S	S	P		
Golf Course/ Golf Driving Range	S		S								S			S	P
Park / Playground - Private	S		S	S	S	S	S	S	S	S	S	P	P	S	P
Park / Playground - Public	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Racetrack													S	S	
Sport Shooting Range - Indoor										Z	Z	Z	Z		
Sport Shooting Range - Outdoor	S												S	S	
Zip Line	S														P
Zoo	S									S	S		S		
9. RESIDENTIAL															
Accessory Building	Z		Z	Z	Z	Z	Z							Z	
Dwellings - Accessory Dwelling Unit (ADU)			Z	Z	Z	Z	Z							Z	
Dwellings - attached Single Dwelling Unit (Townhome)					Z	Z	Z	Z	Z	Z					
Dwelling - Detached Single Dwelling Unit			P	P	P	P	P							P	
Dwellings - Multi-Dwelling Unit (5+)							P		P	P	P				P

Table 1 Table of Uses by Zoning District

LAND USE/ ACTIVITY	OS OPEN SPACE	PRO PROFESSIONAL OFFICE OVERLAY	AG AGRICULTURE	RR RURAL RESIDENTIAL	TN-1 TOWN NEIGHBORHOOD 1	TN-2 TOWN NEIGHBORHOOD 2	TN-3 TOWN NEIGHBORHOOD 3	CMT COMMUNITY MARKET	MU MIXED USE	CC CENTRAL CITY	COM COMMERCIAL	IND1 LIGHT INDUSTRIAL	IND2 HEAVY INDUSTRIAL	AP AIRPORT	CSI COLLEGE OF SOUTHERN IDAHO
Dwellings - Two Dwelling Unit					P	P	P		P						
Dwellings - Triplex (3 units on 1 lot)						S	P	S	P						
Dwellings - Fourplex (4 units on 1 lot)						S	P	S	P						
Dwelling - Caretaker Unit								P	P	P	P	P	P	P	
Dwellings - Mixed Use Building								S		P	P				
Group Home (See Idaho Statute)			P	P	P	P	P			P				P	
Home Occupation			Z	Z	Z	Z	Z	Z	Z	Z	Z			Z	
Manufactured Housing Community											S				
10. OTHER															
Adult Establishments													Z		
Airport Supplemental Uses														P	
Airport/Heliport														P	
Eagles Nest - CSI															P
Helistop											S			P	
Outdoor amplified sound or music	S		S	S				S	S	S	S	S	S	S	S
Parking Structure									S	S	S	P	P	P	S
Utility Collection/ Distribution Facility - Minor	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Utility Collection/ Distribution Facility - Major	S		S	S	S	S	S	S	S	S	S	S	S	S	S
Utility Collection/ Distribution Line	P		P	P	P	P	P	P	P	P	P	P	P	P	P

Table 1 Table of Uses by Zoning District

LAND USE/ ACTIVITY	OS OPEN SPACE	PRO PROFESSIONAL OFFICE OVERLAY	AG AGRICULTURE	RR RURAL RESIDENTIAL	TN-1 TOWN NEIGHBORHOOD 1	TN-2 TOWN NEIGHBORHOOD 2	TN-3 TOWN NEIGHBORHOOD 3	CMT COMMUNITY MARKET	MU MIXED USE	CC CENTRAL CITY	COM COMMERCIAL	IND1 LIGHT INDUSTRIAL	IND2 HEAVY INDUSTRIAL	AP AIRPORT	CSI COLLEGE OF SOUTHERN IDAHO
Wind Turbine			S	S									S	S	S
Wireless Communication Equipment - Colocation	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Wireless Communications Tower	S*		S*						S*	S*	S*		S*	S*	S*
Wireless Communications Tower - Stealth or Alternative Design	Z		S*					S*	Z	Z	Z		Z	Z	Z

*Shall follow the criteria listed in 10-6 Land Use Regulations for Stealth Tower.

10-3-3: OPEN SPACE (OS)

A. Description & Purpose. The purpose of the Open Space District is to preserve and maintain the natural character, view sheds, ecological habitat, and areas for both passive and active recreation in and around the City of Twin Falls.

B. Use of Lots: Each building except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a lot shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

C. Property Development Standard

1. Lot Area.

   a. The minimum lot area per household dwelling shall be 8,000 square feet if serviced by centralized sewer, and 43,560 square feet if on septic tanks.

   b. A permitted use that conforms to all other provisions of this title may be allowed on a lot that does not meet the minimum lot size requirements if the lot existed at the effective date of this title, and conformed to the minimum lot size requirements of this title at the time it was created, except that residential uses shall be limited to a Detached Single Dwelling Unit.

   c. Each nonresidential use shall have a minimum lot area established by the commission through the Special Use Permit process.

Table 2 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
8,000/43,000	n/a	n/a	n/a%

2. Building Height. No building shall exceed 20 feet in height.

Table 3 Building Height

Building / Structure	Max. Height (ft.)
Main building	20

3. Building Setbacks.

   a. Residential:

      i. Front Setbacks: The front building line shall not be close than 30 feet to the front property line.

      ii. Side Setbacks: The front building line shall not be close than 7 feet to the front property line

      iii. Rear Setbacks: The front building line shall not be close than 30 feet to the front property line

   b. Each nonresidential use shall have a yard established by the commission through the Special Use Permit process.

4. Landscaping. All nonresidential uses shall have the landscaping requirement established by the commission through the Special Use Permit process.

10-3-4: AGRICULTURAL (AG)

A. Description & Purpose. The purpose of the Agriculture District is to support agricultural production, sales, education, preserve the agricultural character of the built environment, and protect agricultural view sheds.

B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that incudes parts of platted or unplatted lands existing at the effective date hereof.

C. Property Development Standards.

1. Lot Area: The minimum lot area shall be 20 acres.

Table 4 Lot Dimensions

Min. Area (acres)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
20	n/a	n/a	n/a

2. Building Height. No building shall exceed 40 feet in height.

Table 5 Building Height

Building / Structure	Max. Height (ft.)
Main building	40

3. Building Setback.

a. Front Setbacks: The front building line shall not be closer than 30 feet to the front property line.

b. Side Setbacks: The side building line shall not be closer than 7 feet to the side property line.

c. Rear Setbacks: The rear building line shall not be closer than 30 feet to the rear property line.

Table 6 Building Setbacks

Building Setbacks	Main
Front	30′
Side	7′
Rear	30′
Rear abutting alley	30′

4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.

5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-5: CANYON RIM OVERLAY DISTRICT (CRO)

A. Purpose.

The purpose of the Canyon Rim Overlay District is to protect and preserve the Canyon Rim experience along the Snake River Canyon & Rock Creek Canyon, as well as:

1. To protect the public and private property owners from the natural hazards of rock fall and slope failure along the Snake River Canyon and Rock Creek Canyon.
2. To protect views and create a unique visual environment along the canyon rims.
3. To preserve and improve the aesthetic appearance of the canyon rims for the enhancement of the quality of life in the community.
4. To provide development standards that enhance the value of canyon rim areas for the community.

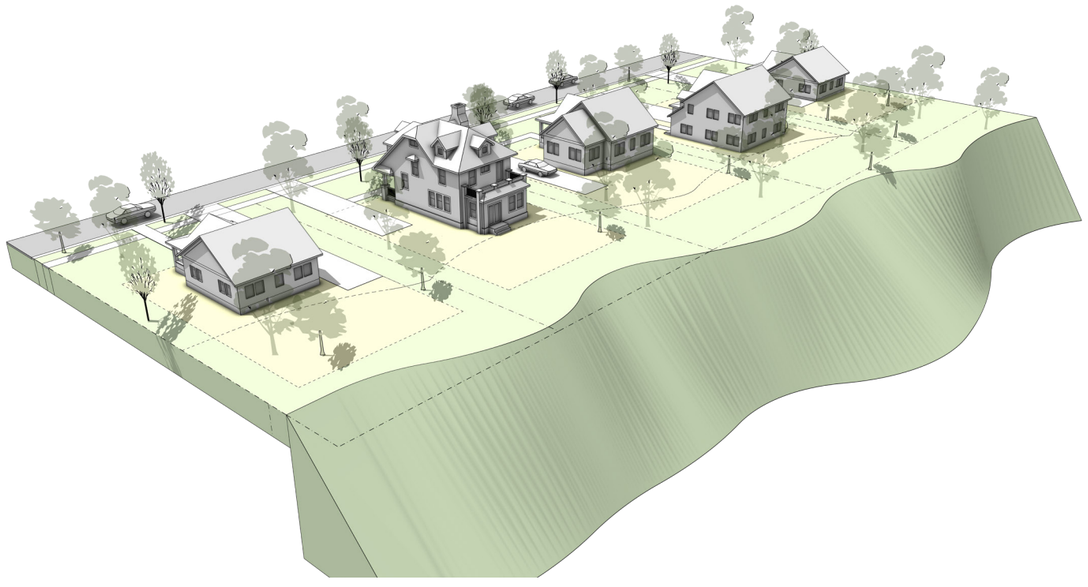
B. Location:

The Canyon Rim Overlay District shall include all of that area within the City located within 200 feet of the Rock Creek Canyon rim and within 700 feet of the Snake River Canyon rim.

C. Use of Lots: Use of lot is the same as the basic zoning district upon which the overlay is placed.

D. Property Development Standards

1. Lot Area: Same as the underlying zoning district upon which the overlay is placed.

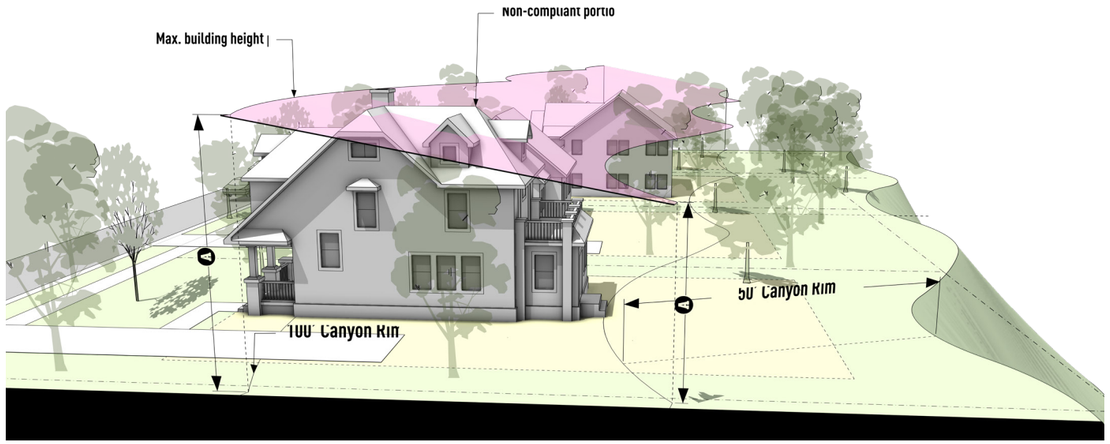


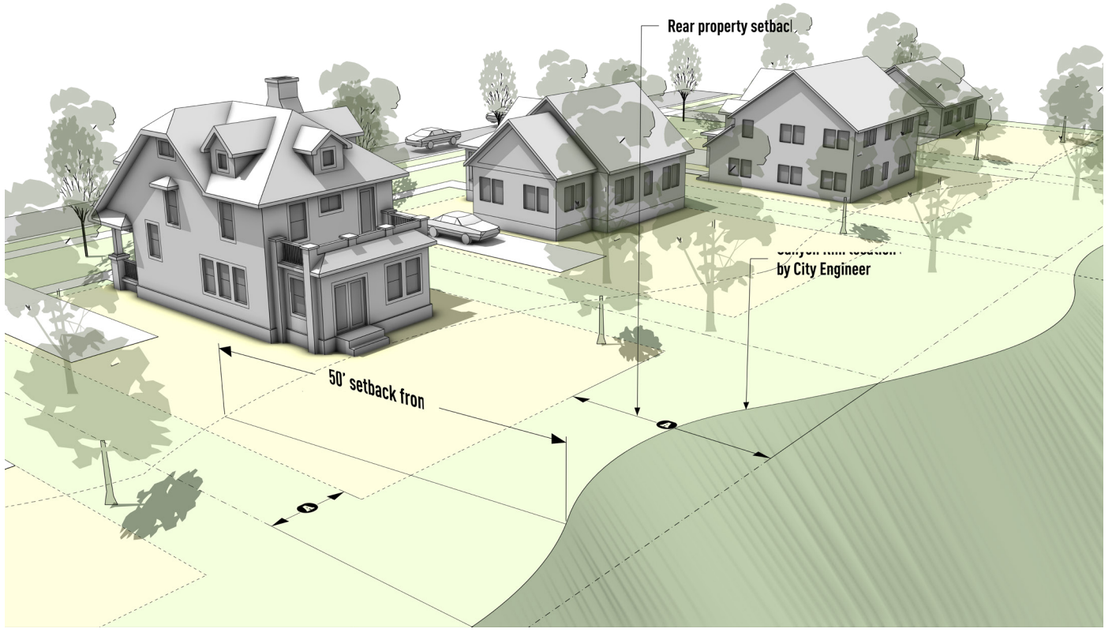
2. Building Height:
   a. Within the CI Zoning District: No building shall exceed maximum building height of twenty-five feet (25') in height measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim, and thereafter rising evenly to fifty feet (50') in height measured at one hundred fifty linear feet (150') from the canyon rim.
   b. All other applicable Districts: No building shall exceed maximum building height of twenty-five feet (25') in height measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim.
   c. All heights are to be measured from the existing canyon rim elevation, or the existing ground level elevation at the building site, whichever elevation is greater.
   d. Additional Height: Additional height may be requested for those areas beyond the 50 foot Canyon Rim setback by following the Additional Building Height Process established by 10-2.

Table 7 Building Height

Building / Structure	Max. Height at 50 ft. (ft.)	Max. Height at 100 ft. (ft.)	Max. Height at 150 ft. (ft.)
Principal building	25	35	50

3. Building Setbacks.
    a. Property Line Setback: Same as that of the underlying zoning district upon which the overlay is placed.
    b. Canyon Rim Setback: The minimum canyon rim setback in the CRO district shall be 100 feet.
    c. Setback Adjustment: The minimum canyon rim setback in the CRO district may be reduced to 50 feet or the minimum setback recommended in a qualified geological report, whichever results in a greater linear distance from the canyon rim.





4. Landscaping.
    a. Landscaping shall meet the requirements of section 10-9 of this title and shall include the following elements:
        i. Buffers.
            A. There shall be a minimum 50 foot landscaped buffer within 50 feet of the Canyon Rim.
            B. Roads and utilities may cross landscaped buffers, sidewalks and trails may run through them, and permitted freestanding signs and minor utility installations may be placed in them.
5. Parking. Parking areas including 24 or more spaces shall be broken into separate blocks by landscaped areas and pedestrian walks that comprise at least ten percent of the area devoted to parking. Grounding of landscaping shall not be allowed.
6. Canyon Rim Setback Area. The canyon rim setback area may be included as part of the twenty percent (20%) landscaping requirement if the area is landscaped to meet the minimum requirements of 10-9 of this title or if planted with native vegetation.

E. Signs. In addition to the general sign regulations, additional special regulations governing sign placement and height in the Canyon Rim Overlay are found in 10-10.

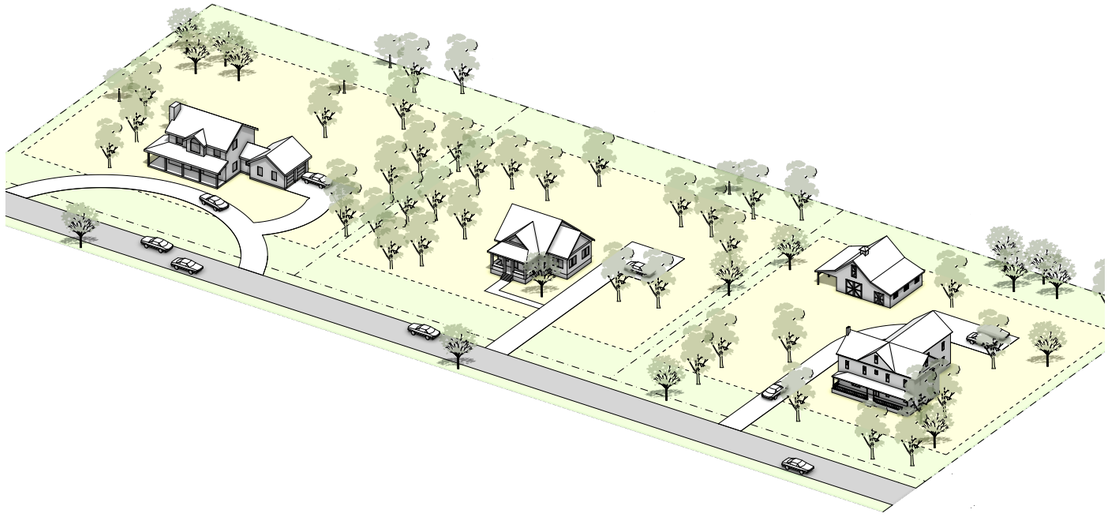
F. Building Types: Building types allowed in this zone will be the same as that of the underlying zoning district upon which the overlay is placed.

G. Additional Development Standards.
1. Form: Buildings that have a footprint of more than 3,000 square feet shall be designed to reduce their apparent mass using one or more of the following techniques:
    a. Varying Height: Buildings may be “stepped back” in height from the setback line to reduce their apparent mass and visual competition with the canyon wall.
    b. Varying Setback: The building line facing the canyon rim may be varied (i.e., different portions of the building would be different distances from the setback line).
    c. Landscaping: Mass plantings and earthworks can be designed and sited to effectively break the apparent mass of a building.
2. Fences. Maximum height of seven feet is permitted.

10-3-6: RURAL RESIDENTIAL (RR)

A. Purpose. The purpose of the Rural Residential District is to provide a transition from agricultural land to town neighborhoods. Typical development in the Rural Residential District is large-lot residential with integrated agricultural/open space uses.

B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that incudes parts of platted or unplatted lands existing at the effective date hereof.

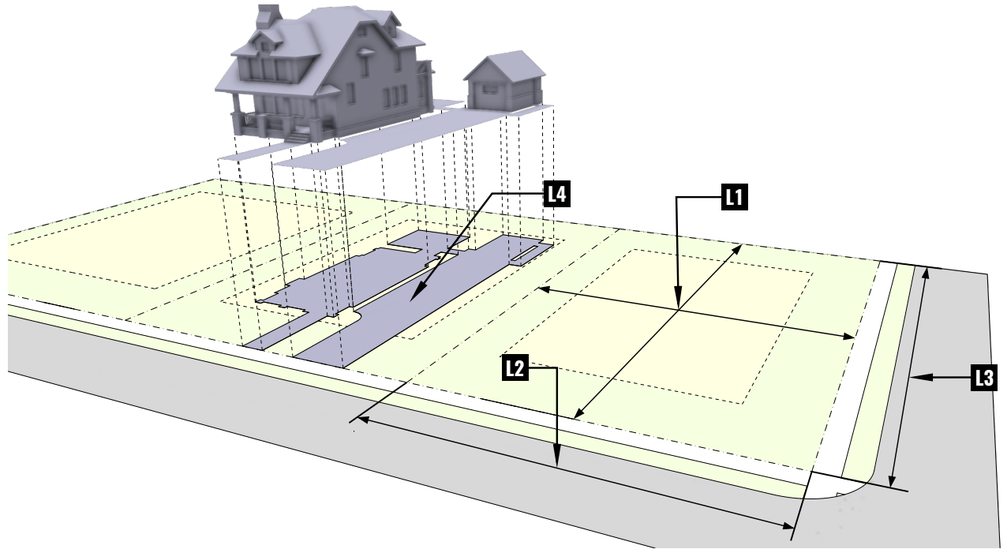


C. Property Development Standards

1. Lot Area. The minimum lot area per household dwelling shall be one acre, or as set forth in the "Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems" as adopted by the South Central District Board of Health, whichever is larger.

Table 8 Lot Dimensions

Min. Area (acres)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
1	n/a	n/a	n/a
L1	L2	L3	L4



2. Building Height. No building shall exceed 40 feet in height.

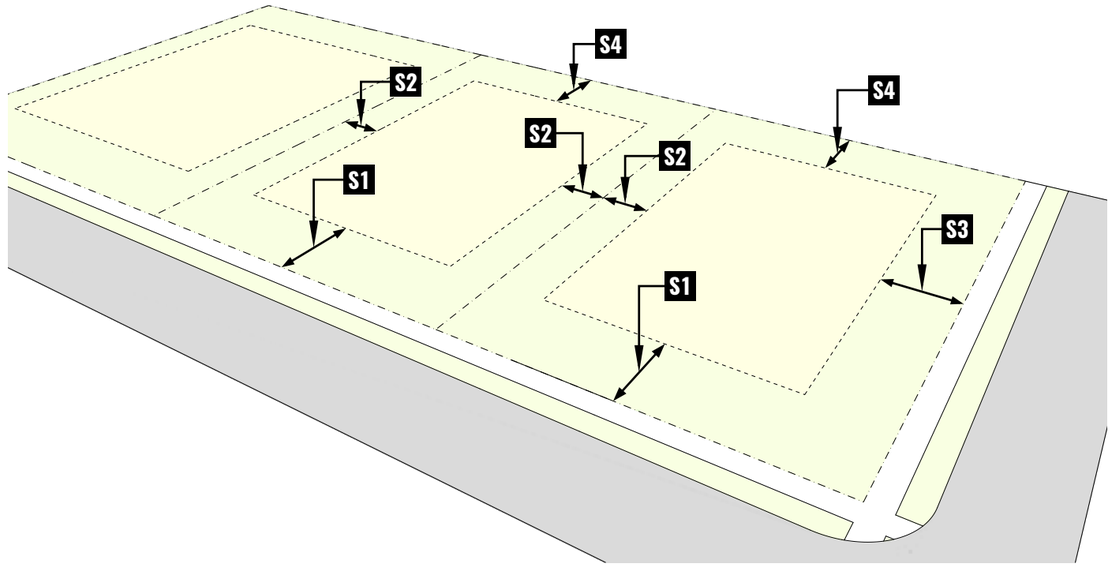
Table 9 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	40	H1



Table 10 Building Setbacks

Building Setbacks	Main	Diagram Key
Front	30′	S1
Side	7′	S2/S3
Rear	30′	S4



3. Building Setbacks.
   a. Front Setbacks: The front building line shall not be closer than 30 feet to the front property line.
   b. Side Setbacks: The side building line shall not be closer than 7 feet to the side property line.
   c. Rear Setbacks: The rear building line shall not be closer than 30 feet to the rear property line.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-7: Town Neighborhood 1 District (TN-1)

A. Purpose. This district is intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required.

B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that incudes parts of platted or unplatted lands existing at the effective date hereof.

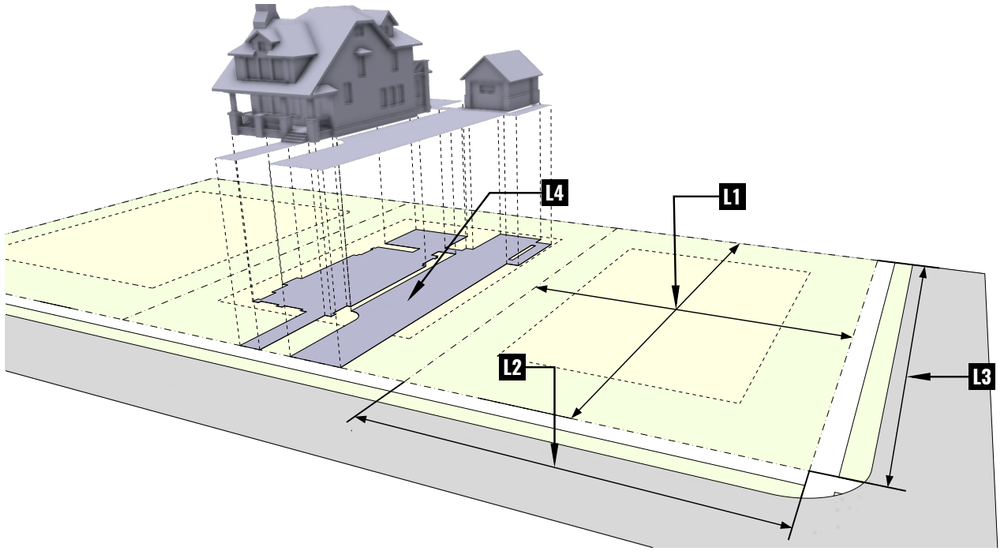


C. Property Development Standards.

1. Lot Area. The minimum lot area shall be 7,000 square feet for a single household dwelling and 10,000 square feet for a duplex dwelling.

Table 11 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
7,000/10,000	n/a	n/a	n/a
L1	L2	L3	L4



2. Building Height. No building shall exceed 35 feet in height.

Table 12 Building Height

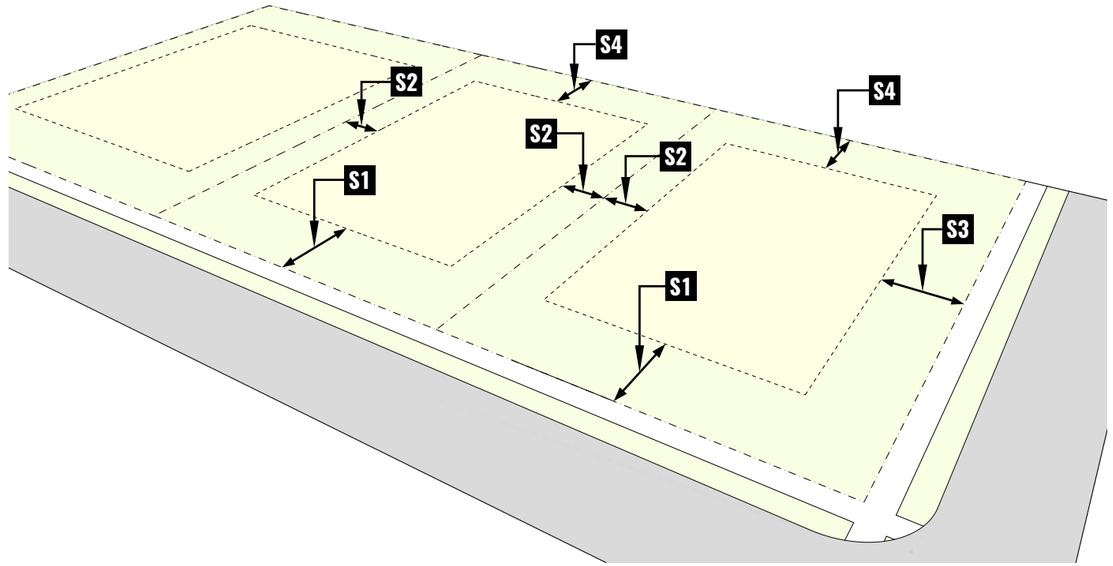
Building / Structure	Max. Height (ft.)	Key
Main building	35	H1



3. Building Setbacks.
   a. Front Setbacks: The front building line shall not be closer than 15 feet to the front property line.
      i. Garages facing any street shall not be closer than 20 feet to the property line.
   b. Side Setbacks: The side building line shall not be closer than 7 feet to the side property line.
   c. Rear Setbacks: The rear building line shall not be closer than 15 feet to the rear property line.
      i. Garages facing any street shall not be closer than 20 feet to the property line.

Table 13 Building Setbacks

Building Setbacks	Main	Diagram Key
Front	15′/20′	S1
Side	5′	S2/S3
Rear	15′/20′	S4



4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-8: Town Neighborhood 2 District (TN-2)

A. Purpose. This district is intended to promote and preserve medium density residential development and to provide a residential environment to allow the present and future residents to live and play in an area with space for personal privacy, minimum vehicular traffic, and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required.

B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that incudes parts of platted or unplatted lands existing at the effective date hereof.

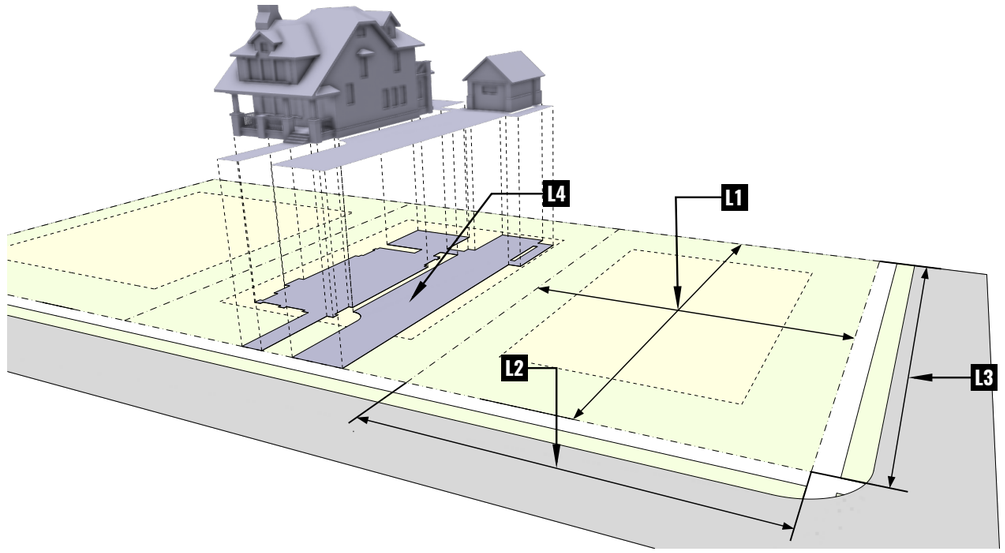


C. Property Development Standards.

1. Lot Area. The minimum lot area per single household dwelling shall be 4,000 square feet, 6,500 square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by 2,000 square feet per dwelling unit or 1,000 square feet per unit above or below the ground level unit.

Table 14 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
4,000/6,500 L1	n/a L2	n/a L3	n/a L4



2. Building Height. No building shall exceed 35 feet in height.

Table 15 Building Height

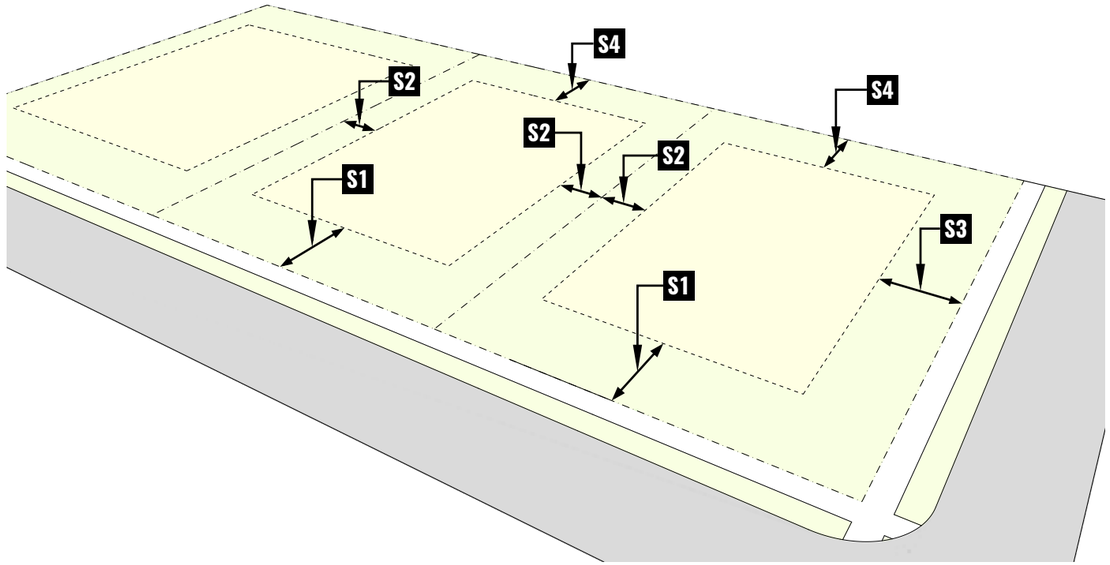
Building / Structure	Max. Height (ft.)	Key
Main building	35	H1



3. Building Setbacks:
   a. Front Setbacks: The front building line for the primary dwelling shall not be closer than 15 feet to the front property line.
      i. Garages facing any street shall not be closer than 20 feet to the property line.
   b. Side Setbacks: The side building line shall not be closer than 5 feet to the side property line.
   c. Rear Setbacks: The rear building line shall not be closer than 15 feet to the rear property line.
      i. Garages facing any street shall not be closer than 20 feet to the property line.

Table 16 Building Setbacks

Building Setbacks	Main	Diagram Key
Front	15′/20′	S1
Side	5′	S2/S3
Rear	15′/20′	S4



4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-9: Town Neighborhood 3 District (TN-3)

A. Purpose. This district is intended to promote and preserve residential development and to provide a high density residential environment free from encroachment by major commercial and industrial activities with a proportional increase in amenities as density rises. Centralized water and sewer facilities are required

B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that incudes parts of platted or unplatted lands existing at the effective date hereof.

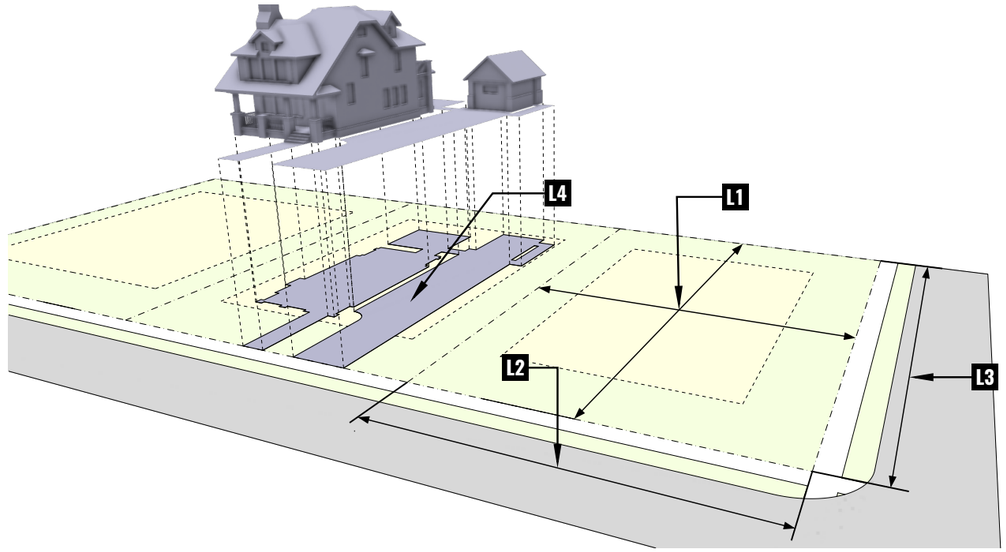


C. Property Development Standards.

1. Lot Area. The minimum lot area per single household dwelling shall be 3,500 square feet, 5,500 square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by 2,000 square feet per dwelling unit or 1,000 square feet per unit above or below the ground level unit.

Table 17 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
3,500/5,500 L1	n/a L2	n/a L3	n/a L4



2. Building Height. No building shall exceed 40 feet in height.

Table 18 Building Height

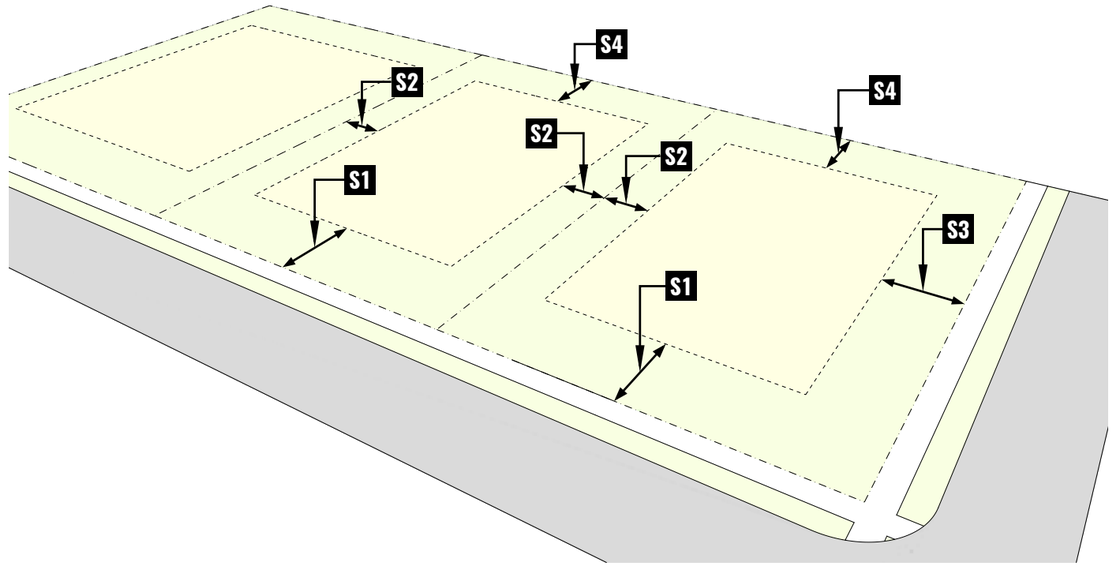
Building / Structure	Max. Height (ft.)	Key
Main building	40	H1



3. Building Setbacks:
   a. Front Setbacks: The front building line for the primary dwelling shall not be closer than 15 feet to the front property line.
      i. Garages facing any street shall not be closer than 20 feet to the property line.
   b. Side Setbacks: The side building line shall not be closer than 5 feet to the side property line.
   c. Rear Setbacks: The rear building line shall not be closer than 15 feet to the rear property line.
      i. Garages facing any street shall not be closer than 20 feet to the property line.

Table 19 Building Setbacks

Building Setbacks	Main	Diagram Key
Front	15′/20′	S1
Side	5′	S2/S3
Rear	15′/20′	S4



4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-10: COMMUNITY MARKET DISTRICT (CMT)

A. Purpose. The purpose of the Community Market District is to provide supporting services and neighborhood-scale commercial and office development for surrounding residential uses. Such development should be designed to complement the surrounding neighborhood character.

B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that incudes parts of platted or unplatted lands existing at the effective date hereof.



C. Property Development Standards.

1. Lot Area.
    a. Commercial Uses: The lot area shall be of sufficient size to provide for the building, off street parking and landscaping.
    b. Residential Uses: Residential uses less than five units and not attached to a commercial use shall provide the minimum lot area of the Town Neighborhood 2 (TN-2) district.
2. Building Height. No building shall exceed 35 feet in height except as provided by section 10-2 of this title.
3. Building Setbacks.
    a. Front Setbacks: A setback of 35 feet shall be maintained on major arterials and 15 feet on all other streets.
    b. Side Setbacks:
        i. Commercial and residential over 5 units: 0 feet or 15 feet from residential zones
        ii. Residential: 15 feet
    c. Rear Setbacks:
        i. Commercial and residential over 5 units: 0 feet or 15 feet from residential zones
        ii. Residential: 15 feet
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-11: Mixed-use District (MU)

A. Purpose. The Mixed-Use District is established to promote a vibrant, inclusive, and sustainable neighborhood that balances residential, commercial, and recreational uses. This district encourages a sense of place and community through thoughtful design, diverse housing options, accessible public spaces, and walkable connectivity to nearby amenities. It supports smart growth principles to enhance livability, foster economic opportunities, and preserve the distinct character of Twin Falls.



B. Property Development Standards.

1. Lot Area:
   a. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
   b. Residential Uses: Residential uses not attached to a commercial use shall provide the minimum lot area of the TN-3 district or as determined by the ZDA process.
2. Building Height. No building shall exceed 40 feet in height except as provided by section 10-2 of this title.
3. Building Setbacks.
   a. Front Setbacks:
      i. Commercial and residential over 5 units: 35 feet on major arterials, 15 feet all other roads.
      ii. Residential: Standards for TN-3 Zone apply.
   b. Side Setbacks:
      i. Commercial and residential over 5 units: 0 feet
      ii. Residential: Standards for TN-3 Zone apply.
   c. Rear Setbacks:
      i. Commercial and residential over 5 units: 0 feet
      ii. Residential: Standards for TN-3 Zone apply.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-12: Central City District (CC)

A. Purpose. The Central City District is established to serve as the economic, cultural, and civic heart of Twin Falls, fostering a dynamic, mixed-use environment that promotes growth, innovation, and community engagement. This district supports a blend of residential, commercial, entertainment, and institutional uses, encouraging higher density development while preserving the historic character and walkable nature of the city center.

By prioritizing pedestrian-oriented design, public spaces, and sustainable infrastructure, the Central City District enhances connectivity, economic opportunity, and quality of life for residents, businesses, and visitors. It seeks to revitalize underutilized spaces, attract new investment, and create a vibrant destination that reflects the unique identity and values of Twin Falls.



B. Property Development Standards.

1. Lot Area. The lot area shall be of sufficient size to provide for the building, off street parking and landscaping.
2. Building Height. No building shall exceed 65 feet in height except as provided by section 10-2 of this title.
3. Building Setbacks. No property line setbacks, unless specified by the Planning and Zoning Commission through the Special Use Permit process.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

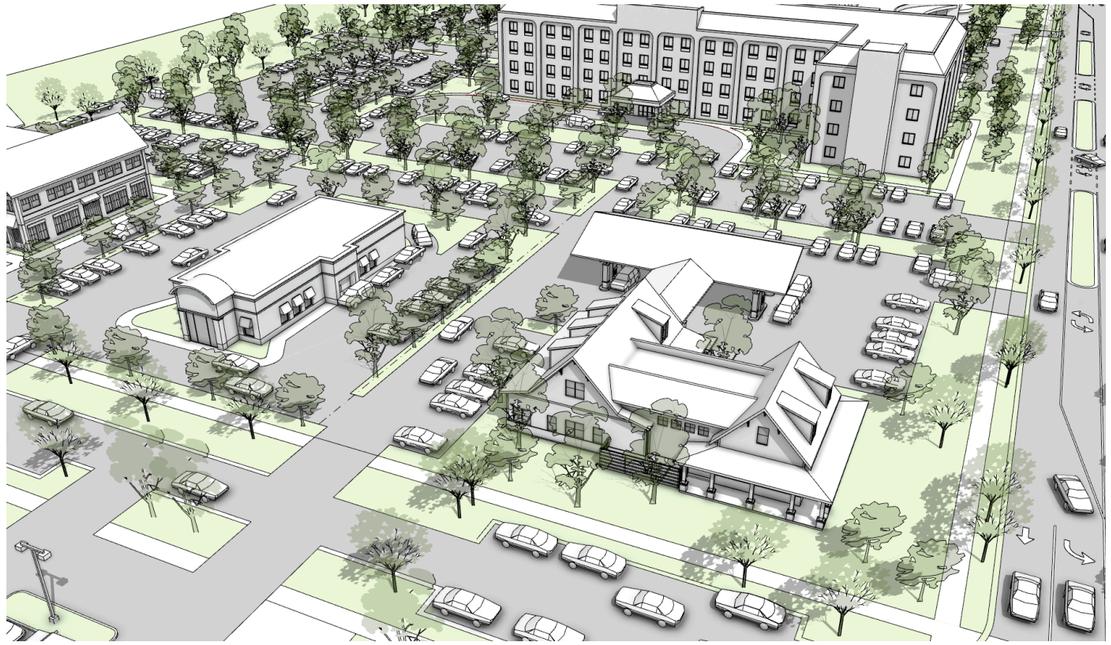
10-3-13: Commercial District (COM)

A. Purpose. The Commercial District is designed to accommodate a wide range of retail, service, and office uses that support the economic vitality of Twin Falls. This district serves as a key commercial hub, providing essential goods, services, and employment opportunities to residents, businesses, and visitors.

Characterized by medium-intensity development, the district features a variety of commercial establishments, including shopping centers, restaurants, professional offices, and service providers. Site design emphasizes safe and efficient vehicular access, ample parking, and connectivity to adjacent neighborhoods and transportation corridors.

While auto-oriented in nature, the district encourages pedestrian access through sidewalks, landscaping, and clear pathways that enhance the customer experience. Development standards promote functional, attractive buildings and site layouts that integrate with the surrounding community and maintain the city's visual appeal.

The Commercial District supports a balance of economic growth and community needs, providing a flexible framework for businesses to thrive while fostering a welcoming, accessible, and well-maintained commercial environment for all of Twin Falls.



B. Property Development Standards.

1. Lot Area: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
2. Building Height: No building shall exceed 50 feet height except as provided by section 10-2 of this title.
3. Building Setbacks.
    a. Commercial Uses and Residential Uses with 5 Or More Units Per Building:
        i. Front Setbacks: A setback of 20 feet shall be maintained on major arterials and 10 feet on all other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:
            A. A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required 35 feet property line setback on arterial streets, providing the property line setback is not less than 30 feet for a pump island nor less than 20 feet for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.
            B. Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of 20 feet or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission.
        ii. Side and Rear Setbacks: No property line setbacks are required on side yard or rear yards when adjacent to existing commercial uses, existing residential uses with five or more units per building, vacant property that is zoned for nonresidential development, or vacant property that is designated on the future land use plan for nonresidential development. A property line setback of 25 feet shall be maintained on the side yard and rear yard for buildings adjacent to existing residential uses with four or fewer units per building, vacant property that is zoned for residential development or vacant property that is designated on the future land use plan for residential development.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-14: INDUSTRIAL DISTRICTS (IND 1 & IND 2)

A. Purpose. The purpose of the Industrial Districts are to provide for manufacturing and light industrial uses, and limit the encroachment of non-industrial development within established industrial areas.

B. Property Development Standards.

1. Lot Area: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping. Each nonresidential use shall have a minimum lot area established by the commission.
2. Building Height. No building shall exceed 75 feet in height except as provided by section 10-2 of this title.
3. Building Setbacks.
    a. Commercial Uses:
        i. Front Setbacks: A setback of 20 feet shall be maintained on major arterials and ten feet on all other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:
            A. A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required 35 feet property line setback on arterial streets, providing the property line setback is not less than 30 feet for a pump island nor less than 20 feet for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.
            B. Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of 20 feet or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission.
        ii. Side & Rear Setbacks: Commercial Uses have a zero foot side and rear setback.
    b. Residential Uses: Residential uses shall conform to the setback standards of the TN-3 district.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-15: AIRPORT DISTRICT (AP)

A. Purpose

The purpose of the Airport District is to support safe airport operations and promote compatible airport-related development that will accommodate expansion of airport operations over time.

B. Property Development Standards

1. Lot Area.
   a. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
   b. Agricultural & Residential Uses: Minimum of 20 acres.
2. Building Height.
   a. Non-Airport Related buildings and structures: No building or structure shall exceed 35 feet in height. The Planning & Zoning Commission may authorize additional height for structures as provided in Federal Aviation Agency regulations part 77.
   b. Airport Related structures: Structures approved by airport staff and adhering to Federal Aviation Agency regulations part 77 are exempted from this restriction.
3. Building Setbacks.
   a. Front Setbacks: As approved by the Airport Advisory Board.
   b. Side Setbacks: As approved by the Airport Advisory Board.
   c. Rear Setbacks: As approved by the Airport Advisory Board.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-8 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-9 of this title.

10-3-16: COLLEGE OF SOUTHERN IDAHO DISTRICT (CSI)

A. Purpose

The purpose of the College of Southern Idaho District is for the City to give the necessary autonomy to the College to achieve its academic goals and objectives. The only properties that are eligible for this designation are those owned and operated by the College.

B. Property Development Standards

1. Lot Area. N/A
2. Building Height. No building shall exceed 40 feet in height except as provided by section 10-2 of this title.
3. Building Setbacks.
   a. Front Setbacks: Setbacks on arterial frontages shall be 35 feet from property line and 15 feet on other streets. In developed areas which have buildings lines already established, this requirement may be reviewed and adjusted by the Commission.
   b. Side Setbacks: Zero feet, or 15 feet from residential zones.
   c. Rear Setbacks: Zero feet, or 15 feet from residential zones.
4. Landscaping. Landscaping shall meet the requirements of section 10-9 of this Title.

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10-4: HISTORIC DISTRICTS & REGULATIONS

10-4-1: APPLICABILITY.

The regulations included in this section apply to all properties located within the Twin Falls Downtown Historic District, Twin Falls City Park Historic District, and Warehouse Historic District.

10-4-2: CERTIFICATE OF APPROPRIATENESS

A. Any applicant desiring to construct, repair, alter, restore, modify, relocate, demolish, or change in any manner the exterior portion of any building or structure within the Historic Districts listed in this section shall apply for and receive a Certificate of Appropriateness prior to any granting of building permits or changes to the exterior portion of said building or structure. A Certificate of Appropriateness is also required for the construction, repair, or change to aboveground utility structures, wireless communication facilities, and any type of permanent outdoor advertising within the Historic Districts listed in this section.

B. Application Process. Certificates of Appropriateness applications shall be approved or denied using the following procedure:

   1. Application. Any person desiring to obtain a Certificate of Appropriateness, as herein defined, shall submit the necessary application to the Administrator on forms as provided by the City.

   2. Historic Preservation Commission Review.

      a. Historic Preservation Commission review is required for the approval of a Certificate of Appropriateness.

   b. The Twin Falls City Historic Preservation Commission shall review the Design Guidelines as they exist or as amended for compliance before issuing a Certificate of Appropriateness.

   c. The Historic Preservation Commission shall make its determination within 15 business days after submission of the application. Such a certificate is to be issued by the Administrator prior to the issuance of a building permit or other permit granted for purposes of construction or altering structures.

   d. A Certificate of Appropriateness shall be required whether or not a building permit is required.

   e. A decision of the Historic Preservation Commission regarding an application for a Certificate of Appropriateness may be appealed by the applicant to the City Council.

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10-5: WELLHEAD PROTECTION OVERLAY DISTRICT

10-5-1: SHORT TITLE AND PURPOSE

A. This section shall be known as the Wellhead Protection Plan.

B. It is the purpose of this section to promote the public health, safety, and general welfare, and to minimize public and private losses due to contamination of the public water supply, and to formalize groundwater protection/pollution abatement and control procedures. Specific goals are to:

1. Protect human life and health;
2. Ensure that the public is provided with a sustainable, safe potable water supply;
3. Minimize expenditure of public money for pollution remediation projects;
4. Minimize regulations on land use; and
5. Minimize business interruptions.

10-5-2: DEFINITIONS

When used in this section the following words and phrases shall have the meanings given in this section:

A. Agricultural Runoff Wastewater: Water diverted for irrigation but not applied to crops, or runoff of irrigation tail water from the cropland as a result of irrigation.

B. Community Water System: A public system which serves at least 15 service connections used by year round residents or regularly serves at least 25 year round residents.

C. Community Wellhead: The upper terminal of a well, including adapters, ports, seals, valves and other attachments.

D. Facility: Refers to any business or corporation that is built, installed, or established to serve a particular purpose.

E. Hazardous Waste Disposal Facility: A hazardous waste treatment, storage, or disposal facility which receives hazardous material as described in part 40 chapter 260.1 of the code of federal regulations.

F. Hazardous Waste or Material: Any waste or material which, because of its quantity, concentration, physical, chemical or infectious characteristics, may:

1. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or,
2. Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of or otherwise managed; or,
3. Any material or substance designated as a hazardous or toxic substance defined by part 40 chapter 261.3 of the Code of Federal Regulations, or any material or substance designated as a hazardous or toxic substance by the State of Idaho, acting through the Division of Environmental Quality or any successor agency.

G. Injection: The subsurface emplacement of fluids.

H. Livestock Confinement Operation: As defined in the County Zoning Ordinance.

I. Noncommunity Water System: A public water system that is not a community water system.

J. Public Water System: A system that provides the public with piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. Such term includes: 1) any collection, treatment, storage, and distribution facilities under control of the operator of such system, and used primarily in connection with such system, and 2) any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system. A public water system is either a "community water system" or a "noncommunity water system" as defined herein.

K. Sanitary Landfill: A solid waste disposal operation where the wastes are spread on land in thin layers, compacted to the smallest practical volume, and covered with cover material once each day of operation in order to safeguard against environmental pollution, nuisances, and health hazards.

L. Stowm Water Runoff: Water discharged as a result of rain, snow, or other precipitation.

M. Time of Travel Districts (TOT): The time required for a contaminant to move in the ground from a specific point to a well.

N. Underground Injection Well: Any excavation or artificial opening into the ground which meets the following three criteria:

1. It is a bored, drilled or dug hole, or is a driven mine shaft or a driven well point; and,
2. It is deeper than its largest straight-line surface dimension; and,
3. It is used for or intended to be used for injection.

O. Wellhead Protection Overlay District (WPO): A land use designation on the Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation in some specific manner. The Wellhead Protection Overlay District will also appear in the hazardous component of the Comprehensive Plan. A map will define specific area districts centering around wells supplying drinking water to a public water system. The map is delineated using one of the following methods:

1. Calculated fixed radius; or,
2. Arbitrary fixed radius; or,
3. Simplified variable shapes; or,
4. Semi-analytical, and analytical methods; or,
5. Hydrogeologic mapping; or,
6. Numerical modeling; and
7. Follow the guidelines established in the Idaho Wellhead Protection Plan.

P. Wellhead Protection Overlay District Ia: A minimum fixed radius extending no less than 50 feet radially from the wellhead supplying potable water to the public water supplies.

Q. Wellhead Protection Overlay District Ib: A three year "time of travel district (TOT)" as defined in this Section.

R. Wellhead Protection Overlay District II: A six year "time of travel district (TOT)" as defined in this Section.

S. Wellhead Protection Overlay District III: A 10 year "time of travel district (TOT)" as defined in this Section.

10-5-3: ESTABLISHMENT OF WELLHEAD PROTECTION OVERLAY DISTRICT

There is hereby established a Wellhead Protection Overlay District identified and described as all the area within the 10 year TOT district around public water supplies as shown on the Official Zoning Map. It is further established that these areas be composed of four districts: "Wellhead Protection Overlay District Ia," "Wellhead Protection Overlay District Ib", "Wellhead Protection Overlay District II", and "Wellhead Protection Overlay District III", as they are defined in this Chapter. The City may record with the County Recorder's office a metes and bounds description of the Wellhead Protection Overlay District.

10-5-4: PROHIBITED USES WITHIN DISTRICT Ia OF THE WELLHEAD PROTECTION AREA

Uses permitted within District Ia shall be limited to necessary public water supply wellhead equipment including the following: wellhead facility buildings, water storage tanks, disinfection equipment, disinfection chemical storage and approved landscaping. All other uses shall be prohibited.

10-5-5: PROHIBITED USES WITHIN DISTRICT Ib OF THE WELLHEAD PROTECTION AREA

The following uses or conditions shall be and are hereby prohibited within District Ib of the Wellhead Protection areas:

A. Sanitary landfills.

B. Livestock confinement operations.

C. Hazardous waste disposal facility.

D. Injection wells except for the following:

1. Closed systems.

E. All manufacturing or industrial businesses involving the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous solid or liquid material or waste having potential impact on ground water.

F. Existing sewer lines shall not be closer than 100 feet of a wellhead or of new sanitary systems and sewer lines shall not be closer than 150 feet of a wellhead.

G. Existing septic tanks or drain fields shall not be closer than 100 feet of a wellhead and new installation of septic tanks or drain fields shall not be closer than 200 feet away from the wellhead.

H. Junk or salvage yards.

I. Disposal of waste oil, oil filters, tires and all other petroleum products.

J. Land use activities posing a hazard or threat to existing ground water quality as deemed by the Zoning Administrator during review process of applications.

10-5-6: PROHIBITED USES WITHIN DISTRICT II OF THE WELLHEAD PROTECTION AREA

The following uses or conditions shall be and are prohibited within District II of the Wellhead Protection Overlay District:

A. Sanitary landfills;

B. Hazardous waste disposal facilities;

C. Injection wells except for the following:

   1. Deep well injection (below 18 feet in depth):

      a. Geothermal heat;

      b. Heat pump return;

      c. Cooling water return.

   2. Shallow well injection only (less than 18 feet in depth):

      a. Storm runoff;

      b. Agricultural runoff waste water;

      c. Special drainage water;

      d. Aquifer recharge;

      e. Aquifer remediation;

      f. Septic systems (general).

D. Land use activities posing a hazard or threat to existing ground water quality as deemed by the Zoning Administrator during review process of applications.

10-5-7: PROHIBITED USES WITHIN DISTRICT III OF THE WELLHEAD PROTECTION OVERLAY DISTRICT

The following uses or conditions shall be and are prohibited within District III of the Wellhead Protection Overlay District:

A. Injection wells except for the following:

   1. Deep well injection (below 18 feet in depth):

      a. Geothermal heat;

      b. Heat pump return;

      c. Cooling water return.

   2. Shallow well injection only (less than 18 feet in depth):

      a. Storm runoff;

      b. Agricultural runoff waste water;

      c. Special drainage water;

      d. Aquifer recharge;

      e. Aquifer remediation;

      f. Septic systems (general).

B. Land use activities posing a hazard or threat to existing ground water quality as deemed by the Zoning Administrator during review process of applications.

10-5-8: NOTICE OF PROPOSED ACTION TO OPERATOR OF PUBLIC OR COMMUNITY WATER SUPPLY

Whenever there is a request which requires approval from the Planning and Zoning Commission for land lying within a Wellhead Protection District, written notice of the hearing shall be given to the entity operating the public or community water supply within that overlay district.

The Planning and Zoning Commission may require a granting of easements for monitoring wells if the Commission deems it appropriate for protection of the public water supply.

10-5-9: NONCONFORMING USES

Any legal use existing at the time of the adoption of this section and listed as a prohibited use herein, shall become a legal nonconforming use and may not be expanded or improved except as otherwise provided in the zoning ordinance.

10-5-10: ENFORCEMENT

It shall be unlawful for any person, corporation, government entity or business to occupy or use the land within the area designated in the wellhead protection overlay district I, II, and III contrary to, or in violation of, any of the provisions of this section.

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10-6: ZONING USE PERMIT REGULATIONS

10-6-1: General Requirements to all Zoning Use Permits

All zoning use permits shall provide the following site improvements:

A. Landscape Buffer Requirement: A landscape buffer shall be provided between non-residential uses and residential uses or districts that shall conform to the following:

   1. Non-Residential Use in the Community Market & Mixed-Use Districts shall have a 10 foot buffer between non-residential uses and residential uses or districts.

   2. Non-Residential Use in the Commercial & Industrial Districts shall have a 15 foot buffer between non-residential uses and residential uses or districts.

B. Exhaust Fans /HVAC Equipment shall be directed away from residential districts and uses. Natural ventilation openings shall be directed away from residential districts and uses to the extent possible as determined by the Administrator.

C. Any person desiring to obtain a Zoning Use Permit, as herein defined, shall submit all necessary completed applications to the Administrator on forms as provided by the City.

10-6-2: Zoning Use Permit Land Use Requirements

Unless otherwise exempted, all uses requiring a Zoning Use Permit shall comply with the pertinent requirements as outlined in 10-7 of this Title.

10-6-3: AGRICULTURE & ANIMALS

A. Community Garden

   1. Criteria applicable to all districts:

      a. A Community Garden operating plan is required. The plan shall contain the following:

         i. Fertilizer Storage

         ii. Waste Plan

      b. A Community Garden shall not be greater than 2 acres.

      c. Community Gardens shall use non-potable water, unless otherwise permitted by the City Council.

      d. The subject property must be designed and maintained so that water and fertilizer will not drain onto adjacent property or public right of way.

      e. Operating hours are permitted between 30 minutes before sunrise and 30 minutes after sunset.

      f. Community Gardens shall be limited to the cultivation of fruits, vegetables, herbs, plants and flowers.

g. A garden shall not house or support animals including but not limited to chickens, goats, pigs, or other livestock.

h. Any composting site must be located at least 300 feet from residential uses.

10-6-4: ASSEMBLY

A. Event Center, Major (100-500 People)

1. Criteria applicable to all districts:

a. Any area or equipment associated with outdoor event operations shall be screened if within 300 feet of a residential use or zone.

b. Outside amplified sound shall obtain a Special Use Permit.

c. All alcohol served shall be facilitated by those holding a valid alcohol license.

B. Event Center, Minor (<100 People)

1. Criteria applicable to all districts:

a. Any area or equipment associated with outdoor event operations shall be screened if within 300 feet of a residential use or zone.

b. All alcohol served shall be facilitated by those holding a valid alcohol license.

c. An Event Center within 300 feet of a residential zone or use shall not operate outdoors between 30 minutes after sunset and 30 minutes before sunrise.

d. Outside amplified sound shall obtain a Special Use Permit.

C. Museum / Learning Center, Major (≥100 People)

1. Criteria applicable to all districts:

a. Any area or equipment associated with outdoor operations shall be screened if within 300 feet of a residential use or zone.

b. Any outdoor sound equipment will be faced away from adjacent properties and public right of way.

c. Any operations within 300 feet of a residential use or zone shall obtain a Special Use Permit.

d. Outside amplified sound shall obtain a Special Use Permit.

D. Museum / Learning Center, Minor (<100 People)

1. Criteria applicable to all districts:

a. Any area or equipment associated with outdoor operations shall be screened if within 300 feet of a residential use or zone.

b. Any outdoor sound equipment will be faced away from adjacent properties and public right of way.

c. Any operations within 300 feet of a residential use or zone shall obtain a Special Use Permit.

d. Outside amplified sound shall obtain a Special Use Permit.

E. Religious Facility

1. Criteria applicable to CMT and AP Districts:

a. A property that contains buildings that have a designed occupancy of 300 or greater shall only have vehicle access off a collector or arterial roadway.

b. All buildings that have a designed occupancy of 300 or greater must be at least 25 feet away from residential uses.

c. A property that contains buildings that have a designed occupancy of 300 or greater shall have a sight-obscuring screening fence on non-street frontage property lines.

d. Outside amplified sound shall obtain a Special Use Permit.

2. Criteria applicable to Residential Districts

a. A property that contains buildings that have a designed occupancy of 300 or greater shall only have vehicle access off a collector or arterial roadway.

b. All buildings that have a designed occupancy of 300 or greater must be at least 25 feet away from residential uses.

c. A property that contains buildings that have a designed occupancy of 300 or greater shall have a sight-obscuring screening fence on non-street frontage property lines.

d. No amplified sound outside is allowed.

10-6-5: COMMERCIAL SERVICES

A. Artisan's Workshop - Major

1. Criteria applicable to Mixed Use & Community Market Districts:

a. All production, fabrication, assembly, and storage of materials shall be conducted indoors if located within 300 feet of a residential use or district.

b. Permitted Hours of operation are between 7:00 AM and 10:00 PM

c. Loading docks shall be screened from public right of way, residential uses and residential districts.

2. Criteria applicable to the Central City District:

a. All production, fabrication, assembly, and storage of materials shall be screened.

B. Artisan's Workshop - Minor

1. Criteria applicable to all districts

a. All production, fabrication, and assembly shall be conducted indoors if located within 300 feet of a residential use or district.

b. All storage of materials shall be indoors if adjoining a residential use or district.

c. Permitted Hours of operation are between 7:00 AM and 10:00 PM

d. Loading docks shall be screened from public right of way, residential uses and residential districts.

C. Auction Services and/or Public Sales Establishment
    1. Criteria applicable to Mixed Use & Central City Districts:
        a. All auction related items or goods must be stored indoors.
            i. Vehicles and large implements shall be exempted from this requirement.
    2. Criteria applicable to the Commercial District:
        a. All auction related items shall be completely screened from public right of way and adjacent properties.
            i. Vehicles and large implements shall be exempted from this requirement.

D. Body Art Studio
    1. Criteria applicable to all Districts:
        a. Body art procedures shall not be visible from outside the building or tenant space.

E. Car Wash
    1. Criteria applicable to all Districts:
        a. Installation of a water discharge monitoring system as determined by the City Engineer.
        b. Water from the car wash shall not drain across any public or ADA sidewalk or into public right-of-way.
        c. A car wash facility adjoining a residential use or district shall construct a minimum 6 foot masonry wall.
        d. Vacuums: Vacuum stations and similar equipment are prohibited on the sides of the principal structure abutting a residential use.

F. Drive Thru
    1. Criteria applicable to all districts:
        a. If the subject property is adjacent to a residential district or residential use, the following buffer requirements shall be installed along the abutting property lines:
            i. 6 foot masonry wall.
            ii. 20 foot landscaped area designed with trees and other plants to assist in dampening light, noise and visual impacts. A landscape plan to be reviewed and approved by consideration of the commission.
        b. If the drive thru operations are within 300 feet of a residential district or residential use, the following buffer requirements shall be installed between business and residential areas:
            i. 10 foot landscaped area designed with trees and other plants to assist in dampening light, noise and visual impacts. Landscape plan to be reviewed and approved by consideration of the commission.
    2. Criteria applicable to the Community Market District
        a. Drive thru hours of operation shall be limited to 7 AM – 10 PM.
        b. Signage and building lighting shall be dimmed or turned off outside hours of operation.
        c. Security lighting shall be as minimal as possible to preclude light intrusion on neighboring properties.
    3. Criteria applicable to Central City Districts
        a. If the drive thru operations are within 300 feet of a residential district or residential use a special use permit is required.

G. Equipment & Machinery Sales/Rental, Minor
    1. Criteria applicable to all Districts:
        a. All facility operations shall be indoors.

H. Fuel / Charging Station
    1. Criteria applicable to all Districts:
        a. Within 300 feet of a residential use or district shall require a Special Use Permit.
        b. Spill Prevention Plan: A spill prevention and counter measures plan shall be provided prior to building plan approval that includes, at a minimum:
            i. Clean up procedures for fuel (or other hazardous material) spills occurring inside and outside the building;
            ii. Counter measures for use in preventing fuel (or other hazardous material) spills from entering the stormwater collection system or public right-of-way; and
            iii. Routine cleanup procedures for work areas and parking areas. Washdown water shall not be permitted to enter the stormwater collection system or public right-of-way.

I. Mortuary
    1. Criteria applicable to all Districts:
        a. All activity relating to the dead shall be handled discreetly and be screened from public view to the maximum extent possible, including delivery and storage of the remains.

J. Paint Booth
    1. Criteria applicable to all Districts:
        a. All paint booth operations shall be indoors.
        b. All objects, motor vehicles, etc. shall be screened or stored indoors.
        c. Approval from DEQ shall be submitted to the City prior to issuance of any permit.

K. Pawn Shop
    1. Criteria applicable to all Districts:
        a. All facilities are limited to operating hours of 6:00 AM to 10:00 PM.

b. All facilities shall be 0.5 miles apart.

c. A security plan to include the following:

i. Security System

ii. Security cameras sufficient to monitor all outdoor areas on the property.

d. All outdoor storage shall be screened from adjacent properties and public right of way.

L. Payday Loan / Check Cashing Service

1. Criteria applicable to all Districts:

a. All facilities are limited to operating hours of 6:00 AM to 10:00 PM.

b. All facilities shall be 0.5 miles apart.

c. Security Plan which includes:

i. Security System

ii. Provide security cameras sufficient to monitor all outdoor areas on the property.

M. Pet Grooming

1. Criteria applicable to all Districts:

a. Any operations within 300 feet of residential uses shall require a Special Use Permit.

b. All animals shall be indoors at all times, except when being exercised. At such times, animals shall be under the supervision and direct control of a caretaker

c. A waste disposal plan is required.

d. Services cannot be provided for livestock or large animals, such as cattle, horses, sheep, etc.

N. Retail Shop

1. Criteria applicable to all Districts:

a. Trash and disposal areas shall be located at the rear of subject property and be screened from adjacent properties and public right of way.

b. If an ancillary storage yard is included the storage yard cannot be greater than 1,000 square feet and shall be completely screened from adjacent properties and public right of way.

c. All external lighting associated with the Retail Shop shall be turned off from 10:00 PM to 6:00 AM.

d. A retail shop adjoining a residential use or district shall construct a six foot masonry wall.

O. Retail Store - Minor

1. Criteria applicable to all Districts:

a. Located within 300 feet of residential use or district a Special Use Permit is Required.

P. Vehicle Sales

1. Criteria applicable in all Districts:

a. Vehicles shall not be displayed in required landscaping.

b. All other uses (car wash, vehicle repair, etc) shall meet each of their respective standards.

Q. Vehicle Sales – Temporary

1. Criteria applicable in all Districts:

a. Vehicles shall not be displayed in landscaping.

b. Vehicle temporary sales event shall not operate for more than ten consecutive days.

c. A single temporary vehicle sales event is permitted per lot and/or property, once per quarter.

d. Shall follow the Regulations found in Idaho Statute for "Temporary Supplementary Sales Lot".

e. Vehicle Sales- Temporary are exempted from Required IMprovements as defined in section 10-7 &10-6-2 of this Title. (Ord. 2026-006)

10-6-6: HEALTH/HUMAN CARE

A. Daycare Facility

1. Criteria applicable in all Districts:

a. Daycare Facilities are exempted from Required Improvements as defined in section 10-7 & 10-6-2 of this Title. (Ord. 2026-006)

10-6-7: INDUSTRIAL

A. Vehicle Repair Services, Minor

1. Criteria applicable to all Districts:

a. Outdoor storage of parts, materials, or equipment is prohibited except for licensed vehicles awaiting repair or repaired vehicles awaiting pick up.

b. All repair, assembly, disassembly or maintenance of vehicles shall occur indoors. Minor maintenance including tire inflation, adding oil, wiper or battery replacement, glass repair or replacement, paintless dent repair and other similar services as determined by the Administrator is exempted from the indoor operation requirement.

10-6-8: LODGING

A. Reserved

10-6-9: RECREATION/ENTERTAINMENT

A. Fun Center - Major

1. Criteria applicable in all Districts:

a. Outdoor components of the Fun Center within 300 feet of residential uses or districts shall require a special use permit.

B. Sport Shooting Range - Indoor

1. Criteria applicable in all Districts:

a. Site Location: A shooting range shall be located: not less than 500 feet from any property in an existing residential district, with the exception of parks, open space, stormwater management areas, or similar lands reserved for uses that do not include dwellings.

b. Indoor Range Design: Indoor ranges shall be designed so projectiles cannot penetrate the walls, floor or ceiling, and ricochets or back splatter cannot harm range users. Considerations should be made for cleaning of all surfaces and handling of hazardous wastes.

c. Staffing: Sport Shooting Range staff must always be present on the subject property when the shooting range is in use.

d. Shooting Range Operation Plan: Each range shall provide an operation plan. A copy of the operation plan shall be filed with an application for a conditional use permit. The operation plan shall include:

i. Site Plan

ii. Building Plans & Elevations

iii. Safety Plan

iv. Outside Security Plan

v. Copy of liability insurance

vi. Other plans and/or information, as may be reasonably requested by Staff to verify compliance with this Ordinance or unique conditions that apply to the site.

e. The application shall include a sound study prepared by a licensed sound engineer that demonstrates how the proposed use will address the impact of noise on adjoining uses. Any adverse effects shall be mitigated through setbacks, buffers, sound mitigation and/or hours of operation.

f. Alcohol Sales Prohibited: Indoor gun ranges shall not sell or dispense alcoholic beverages, nor shall they be in a building which contains a business that sells or dispenses alcoholic beverages. Alcoholic beverages are not allowed on the premises of the Sport Shooting Range - Indoor at any time.

g. Receive permission from the City for the ability to discharge firearms within City Limits in accordance with City Code 6-2-1-D

10-6-10: RESIDENTIAL

A. Accessory Building

1. Criteria applicable in all Districts:

a. Accessory buildings are not allowed to be placed within platted easements.

b. Building heights that are 15 feet tall or less shall have the following setbacks:

ZONING DISTRICT	MINIMUM SETBACKS			MAXIMUM HEIGHT
	Front	Side	Rear	
TN1	20'	3'	3'	15'
TN2	20'	3'	3'	15'
TN3	20'	3'	3'	15'
All other districts	20'	3'	3'	15'

i. All accessory buildings designed for vehicular parking/access shall maintain a 20 foot setback from public streets, and 10 foot minimum setback on public alleys.

c. Buildings that are over15 feet tall shall have the following setbacks:

ZONING DISTRICT	MINIMUM SETBACKS			MAXIMUM HEIGHT
	Front	Side	Rear	
TN1	20'	7'	20'	35'
TN2	20'	5'	15'	35'
TN3	20'	5'	15'	35'
All other districts	20'	5'	15'	35'

d. Zoning Permit not required for accessory buildings when all the following conditions are met:

i. Under 200 square feet in size; or as otherwise exempted from the International Residential Code per Idaho Statute, as amended.

ii. Single story and under 15 feet tall.

iii. Storage only, no habitable space allowed.

iv. Property owner is responsible to follow the property lines setbacks contained herein.

v. Property owner is responsible to move/relocate any accessory building found to be in violation of this section.

e. If an Accessory Building does not require a building permit, then it may be built up to the side or rear property line, provided all of the following conditions are met:

i. Written permission of adjacent property owner is obtained, including a recorded access easement for maintenance of the structure.

ii. Firewalls as required by the building code are constructed.

iii. There is no water runoff from building onto adjacent property.

iv. The Accessory Building is not located closer than 10 feet to a main building.

v. There is no architectural projection, or rain gutters, beyond the property line.

f. Accessory buildings are exempted from section 10-7 & 10-6-2 of this Title.

B. Accessory Dwelling Unit (ADU)

1. Purpose: The purpose of allowing ADU's is to:

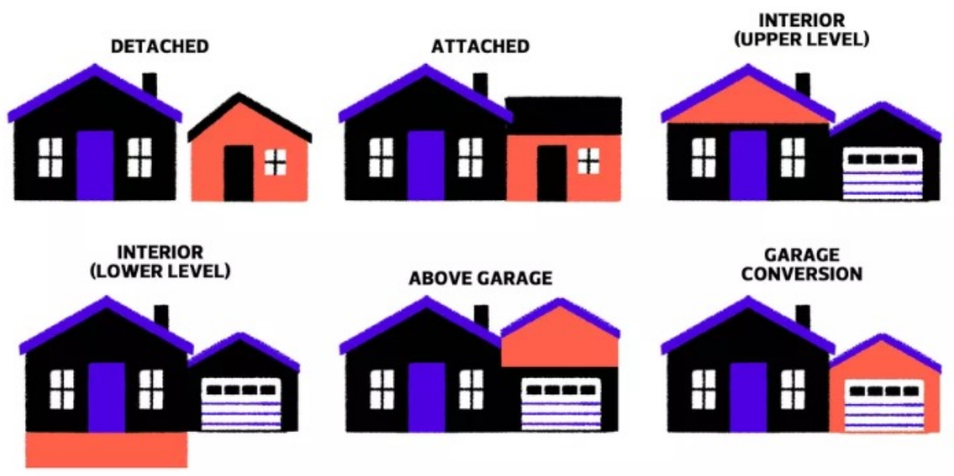
a. Provide a means of obtaining rental income, companionship, security, and services for residents, particularly seniors, single parents, and families with grown children.

b. Create new housing units while respecting the physical attributes of single-dwelling development while increasing the housing stock of existing neighborhoods in a manner that is less intense than alternatives.

c. Provide a broader range of accessible and more affordable housing.

d. Protect neighborhood stability, property values, and the single household residential appearance of the neighborhood by ensuring ADU's are installed under the conditions of this chapter.

2. Accessory Dwelling Unit Examples:



3. Criteria applicable in all Districts:

a. Applicability: Accessory Dwelling Units (ADUs) are permitted upon a legal lot, or parcel, containing a legal single household dwelling unit. Only one ADU shall be allowed per legal lot, or parcel.

b. Accessory Dwelling Unit Development Standards:

i. Accessory Dwelling Unit Size: ADU's shall not exceed seventy-five percent (75%) of the square footage of the living space for the principal residence or 1,000 sq. ft.; whichever is greater. (Ord. 2026-006)

ii. Height:

A. ADU's shall follow the height limit listed for the principal residence as required for the base zoning district. (Ord. 2026-006)

iii. Setbacks: ADU's shall follow the property line setbacks for the principal building.

iv. Types: the ADU may be added to, included within the principal residence, or located in a detached accessory building.

v. Additional Design Criteria:

A. Additions to an existing structure, or newly constructed detached structures, created for the purpose of developing and accessory dwelling unit, shall be designed consistent with the existing roof pitch, siding, and windows of the principal dwelling unit.

B. Conversion of Existing Structures: Any existing structure converted into an ADU must meet all of the requirements of this section.

vi. Parking: One additional parking space shall be provided for exclusive use of the accessory dwelling unit. This requirement shall only apply:

A. If the prinicpal Dwelling does not have off-street parking; or

B. Where the adjoining street does not provide on-street parking. (Ord. 2026-006)

vii. Utilities: Accessory Dwelling units shall receive water, sewer, and sanitation services from the primary dwelling. Additional service lines and/or meters shall not be installed.

C. Attached Single Dwelling Unit (Townhome)

1. Criteria applicable in all Districts:

a. Applicants shall go through the Planned Townhome Subdivision process (see 10-12).

b. Rear or side of townhome buildings may not be located on collector/ arterial streets. If a project is situated at the intersection of a collector and an arterial, the rear shall not be on the arterial.

c. Developments shall be located on and access to collector/arterial streets only.

2. Criteria applicable in the TN-1 District:
   a. No more than 4 units in a building block.
3. Criteria applicable in the TN-2 & CMT Districts:
   a. No more than 6 units in a building block.
4. Criteria applicable in the TN-3, MU, & CC Districts:
   a. No more than 8 units in a building block.

D. Home Occupations:
1. Criteria applicable in all Districts:
   a. The presence or pursuit of the home occupation shall not result in any nuisance condition or excessive noise, as defined by this Title, nor shall the approval of Zoning Permit allow circumvention of any other city codes.
   b. All facilities are limited to operating hours of 7:00 AM – 8:00 PM
   c. The dwelling unit must be suitable for use for the home occupation without modifications except as specified hereafter. Remodeling or modification of any portion of the dwelling unit or accessory structure to be used in the course of the home occupation shall be prohibited if it would change the character, use, or occupancy classification of the dwelling as set forth in the currently adopted building code. Remodeling and modifications necessary to accommodate handicapped persons shall be allowed, provided applicable building permits have been issued.
   d. No oversized vehicle as defined in section 9-6-8 of city code, or any vehicle which by virtue of dimensions, gross vehicle weight or declared use as required by Idaho Code to display, or does display, commercial or apportioned registration plates, may be used or stored on site or on street in carrying out the home occupation.
   e. No assets, inventory, equipment, or raw materials used in a home occupation shall be displayed or stored outdoors. No hazardous materials/quantities, as determined by the Twin Falls fire department, may be stored at the site of the home occupation.
   f. Sales and services to patrons shall be arranged by appointment and scheduled so that no more than 6 patron vehicles are in attendance at any one time.
   g. Delivery vehicles must meet all truck route regulations of this code.
   h. Prohibited Uses: The following uses shall not be permitted as a home occupation: auto repair; adult entertainment; manufacturing type uses, any use that creates hazardous or biomedical waste, and those of similar classification as determined by the Administrator.
   i. Home Occupations are exempted from section 10-7 & 10-6-2 of this Title.

10-6-11: OTHER

A. Adult Establishments
1. Purpose: The purpose of these regulations is to regulate the location of adult-oriented businesses within the City in a manner that will protect property values, neighborhoods, and residents from the potential adverse secondary effects of sexually oriented businesses while providing to those who desire to patronize adult oriented businesses such an opportunity in appropriate areas within the City.

   It is not the intent of this Title to suppress any speech activities protected by the First Amendment of the United States Constitution. It is the intent to impose content-neutral regulations that address the adverse secondary effects of sexually oriented business may have on adjoining properties and the immediate neighborhood.
2. Development Standards:
   a. Adult Establishment Location:
      i. Adult Establishments shall not be located within 1320 feet of a school, daycare, public park or playground, religious facility, or another Adult Establishment.
      ii. Adult Establishments shall not be developed on a lot or parcel within 750 feet of a residential use or zone.
      iii. Adult Establishments shall not be developed on a lot or parcel within 200 feet of the following roadways:
         A. Pole Line Road from Rock Creek to Eastland Drive North
         B. Blue Lakes Boulevard North from Perrine Bridge to Falls Avenue
         C. Washington Street South from Park Road to 3400 North
         D. Kimberly Road from Eastland Drive to 3300 East
         E. Addison Avenue East from Eastland Drive to 3300 East (Champlin Way)
         F. Orchard Drive from Grandview Drive South to Washington Street South
         G. Grandview Drive South from Orchard Drive to Addison Ave West
         H. Orchard Drive from Hankins Road S to 3300 East
         I. 3300 East (Champlin Way) from Addison Ave East to Orchard Drive (3700 North)
      iv. The disposal of waste and debris containing sexually explicit materials must be in a secure trash receptacle.
      v. Required Signage: Signage prohibiting minors on the premises shall be visibly posted on all building entrances and exits. Signs shall be 1’ x 1’ in size.

vi. A security plan addressing the following items is required when alcohol is being served on the premises:

A. Number and location of Security personnel.

B. Security System.

C. Security cameras sufficient to monitor all outdoor areas on the property.

D. Identification Check system to verify ages of patrons.

vii. Admission/entrance queue located parallel to and against the structure while maintaining adequate pedestrian passage on any accessible paths.

b. Adult Establishment Administrative Staff Contact Information.

c. Any other information deemed necessary by the Administrator.

B. Telecommunication Facility – Colocation

a. Criteria applicable in all Districts:

i. Shall be in compliance with 10-11 of this Title.

C. Telecommunications Tower - Stealth, or Alternative Design

a. Criteria applicable in all Districts:

i. Shall be in compliance with 10-11 of this Title.

ii. Height shall be limited to the base zoning district.

iii. Stealth designs shall be designed to blend into the context which it resides.

A. Water tower;

B. Architectural elements such as steeples, crosses, bell towers, clock towers, etc.;

C. Trees shall be decorated with lights at night during holiday season November – January; or

D. Re-creation of historic buildings, structures, scenes that are meaningful to the area.

D. Utility Collection/Distribution Facility – Minor

1. Criteria applicable to all Districts:

a. Facilities shall be screened or wrapped. Should the facility be wrapped, it shall be approved by the Twin Falls Arts Commission.

b. Minor Utility Collection/Distribution Facilities are exempted from section 10-7 & 10-6-2 of this Title.

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10-7: REQUIRED IMPROVEMENTS OF DEVELOPMENT

10-7-1: INSTALLATION AND COMPLETION OF REQUIRED IMPROVEMENTS

A. Installation: Improvements required herein shall be provided for the entire premises of the project in the following circumstances:

1. When there is a change of Land Use Category of a building, structure or parcel of land;
2. When a Special Use or Zoning Use Permit is required;
3. When a building, or structure, is constructed or placed; or
4. When a building, or structure, land-use area square footage is expanded by 25% or greater of originally permitted building, structure, or land-use areas or a total increase in square footage over ten thousand (10,000) square feet. (Ord. 2026-006)

B. Exceptions:

5. When a premises increases the cumulative square footage of buildings on the property less than a total of 25% of the combined square footage of all existing buildings, the improvements required by sections 10-7-2 through 10-7-5 of this chapter shall only be required for the building or area being expanded. (Ord. 2026-006)

C. Completion: Unless otherwise provided, all required improvements shall be a condition of any permit governed by this Title, and shall be completed prior to applicant scheduling any final inspection and issuance of any certificate of occupancy.

10-7-2: LANDSCAPING

A. Landscaping as required by 10-9 of this Title shall be installed as part of the Required Improvements.

B. A temporary certificate of occupancy may be issued when the landscaping vegetation items are not completed.

10-7-3: SCREENING

A. Screening Required: Screening shall be required between any non-residential use that abuts any residential use/zoning district. The non-residential use, or conditional use where applicable, shall provide the required screening, and maintain it in good repair.

B. Minimum Standards:

1. Height: Screening shall be a minimum six feet tall at time of installation.
2. Screening material shall completely (100%) obscure objects inside the screened area when viewed from outside the screened area, between zero and six feet above grade.
3. Prohibited Materials: Chain-link fence is a prohibited screening material.

C. Exceptions:
    1. Screening shall not be constructed so as to create a traffic hazard.
    2. Screening shall not be required if a public traffic way separates the two uses.
    3. Screening requirement may be waived by the adjoining property owner through notarized, and recorded, written documentation furnished to the Administrator.

D. All requirements shall be completed prior to issuance of any certificate of occupancy.

10-7-4: BUILDING ADDRESSING

A. Building Addressing shall conform to the standards and requirements set forth in 10-10-3 of this Title.

B. All requirements shall be completed prior to issuance of any certificate of occupancy.

10-7-5: PARKING AREAS

Parking areas as required by 10-8 of this Title shall be installed as part of the Required Improvements.

A. A temporary certificate of occupancy may be issued, whether or not the following items have been completed:
    1. Parking stall striping.
    2. Hard surfacing, only in areas that are not required by this Title. Any area or items needed to meet the minimum code requirements for ADA Accessibility, parking lot layouts (delivery areas, parking spaces, maneuvering areas), and/or stormwater systems shall be installed prior to any certificate of occupancy being issued.

10-7-6: RIGHT-OF-WAY IMPROVEMENTS

A. Access Provisions:
    1. Adequate Access: No building shall be constructed or placed on a lot unless adequate access to the property has been provided. Adequate access consists of appropriate size, surface, and construction method of public right-of-way, or private driveway, as determined by ISPWC, Master Transportation Plan (MTP), or as otherwise determined by the City Engineer.
    2. Construction of adjacent right-of-way may be required, as determined by the City Engineer.
    3. Dedication of additional right-of-way may be required for construction of right-of-way improvements listed in this section, as determined by the City Engineer.
    4. Private accesses are to be constructed according to applicable regulations found in ISPWC - City of Twin Falls Revisions, and currently adopted International Fire Code.

B. Curb, Gutter, and Sidewalk Infrastructure:
    1. New curb, gutter and sidewalk shall be constructed in accordance with city standards, where applicable within the development.
    2. Sidewalks are not required in the Rural Residential and Industrial Zoning districts, except on arterial or collector streets as identified on the Master Transportation Plan, or areas of high pedestrian traffic as determined by the City Engineer.
    3. ADA ramps shall be constructed or reconstructed per the current ADA Transition Plan as adopted by Council, or as amended.

C. Deferral and Waiver of Construction:
    1. The City Engineer may defer the construction of required curb, gutter, and/or sidewalk under the following circumstances:
        a. If the cost exceeds 25% of the cost of the proposed private improvements; deferral shall not exceed three years.
        b. Until such time when other curb, gutter, and/or sidewalk is constructed within the same standard city block, or equivalent distance.
        c. If another governmental agency having jurisdiction over the right-of-way requests that curb, gutter and/or sidewalk be deferred.
    2. The City Engineer may waive the construction requirement if existing curb, gutter and/or sidewalk is in good repair, meets current ADA standards, and contains an acceptable line and grade that conforms to the line and grade of other curb, gutter and/or sidewalk in the standard block.

D. In areas where two or more zoning districts adjoin, and said zoning districts have different public improvement requirements, the Council may impose the least restrictive requirements if the Council finds that imposition of the least restrictive requirements will further the policies and purposes described in Chapter 1 of this Title.

E. All requirements shall be completed, or other financial surety accepted by the City of Twin Falls, prior to issuance of any certificate of occupancy.

10-7-7: SOLID WASTE MANAGEMENT

A. Trash Bins: A trash bin of sufficient size to accommodate all trash or solid waste containers stored on the premises shall be provided, except for buildings containing two or less Dwelling Units.

B. Trash Enclosure: All Trash Enclosures shall comply with screening requirements that will completely obscure all trash and waste stored in the pen from public right-of-way and adjacent properties.

C. A Temporary Certificate of Occupancy may be issued when the following Solid Waste Management items have not been completed:
    1. Enclosure of the trash bins.

10-7-8: WATER AND SEWER

A. All buildings intended for human occupancy shall have adequate sanitary facilities. Such facilities shall be connected to an approved domestic water source conforming to the water regulations of the City and to an approved wastewater system conforming to the wastewater regulations of the City.

B. The City Engineer may require a means of access and method of measuring outflow from any Industrial User, as defined by the City Sewer Use Ordinance.

C. All requirements shall be completed prior to issuance of any certificate of occupancy.

10-7-9: DRAINAGE AND STORM WATER MANAGEMENT

A. Best Management Practices: Building sites shall use best management practices (BMPs) to retain as much storm water as possible on the property.

1. Prior to the beginning of construction on any development site larger than five acres, the developer or their representative must have a pollution prevention plan in place and must file a Notice of Intent (NOI) with the Environmental Protection Agency (EPA), in accordance with National Pollutant Discharge Elimination System (NPDES) requirements. The pollution prevention plan will include provisions for reducing sediment discharges from the construction site and tracking of mud onto roadways. A copy of this plan and the NOI shall be provided to the city prior to any site grading. Refer to 40 CFR chapter 1 section 122.26 stormwater discharges for NPDES requirements.

B. Highway Drainage: Drainage to a state highway shall be subject to the regulations of the Idaho Transportation Department. Necessary permits shall be acquired by the developer prior to any development of the property.

C. Road Drainage: Drainage to roadways shall be subject to the applicable regulations of the respective regulating authority of the roadway. Necessary permits shall be acquired by the developer prior to any development of the property.

D. Drainage to U.S. Waters or Canals: No drainage shall be allowed from a building site directly to any Waters of the United States, or to any privately-owned canal system.

E. Storm Water Management Plan:

1. Any Development on property shall submit a Storm Water Management plan stamped by a professional engineer licensed in the State of Idaho. The plan shall contain designs, drawings, and any other information as requested by the City Engineer depicting storm water retention facilities to retain the 50-year 24-hour rainstorm event.

2. Procedure For Review and Approval Of The Storm Water Management Plan: Review and approval by the city does not constitute an engineering review of project plans and calculations. The review is for the purpose of ensuring general conformance to city policies and requirements. The submitting engineer is solely responsible for the design. All submissions to the city shall be stamped by a professional engineer registered in the state of Idaho.

F. All requirements shall be completed prior to issuance of any certificate of occupancy.

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10-8: PARKING REGULATIONS

10-8-1: RESIDENTIAL PARKING PROVISIONS

A. Required parking shall be provided on the same lot as the use it is to serve, unless otherwise permitted by this Chapter.

B. All required parking spaces shall be hard surfaced. Hard surfaced materials include concrete, asphalt, or other material approved by the city engineer prior to construction.

C. No required parking space shall be used for the storage of any vehicle of one and one half ton capacity or more, or having an overall length of more than 22 feet, except while engaging in the actual loading or unloading of passengers or property.

D. No development plan or plat creating lots which require direct residential driveway access to an arterial street (as shown in currently adopted Master Transportation Plan) shall be approved.

E. Residential driveway access shall be located on local roads or alleys, unless otherwise approved through the platting process.

F. Tandem parking is allowed for single dwellings and duplex units if the spaces meet the following:

    1. No more than two vehicles shall be placed one behind the other.
    2. Both spaces shall be assigned to a single dwelling unit.
    3. The tandem parking bay shall be a minimum 40 feet long by 9 feet wide.

10-8-2: NONRESIDENTIAL AND MULTI-DWELLING PARKING PROVISIONS

A. All parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties.

B. All required parking spaces shall be hard surfaced. Hard surfaced materials include concrete, asphalt, or other material approved by the city engineer prior to construction.

    1. In the IND1 and IND2 zoning districts, tparking and maneuvering areas may be gravel, pending adherence to the requirements in City Code 7-1-20.

C. Parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Markings, such as paint, shall be regularly maintained to ensure continuous identification.

D. All parking, loading spaces, and vehicle sales areas on private property shall have a curb or vehicle stopping device for spaces adjacent to required landscaped areas, public right-of-way lines, public sidewalks, or other accessible paths, to prevent any parked vehicle from overhanging into these areas. Parking shall not be permitted to encroach upon the public right-of-way in any case.

E. All vehicle maneuvering shall take place on site. No public right-of-way shall be used for backing or maneuvering into or out of a parking space, except as provided in the downtown parking overlay districts.

F. Trash bin storage facilities placed in a parking lot shall not be located in a designated parking or loading space. Each trash bin facility shall be located so as to facilitate pick up by trash collection agencies and shall be screened according 10-7-3(B) of this Title.

G. Handicap parking space(s) shall conform to the current ADA standards for accessible design as amended.

H. Tandem parking is not allowed in Multi-Dwelling Developments containing three or more dwelling units.

I. Parking Lot Lighting: Parking areas that are intended to provide more than eighteen (18) spaces on a single site shall have lighting that will provided at least one foot-candle of light at the ground surface on the entire parking site. Lighting shall be screened so that it does not directly illuminate any adjacent residential uses with more than one-fourth (1/4) of a foot-candle and so that it does not create a traffic hazard.

10-8-3: PARKING PLAN REQUIRED

Whenever off-street parking is required by this code, a parking plan shall be submitted to and approved by the city engineer or designee.

A. The plan shall show a sketch of all parking spaces, access aisles, entrances to the site and exits from the site drawn to scale and showing the dimensions of each item. The plan shall indicate all information necessary to determine the employee and customer parking requirements. The entrances to and exits from the parking site shall conform to the requirements of this Title for driveway approaches.

B. In all districts, parking plans shall provide for entrance and exit drive(s) appropriately designed and located to minimize traffic congestion or conflict within the site and with adjoining public streets.

1. Where projected volumes of traffic entering or leaving the developments are likely to interfere with the projected peak traffic flow volumes on adjoining streets, additional right of way and paving in the form of a deceleration lane or turn lane may be required to be furnished by the landowner in order to reduce such interference. Projections of traffic shall be based on analysis performed by the city engineer or designee.
2. Additional right of way or paving requirements may be reviewed and determined during the platting and/or development process.

10-8-4: MINIMUM PARKING REQUIREMENTS

A. At the time any building or structure is constructed, structurally altered, enlarged, increased in capacity, or when the use of a building or structure is changed, parking spaces shall be provided in accordance with the following requirements:

Agriculture & Animal Care	***No Minimum Parking Requirement unless indicated below:***
Community Garden	Residential, Agricultural, CSI, and Airport Zoning Districts have no parking requirement. 4 spaces per acre.
Veterinary Clinic, Minor	CSI Zoning District has no parking requirement. 1 space per employee on the largest shift, plus 1 space per examination room.
Assembly	***1 space per 15 people of total occupant load.***
Civic/Institutional	***1 space per 1 employee, unless indicated below:***
Schools	2 spaces per classroom.
Commercial Services	***1 space per employee and 1 space per 500 sf of customer floor area, unless indicated below:***
Bar and Nightclub	1 space per 5 people of total occupant load.
Barber Shop/Beauty Salon/MediSpa, Body Art Studio, Pet Grooming	1 space per employee and 1 space per customer chair or kiosk.
Restaurant	1 space per employee on the largest shift and 1 space per 100 sf of customer floor area.
Vehicle Sales	1 space per employee.
Health/Human Care	***1 space per staff member on largest shift unless indicated below:***
Assisted Care/Living Facility	1 space per 2 certified beds or 2 units, whichever is greater.
Hospital	1 space per employee on the largest shift, plus 1.5 spaces per each bed or examination room.
Daycare Center	Plus 2 unloading/loading spaces.
Daycare Facility	Plus 1 unloading/loading spaces.
Residential	***2 spaces per dwelling unit, unless indicated below:***
Studio	.75 (3/4) of a space.
1-Bedroom Units	1 space.
Accessory Dwelling Unit	See Zoning Use Permit criteria of this Title.
Industrial	***No Minimum Parking Requirement***
Lodging	***1 space per rentable room***
Campground / Recreational Vehicle Park	No Minimum Parking Requirement.
Office	***1 space per 500 sf of office floor area.***
Recreation / Entertainment	***Minimum to be reviewed through SUP process, unless indicated below:***
Athletic Arena, Field, or Stadium	1 parking space for each 3 seats or 6 feet of customer bench seating.
Fun Center/ Fun Park	1 space per employee and 1 space per 500 sf of customer floor area.
Golf Course/Country Club	No Minimum Parking Requirement.
Golf Driving Range	2 spaces per driving lane.

Park/Playground	No parking requirement.
Sport Shooting Range	2 spaces per shooting lane.
Zip Line	2 spaces per employee.

*Calculation of Parking Requirements related to number of seats: Where parking requirements relate to number of seats and seating is in the form of undivided pews, benches, or the like, 20 linear inches shall be construed to be equal to one seat. Where Parking requirements relate to movable seating in auditoriums and other assembly rooms, ten square feet of Floor Area shall be construed to be equal to one seat except where otherwise specified. Net floor area shall be the actual area occupied by seating and related aisles, and shall not include accessory unoccupied areas or the thickness of walls.

10-8-5: PARKING OVERLAY DISTRICT.

A. The parking overlay district is established to accommodate the need for off street parking ratio alternatives in accordance with traffic patterns, ultimate densities and coordinated use of lands within the city. It is intended that the respective districts with which the parking district is combined shall have requirements particular to the land and uses which warrant off street parking variables to be applied. The following regulations of this section shall apply to all land classified as a "parking district" (P). All uses are permitted in the respective district with which the P district is combined, subject to the provisions of those districts. If any of the regulations specified in this section differ from corresponding regulations specified for a district with which the P district is combined, then the regulations of this district shall govern.

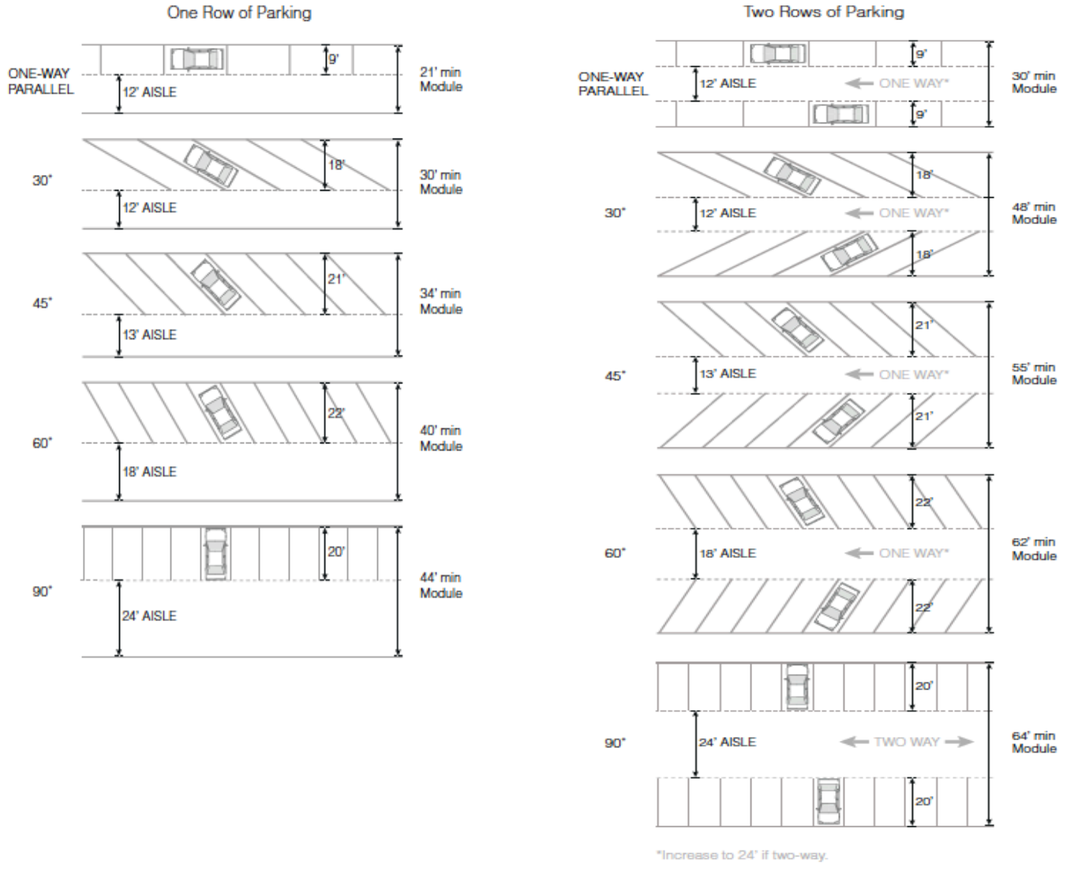
1. Parking District 1:
   a. The boundary of the P1 district is defined as illustrated on the current zoning district map.
   b. No off street parking is required within the P1 district as designated for outright permitted uses, but may be required through the special use permit required by the commission or council. This provision does not exempt any use from the requirements for off street loading.
2. Parking District 2:
   a. The boundary of the P2 district is defined as illustrated on the current zoning district map.
   b. Due to the desire of the city to retain the character of the P2 district, special consideration may be given on a case by case basis to the parking requirements, if the standard requirements cannot be applied. Examples of special consideration may be a variance, leased parking, and remote parking.

10-8-6: OFF-STREET PARKING STANDARDS

A. Parking Space Dimensions:

1. A standard angled or perpendicular parking space shall measure a minimum of nine feet in width by 20 feet in length.
2. Overhang with Wheel Stop. The minimum length may be reduced to 18 feet when an additional space of two feet is provided for the front overhang of vehicles overhanging a curb or wheel stop. Any front overhang of a vehicle may not reduce the clear width of an adjacent sidewalk or ADA accessible route to less than four feet in width. Vehicle overhang shall not extend into any required landscaping areas.
3. Alley Access. Any parking space accessed directly from an alley shall have a minimum length of 22 feet.
4. Parallel Parking Spaces. A parallel parking space shall measure a minimum of nine feet in width by 23 feet in length.

Diagram 8.1: Parking Area Circulation Dimensional Requirements



10-8-7: BICYCLE INFRUSTRUCTURE & PARKING

A. Bike Parking Facility Design

1. Bicycle parking facilities shall be located as close as possible to the primary building entrance(s) and shall not obstruct pedestrian walkways, public sidewalks, or building entrances.
    a. Trail Proximity Option: Projects immediately adjacent to the Snake River – Canyon Rim Trail may place bicycle parking facilities within an acceptable distance to a trail access point as determined by the Administrator.
2. It is the responsibility of the applicant to ensure that the bicycle parking facilities meet all Americans with Disabilities Act (ADA) requirements.
3. Bicycle parking facilities shall support the bicycle upright by its frame and allow the owner to lock both the frame and front wheel with one lock.
4. Bicycle parking facilities abutting a structure, street furniture, landscaping, or other improvements should be installed with a minimum clearance of three feet from other improvements so that parking of bicycles will not cause damage or impede pedestrian access.
5. Bicycle parking facilities shall be a minimum of 34 inches in height and shall be securely anchored to the ground.
6. Each required bicycle parking space must be accessible without moving another bicycle.
7. The area devoted to bicycle parking must be hard surfaced in those zoning districts where hard surfaces for automobile parking is required.

B. Bicycle Parking Exchange Option: At the property owner's discretion, a maximum of one required parking space may be exchanged for five or more bicycle spaces.

10-8-8: RULES FOR COMPUTING NUMBER OF PARKING SPACES

In computing the number of parking spaces required for each of the above uses, the following rules shall govern:

A. Where fractional spaces result, the parking spaces required shall be rounded up to the next whole number.

B. The parking space requirements for a use not specifically mentioned herein shall be the same as required for a use of similar nature, as determined by the Administrator.

C. When an existing residential structure is converted to a nonresidential use, the parking requirements may be modified by the Administrator if it can be shown that strict compliance to these development standards is not possible.

10-8-9: LOADING SPACE AND STACKING REQUIREMENTS

A. All nonresidential uses having 10,000 square feet or more of gross floor area shall provide and maintain an area for the loading and unloading of merchandise and goods, in accordance with the following requirements:

1. Retail and industrial uses with building sizes of 10,000 to 50,000 square feet of floor area will provide a minimum of one loading space. Uses with building sizes 50,000 to 100,000 square feet of floor area will provide a minimum of two loading spaces. Buildings over 100,000 square feet of floor area will provide a minimum of two loading spaces plus one additional space for each 100,000 square feet of floor area.
2. A loading space shall consist of an unobstructed minimum area of 12 feet wide, 40 feet long and 14 feet tall.
3. All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks. Each site shall provide a designated maneuvering area for trucks.

B. Stacking of cars shall not impede the public right-of-way. In all zoning districts, at the time any building or structure is erected or altered, stacking spaces shall be provided in the number and manner set forth in the following list of uses:

USE	STACKING SPACES REQUIRED
Restaurant	300 feet from pick-up window
Financial Institution or ATM	20 feet per window or service lane
Minor Vehicle Repair Services	20 feet per bay
Commercial Sales and Services	80 feet per window, service, lane, or bay.
Car wash – Self Service	30 feet per bay

C. A single stacking space shall be provided after the final window, order board, or stopping points, to allow vehicles to pull clear of the transaction area prior to entering an intersecting on-site driveway or maneuvering aisle. Buildings and other structures shall be set back a minimum of ten feet from the back of the curb of the intersecting driveway or maneuvering aisle to provide adequate visibility and to allow vehicles to safely exit drive-through lanes and escape lanes prior to merging into intersecting driveways or maneuvering aisles.

10-8-10: SHARED PARKING REQUEST

A. Process: Property Owners may take advantage of the Shared Parking Option by demonstrating there is no substantial conflict in the principal operating hours of the building, structure, or use for which the shared use of parking facilities is proposed. Staff will review the following when evaluating the shared parking request:

1. Whether the land uses have significantly different peak parking characteristics that vary by time of day, day of week, and/or season of year.
2. Whether the parking spaces that are to be shared are located within a reasonable distance of all the destinations they are intended to serve. This will be determined by staff by identifying whether the proposed parking is within 1,000 ft of the requested use.

B. The parties concerned in the joint use of off-street parking facilities shall submit a written agreement in a form to be recorded for such joint use, approved by the city attorney as to form and content, and conforming to the provisions of this chapter. The agreement shall be recorded in the office of the county recorder and shall be filed with the application for a building permit or certificate of occupancy (COO); whichever occurs first.

C. A notarized shared parking agreement shall be submitted to the Planning & Zoning Department illustrating that the following shared parking requirements as outlined in 10-5-11 have been met.

D. Approved agreements may be reviewed upon the determination that a change of use has occurred.

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10-9: LANDSCAPING REGULATIONS

10-9-1 GENERAL

A. These standards shall apply to all properties within the City of Twin Falls, unless otherwise exempted.

B. These standards shall apply to all areas held in common ownership and/or under common maintenance such as, but not limited to:

   1. Retention/detention ponds;
   2. Park strips;
   3. Berms;
   4. Swales;
   5. Or other similar areas.

C. The measurements and sizes of plant materials required by this section shall adhere to the standards prescribed in the latest edition of "American Standards for Nursery Stock" (ANSI Z60.1).

D. All landscaping elements shall be maintained in a manner consistent with the minimum standards outlined in this chapter. Any dead or dying trees, shrubs, or other perennial plants shall be removed and replaced within one calendar year.

E. All trees in public right of way shall be maintained according to the practices established by the Twin Falls Tree Commission per City Code 8-4.

F. All landscaping elements shall be installed and maintained consistent with vision and safety requirements outlined in City Code Titles 8 and 9.

10-9-2 EXCEPTIONS

A. These standards shall not apply to single household dwellings on a single lot, accessory dwelling units, or a duplex on a single lot.

10-9-3 LANDSCAPE PLAN SUBMITTAL REQUIREMENTS

A. All projects requiring landscape installation per 10-7 shall require the submission of a landscape plan. The landscaping plan shall be reviewed as part of the building permit or zoning application process.

B. Projects requiring 4,000 square feet or more of total landscaped area shall provide a landscape plan prepared by a current Idaho Licensed Design Professional.

10-9-4 CALCULATING REQUIRED LANDSCAPING AND PLACEMENT

A. The square footage of required landscaping is defined herein for each zoning district as found in 10-3 of this Title.

B. A minimum of 50% of the required Landscaping shall be installed between the public streets/ primary access and the primary building.

C. Only landscaping provided on private property shall be counted towards the general landscaping requirement.

District	General Landscape Requirement	District	General Landscape Requirement
OS	Established by PZ Commission	CMT	10% of lot area
CRO	15% of lot area	MU	10% of lot area
PRO	10% of lot area, unless exempted in 10-6-2	CC	5% of lot area
AG	5% of lot area for Non-Residential	COM	5% of lot area
RR	5% of lot area for Non-Residential	IND1 & IND2	2SF per linear feet of street frontage
TN-1	10% of lot area, unless exempted in 10-9-2	AP	5% of total land area
TN-2	10% of lot area, unless exempted in 10-9-2	CSI	10% of lot area
TN-3	10% of lot area or as exempted in 10-9-2		

10-9-5 MINIMUM LANDSCAPE PLANTING & GROUND COVER STANDARDS

The required minimum landscaped area shall have the following plantings:

A. One tree per 500 square feet of landscaped area. The number of tree species and planting sizes shall be planted per the table below:

Required Number of Trees	Minimum Number of Species
1-4	1
5 to 10	2
11 to 30	3
31 to 50	4
More than 50	5
All trees shall be a minimum of 1-1/2 inch caliper (deciduous) or five feet tall (evergreen) when planted.	

B. One woody shrub, herbaceous perennial, or ornamental grass per 100 square feet of landscaped area. The number of shrub/grass species and planting sizes shall be planted per the table below:

Required Number of Shrubs/Grasses	Minimum Number of Species
1 to 4	1
5 to 10	2
11 to 30	3
31 to 50	4
More than 50	5
All Shrubs shall be a minimum of two gallons when planted. All others shall be a minimum of one gallon when planted.	

C. Ground cover is required throughout the required minimum landscaped area.

1. The following ground covers are permitted:
   a. Bark mulches
   b. Soil aid
   c. Other non-vegetative materials (decorative rock/stone 3/4" or greater, artificial turf, pavers, etc.) that do not comprise of more than 70% of the required area.
   d. Vegetative ground cover (grasses, etc.)
2. The following ground covers and materials are prohibited:
   a. Asphalt
   b. Concrete flat work
   c. Road base gravel
   d. Impermeable plastic weed barrier
3. The following materials are restricted and only approved through the alternative landscaping plan process:
   a. Pea gravel (only permitted on private property beyond 15' of any public Right of Way)
   b. Rubber mulch (only permitted on private property and not within 20' of any trees or shrubs)
   c. Pit run rock & ballast rock (only permitted on private property beyond 15' of any public Right of Way)
4. All non-vegetative ground cover shall utilize a permeable weed barrier and shall be installed to a minimum depth of 3 inches.

10-9-6 ALTERNATIVE LANDSCAPING PLAN

A. The Planning and Zoning Commission may approve alternative plans for the minimum site landscape plantings and groundcover standards.

1. Alternative plans shall not be granted for arterial landscaping requirements on new developments. Existing buildings being remodeled and infill developments may request an alternative plan
2. Alternative plans may:
   a. Substitute the required landscape area and associated number of trees/shrubs, for non-vegetative beautification amenities;
   b. Allow for the alternative placement of trees and shrubs;
   c. Allow combination of amenities and vegetation placement; and,
   d. Petition for a unique design that includes restricted materials.
3. Non-vegetative beautification amenities include:
   a. Architecture embellishments such as window canopies, door awnings, etc.).

b. Artistic murals or similar artistic displays as approved by the City of Twin Falls Arts Commission.

c. Other innovative items approved per the Planning and Zoning Commission.

4. Alternative placement of vegetation include:

a. Planter boxes

b. Hanging baskets

c. Potted plants

d. Living walls

e. Street trees per the Parks Department approved list & installation guide

f. Other innovative locations approved per the Planning and Zoning Commission

B. Alternative Plan Review Process: Upon receipt of a completed application the Administrator shall schedule the item within 45 days on the Planning and Zoning Commission agenda for consideration.

10-9-7 ARTERIAL LANDSCAPING

A. Landscaping shall be provided, retained and maintained along all properties fronting arterial streets, unless otherwise exempted by 10-9-2 of this Title.

B. Arterial landscaping may count towards the subject property's general landscaping requirement.

C. A landscaped strip with an average depth of 30 feet to be measured from back of curb (or future curb).

1. A minimum of 10 feet in depth shall be provided between any vehicle access area (parking space, drive aisle, delivery space, etc), and the arterial adjacent public sidewalk.

D. Concrete flatwork, sidewalks, or paths are permitted within the 30' landscape depth, but shall not be counted towards the area calculation for number of trees and shrubs.

10-9-8 CANYON RIM OVERLAY LANDSCAPING

A. Overall, twenty percent of the total area included in any commercial or mixed-use development in the Canyon Rims Overlay district shall be devoted to landscaped open space.

B. Canyon Rim Setback Area: The canyon rim setback area, as determined by the City Engineer, may be included as part of the twenty percent landscaping requirement if the area is landscaped to meet the minimum requirements of subsection 10-9-5 of this chapter, or if planted with native vegetation following the City of Twin Falls Canyon Trail planting guidelines.

10-9-9 PARKING LOT LANDSCAPING

Any parking area that contains 20 or more parking spaces shall provide interior parking lot landscaping, in addition to other required landscaping, as follows:

A. Expansions to existing parking lots which increase the number of spaces beyond 20, or expand parking to new areas where 20 spaces are currently available, shall provide parking lot landscaping on the new portion of the lot in accordance with this section.

B. Landscaped islands shall be located at the terminus of all parking rows. No more than 20 parking spaces are permitted in a continuous row without being interrupted by a landscaped island.

C. Required landscaped islands shall be a minimum 6 feet wide and 15 feet long and shall contain at least one tree that meets the following requirements:

1. The tree placed in the landscaped island shall be an approved parking island species identified in the City of Twin Falls Tree Selection Guide.

2. At planting the tree placed in the island shall meet the minimum size requirements as outlined in 10- 9-5.

3. Required landscape islands may be grouped, subject to approval by the Planning and Zoning Commission.

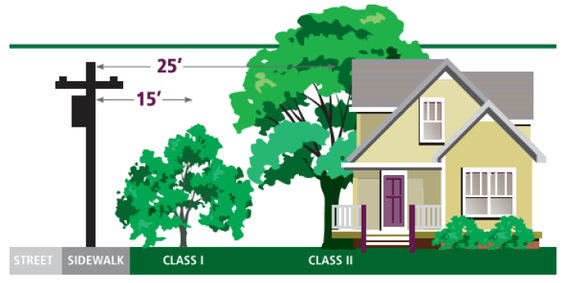
4. All landscaped areas shall be protected by an appropriate device so as to prevent the damage of the landscaped areas and vegetation from vehicles. Pavement shall not be placed closer than four feet from the trunk of a tree unless a root barrier is provided.

10-9-10 LANDSCAPING IN PROXIMITY TO OVERHEAD UTILITIES

A. Tree Planting. Where a tree is required to be planted in accordance with this Title, it shall meet the following requirements:

Tree Classification*	Minimum Distance from Overhead Utilities
Class 1	15 feet
Class 2	25 feet
Class 3	35 feet
Distances are to be measured from center of the tree trunk at time of planting.	

*Refer to Idaho Power Tree Planning & Planting Guide



B. Review. All landscaping to be placed within 50 feet of any overhead powerline shall follow the appropriate guidelines for landscape installation when near electric power utilities. Any reasonable accommodation requested by the utility company shall be met, including but not limited to alternative tree placement, alternative tree species, etc.

C. Maintenance: All maintenance shall be conducted in conformance with the Idaho Overhead Safety Act (Idaho Code § 55-2401 to 55-2405) or as amended.

D. Nuisance: Any tree or shrub growing in the public right of way or a public place, which is endangering, or which in any way may endanger, the security or usefulness of any public street, sewer, or sidewalk or the full and safe operation of public utility wires, is hereby declared to be a public nuisance and the City may act as detailed in Twin Falls City Code Title 8 Chapter 4.

10-9-11 LANDSCAPE PLAN FIELD MODIFICATIONS

A. Due to unforeseen events occurring during construction and installation of landscaping, field modifications may be approved by the Administrator under the following circumstances:
    1. Conflicts with utilities;
    2. No net loss of tree or shrub counts;
    3. Substitute species (plants not available);
    4. Future maintenance issues; and,
    5. Any other unforeseen reasons an Idaho Licensed Design Professional deems appropriate to relocate landscaping.

B. An application for field modifications shall be submitted to the Administrator and follow the process found in Chapter 8 of this Title.

10-9-12 LANDSCAPE PLAN COMPLETION

A. No final certificate of occupancy for any building shall be issued unless the required landscaping has been completed.

B. Temporary Certificates of Occupancy may be issued following the criteria in this Title.

C. Required landscaping of 4,000 square feet or more shall require a written certificate of completion by a certified landscaping installer. The certificate of completion shall verify that all landscape improvements, including plant material and sprinkler installation, are in substantial compliance with the approved landscape plan and field modifications.

10-9-13 LANDSCAPE / VEGETATION ENCROACHMENTS, OBSTRUCTIONS & PUBLIC NUISANCES

A. Every owner, tenant, or occupant of the premises abutting or adjoining any public right of way shall be required to trim or remove any trees, shrubbery, or plant growth which encroaches over any sidewalk, beyond any curb line, or over the edge of the pavement per 8-1-5 of Twin Falls City Code.

B. No person shall plant, install, create, maintain, or possess on or over public or private property an obstruction of an official traffic-control sign to the vision of a driver per Twin Falls City Code 9-9-19.

C. Twin Falls City Code 8-4-8 shall govern all instances of identifying and remedying landscaping or vegetation as public nuisance.

10-9-14 GUIDELINES FOR SELECTING PLANTS FOR POLLINATORS

Itis strongly recommended that pollinator plants be incorporated in landscape design whenever possible. Pollinator friendly landscaping recommendations established in the “Intermountain Semidesert Province Regional Guide for Selecting Plants for Provinces” published by the Pollinator Partnership and the North American Pollinator Protection Campaign, should be followed wherever possible.

10-9-15 THE PLANTING OF INVASIVE AND HARMFUL PLANT SPECIES

Any plant deemed by the State of Idaho as invasive or harmful shall not be planted.

10-9-16 GUIDELINES FOR LANDSCAPING IN AREAS VULNERABLE TO WILDFIRE

It is recommended that fire wise plants and landscape design be utilized in areas of the City vulnerable to wildfire. Fire wise recommendations include:

A. Control the density and placement of highly flammable vegetation within 30 feet of buildings and structures, to include:
    1. Removal of all flammable vegetation within three to five feet of buildings and structures.
    2. Removal of any tree branches hanging over structures that will drop needles or other debris onto roofs, gutters, or decks.
    3. Prohibition of plant vegetation underneath eaves or roof lines.
    4. Moving firewood piles further than 30 feet from buildings and structures during fire season.

B. Establishing a 50-foot defensible space around the perimeter of any habitable structure in which trees are thinned so that crowns do not overlap or touch, woody brush is removed or substantially thinned, and dead fuel is removed.

C. Incorporating non-flammable hardscapes, such as rock wall, to function as firebreaks by breaking up areas of fuel.

D. Incorporating ground cover such as gravel, brick chips, pavers, and concrete, which offer superior fire-resistance and should be used wherever mulch directly abuts flammable structures.

E. Planting ignition resistant plants (see Flammability Chart)

FLAMMABILITY CHART
Succulents = More Ignition Resistant
Ground Covers
Turf Grasses
Annuals
Perennials
Shrubs
Deciduous Trees
Ornamental Grasses
Evergreens = Less Ignition Resistant

F. Maintenance. Trim lawns, irrigate frequently, prune out dead limbs, remove debris and other fuels, and thin and increase spacing between plants.

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10-10: SIGN REGULATIONS

10-10-1: PURPOSE

Consistent with the standards set forth in section 10-1 of this Title, the intent of the standards set forth in this chapter are as follows:

A. To facilitate the design of signs that attract and invite rather than demand the public's attention, and to curb the proliferation of signs.

B. To facilitate the use of signs that enhance the visual environment of the City.

C. To promote the enhancement of business and residential properties and neighborhoods by fostering the erection of signs complementary to the buildings and uses to which they relate and which are harmonious with their surroundings.

D. To conform to current sign code standards and requirements established by the United States Constitution and the Supreme Court.

E. To protect the public interest and safety.

10-10-2: APPLICABILITY

The terms and conditions of this chapter shall apply to signs located within the corporate boundaries of the City of Twin Falls.

10-10-3: General Provisions

A. General Requirements.

1. Compliance with Zoning Ordinance, Building Code, National Electrical Code, and Other Ordinances: All sign structures shall comply with the City's zoning ordinance (this title), the building code, the national electrical code, and other City ordinances, as they currently exist or may be amended. The sign permit application must include a statement signed by the applicant that states compliance with these requirements. If the standards as described herein are more restrictive, then the provisions herein shall apply.

2. Interpretation and Administration: The Administrator shall be responsible for interpreting and administering this chapter.

3. Contractor Required for Installation: No person shall install, erect, or maintain any sign that requires a building permit, for electrical or structure, unless such person is a registered contractor as required by the State of Idaho. Such persons shall provide a contractor registration number to the City prior to issuance of a sign permit.

4. Sight Triangle Protection: Signs shall not be placed within visibility triangles per City Code 9-9-16 (or as amended). Additionally, signs located within 8 feet of the curb or future curb line shall not have any elements located between 3.5 and 8 feet above the elevation of existing or future top of curb, as determined by the City Engineer.

5. Signs Projecting into Public Right-of-Way: No sign shall project beyond the property line, unless otherwise allowed herein. No sign foundations shall encroach into public right of way. No sign shall project closer than 2 feet to a vertical line projected from the face of a curb, or if no curb exists, the face of the future curb as determined by the City Engineer based on the master street plan. The owner of a sign projecting over a public way

shall relocate the sign immediately upon written notification by the City, at the owner's expense.

6. Accumulation of Water: All signs shall be constructed so as to prevent the accumulation of water within the sign.
7. Multiple Signs on a Property or Building: The permitting of a sign on a property or building shall not preclude the permitting of other types of signs on a property or building, unless the signs are expressly prohibited herein, or the total amount of sign allowance as regulated by this chapter has been exceeded.
8. Structural Support: Signs that project from the face of a building, and that require structural support, shall be designed such that the structural support is integral to the overall architecture of the sign and building.
9. Addresses: Each building shall display an address number which is 4 inches in height with a minimum stroke width of 0.5 inch and plainly visible from the street. Address numbers shall be allowed in addition to the signs allowed herein. The address number displayed shall correspond to the address issued by the City. Address numbers shall contrast with their background and shall be in numerals or alphabet letters. These standards are intended to be minimum requirements. The fire chief, or his designee, may require a building to exceed these requirements if it is determined an address number meeting these minimum standards cannot be safely identified from the street.
10. Nonconforming Uses: New signs on a nonconforming use may be allowed providing they meet the sign regulations of the zoning district where the non-conforming use is located.
11. If any sign is determined to present an immediate danger to public health, safety, or welfare, the City may remove it immediately. Within ten days of the removal of the sign, the City shall make every effort to notify the owner of the sign and/or the owner of the property on which the sign was located, of the reasons for removal of the sign.

B. Permits Required

1. Permit Required: No sign, other than those exceptions listed in section 10-10-5 of this chapter, shall be erected, placed, attached, altered, displayed, or secured to the ground, any building, or any structure, until a permit for such sign has been issued by the City.

   An application for a sign permit may be obtained from the City. A permit will be issued if a proposed sign conforms to all City ordinances. Upon request by the City, a site plan shall be provided showing the location of all signs on the property and/or adjacent properties. Incorrect information shall be grounds for revocation of a permit.

   a. Standard Sign Permit Review Time: The City shall act on an application for a sign permit within 15 business days of the City's receipt of the application. The City's action may include approval, approval with conditions, denial, or a request for additional information.
2. Permit Expiration: If the work authorized by a permit issued under this chapter has not been commenced within 180 days after the date of issuance, the permit shall become null and void.
3. Fees: A sign permit fee, as established by resolution of the City council, shall be paid upon application of a sign permit.

C. Illumination Standards

1. Illuminated Signs: The light from an allowed illuminated sign shall be arranged, directed and of such intensity that it does not create a nuisance on adjacent property, create a hazard to motor vehicles, or disrupt official traffic control devices.
2. Lighting Elements: All lighting elements of exterior signs shall be a minimum of 9 feet above the ground unless adequately protected to prevent injury if broken.
3. Time Limitation: Illuminated signs within Residential, CMT and PRO Zoning Districts shall be turned off between the hours of 10:00 PM and 6:00 AM.

D. Placement and Clearance Standards:

1. Unless otherwise allowed herein, no person shall post, attach, or maintain any sign upon or within the following locations or scenarios:
   a. Any City owned property, without the written permission of the City Manager, or their designee;
   b. Any utility easement. Should a property owner be able to demonstrate there is no other viable location for a sign other than a utility easement, a sign may be located within the utility easement subject to written approval from the applicable easement beneficiaries and subject to the providing of a letter to the City releasing the City of any liability for repair or replacement of a sign damaged by work occurring within the utility easement;
   c. Any tree, light pole, or any utility pole or structure;
   d. Any fence, railing or wall, unless otherwise specified herein;
   e. Any sidewalk within the right-of-way or a sidewalk easement, curb, gutter, or street, except for house numbers or fire lane designation;
   f. Any fire escape, or to the supporting members of any fire escape, nor shall it be guyed to or supported by any part of the fire escape;
   g. Within 2 feet of any utility line or any streetlight;
   h. No sign shall be so erected as to block, partially block, or interfere in any way with a required entrance/exit from any building, nor with any window.; or
   i. No sign shall block, interfere, or otherwise hinder pedestrian or vehicular traffic on a public sidewalk, a public thoroughfare, a fire lane easement, or a driveway required to access parking.
2. Maximum Projection
   a. An attached sign that is oriented perpendicularly to the building façade may extend no more than 4 feet and shall not project closer than 2 feet to the face of the curb.
   b. Signs that project from the façade of the building shall be a minimum of 9 feet above the grade of the sidewalk.

E. Measurement Determinations

1. Sign Face Area

a. The sign face area of a sign shall be measured as the area enclosed by straight lines drawn to the extremities of the letters, numbers, recognizable symbols, trademarks, or brands. (See Figure 10.1 Sign Measurements)

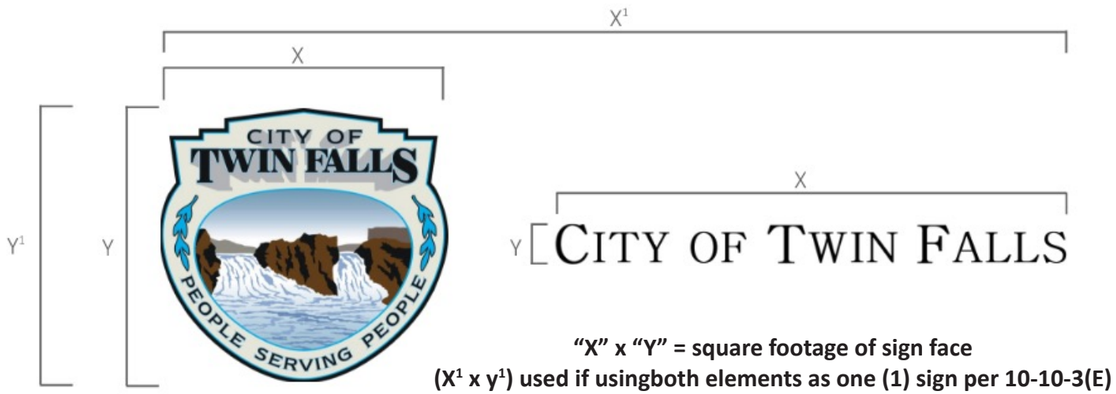
b. Special Situations:

i. Where a sign is composed of letters, pictures, symbols, or logos attached directly to a facade, window, door or marquee, and the letters, pictures, symbols, or logos are not enclosed by a border or trimming, the sign face area shall be the area within the smallest square or rectangle, the sides of which touch the extreme points of any letters, pictures, symbols, or logos.

ii. Where two sign face areas are placed back-to-back on a single sign structure, and the faces are at no point more than 4 feet apart, the area of the sign shall be counted as the area of one of the faces.

iii. Where four sign face areas are arranged in a square, rectangle or diamond, the area of the sign shall be the area of the two largest faces. Where a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square or rectangle, the sides of which touch the extreme point or edges of the projected image of the sign and multiplying that area by 2. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign. See Figure 10.1 below.

Figure 10.1 Sign Measurement



"X" x "Y" = square footage of sign face
(X^1 x y^1) used if usingboth elements as one (1) sign per 10-10-3(E)

2. Number of Signs

a. In general, the number of signs shall be the number of noncontiguous sign face areas. Multiple noncontiguous sign face areas may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign face area as described in Section 10-10-3 (E) above.

b. Special Situations

i. Where two sign face areas are placed back-to-back and are a part of the same sign structure that is no wider/deeper than 3 feet, it shall be counted as one sign.

ii. If a sign has four sign face areas arranged in a square, rectangle, or diamond, it shall be counted as two signs.

3. Sign Height

a. The height of all signs shall be measured from the top of the curb, or future curb adjacent to the sign location, up to the highest point of the top edge of the sign.

b. The vertical support structures of signs shall be included in the measurement of the height of the sign.

10-10-4: Sign Coordination Plan

A. A sign coordination plan is required prior to the permitting of some signs specified within this chapter to determine overall sign locations on a property, the relationship of the signs to surrounding existing, proposed, and future improvements, and to determine consistency and uniformity among buildings and signs within a multi-tenant zone or residential development. The sign coordination plan shall be submitted to the planning and zoning department.

B. A sign coordination plan shall contain the following information:

1. Elevations of the signs illustrating the materials of construction, colors, lighting, font of letters, and dimensions of the signs. If the sign is to be attached to a building, the elevation shall be a composite of the sign and the building.

2. Elevations depicting the size of the signs in relation to the size of the buildings within the development.

3. A plan drawn to preliminary plat or site plan specifications of the site illustrating the location of existing and proposed signs on the property and, if required by City staff, on adjacent properties.

4. Other information to illustrate the consistency and uniformity of the signs.

5. For multi-tenant signs, the sign coordination plan shall identify a multi-tenant zone. Only those properties and businesses included within the multi-tenant zone shall be included on the multi-tenant signs erected within the multi-tenant zone.

C. For nonresidential and multi-dwelling developments, the sign coordination plan shall be submitted to the City for review with a site plan of the property. For single-dwelling and two-dwelling developments, the sign coordination plan shall be submitted to the City for review with a preliminary, or final plat, of the property.

D. Sign Coordination Plans are considered an administrative decision and shall follow the process for administrative decisions outlined within this Title.

10-10-5: Exempt Signs - No Permit Required

A. The following signs are exempt from the permitting requirements of this chapter provided they still meet all other applicable Code requirements, and provided further they are not placed or constructed to create an immediate threat to the health, safety, or welfare of the general public:

1. Address numbering for properties or buildings provided they meet Fire and building codes.
2. Signs required by any local, state, or federal law or regulation; when less than 3 square feet.
3. Holiday lights and decorations.
4. Signs authorized by statute, or ordinance, when erected on public property by governmental agencies that have jurisdiction.
5. Legal notices or official instruments required by law.
6. Signs incorporated into machinery, material, or equipment by a manufacturer.
7. Signs carried by a person not exceeding six square feet.
8. Temporary signs as permitted by this Chapter.
9. Any form that displays the Standards or Colors for a country, state, county, city, other political subdivision, military or religious entity.
10. Signs Inside Buildings: Signs inside buildings that are not visible from the public right-of-way.
11. Traffic Control Signs: Traffic control signs conforming to the "Manual of Uniform Traffic Control Devices" that are installed or approved by the City, or other governmental entities with jurisdiction of the right-of-way.
12. Changing or replacing a sign face/copy (including panels, graphics, or lettering) in an existing sign cabinet or frame, provided that:
    a. No change is made to the cabinet, frame, supports, or other structural elements;
    b. No change is made to the sign area, dimensions, height, or location;
    c. No change is made to the type of sign or method of illumination, and no modification to electrical components occurs (electrical permits may be required if electrical work is performed); and
    d. The sign remains in compliance with all applicable sign standards and codes. (Ord. 2026-006)

10-10-6: Prohibited Signs

A. The following signs are expressly prohibited:

1. Off-Premises Signs, unless otherwise permitted by this chapter.
2. Obscene Signs: An obscene sign is a sign that contains offensive language, is hate based, is discriminatory or on which the dominant theme of material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.
3. Merchandise Displays: No person shall suspend or place, items from any building, or pole, structure, sidewalk, parkway, driveway, parking area, or fuel pump island any goods, wares, merchandise or other advertising object or structure for the purpose of advertising such items, other than a sign as defined, regulated and prescribed by this chapter. This prohibition does not apply to the outside display or storage of merchandise as allowed in this title.
4. Mobile Signs: A sign on a vehicle/trailer with wheels, displaying on or off premises messages cannot be used for the sole purpose of advertising. It is the responsibility of the property owners to provide proof that the vehicle has a legitimate business purpose other than acting as a sign.
5. Any sign constructed without a permit, unless otherwise exempted.
6. Any sign erected in, or over public right of way, or other public property, unless otherwise allowed within this chapter.
    a. Exceptions are made for public purposes with permission of the City, or other public agency having jurisdiction of the right-of-way.
7. Any lighted sign erected or displayed within 150 feet of a residentially zoned property, unless the lighting is shielded from view of the residential property and indirect light does not exceed 0.5 lumen measured from any property line of the residential property, unless allowed within this chapter; and
8. Other Prohibited Sign Features:
    a. Signs that move and/or are animated by means of flashing, traveling or blinking lights, or other means not providing constant illumination, unless specifically allowed within this chapter;
    b. Appendages to primary signs that have flashing, blinking, or traveling lights;
    c. Any sign that emits audible sound, odor, smoke or other visible matter/ substance;
    d. Any sign located on a property where the contents of that sign do not pertain to a person, activity, idea, business, or product being sold, promoted, or expressed on the premises where the sign is located, unless specifically allowed within this chapter;
9. Any sign advertising illegal activity, or advertising an establishment that sells a controlled substance or drug paraphernalia as defined in Idaho Code § 37-2701.
10. Any other sign not referenced within, or governed by this chapter, is considered prohibited, unless otherwise determined through the Administrative Determination process.

10-10-7: Permanent Signs

A. General Provisions.

1. Free standing signs in residential zones shall be built in the monument style. Monument style signs shall be solid from ground to top of the sign.

B. Permanent Sign Classifications and Types

1. The following permanent sign classifications are adopted by the City of Twin Falls to regulate signage within the jurisdiction of the city limits.
   a. Permanent Commercial - a sign classification that is constructed or used for 180 days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes, advertises, or attracts attention to any type of commerce or non-ideological message.
   b. Permanent Non-Commercial - a sign classification that is constructed or used for 180 days or more, and utilizes any writing, graphic or pictorial presentation, number, illustration, or decoration, which promotes an ideal, belief, or other thought.
2. The following types of signs are allowed as designated in this section.
   a. Attached, i.e., a "building sign" or a sign that is attached to a structure that is occupiable or useable.
   b. Free Standing, i.e., a "ground sign" that is independent of another structure.

C. Permanent Sign Allowances.

TABLE: PERMANENT SIGN DIMENSION ALLOWANCE

	Permanent Commercial		Permanent Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Residential Districts: RR, TN1, TN2, TN3				
Total SF	Permanent Commercial Signage is not allowed in any Residential District		60 SF	60 SF
Max Individual Sign SF			40 SF	40 SF
Max Height			8 FT	Footnote 1
Front Setback			10 FT	N/A
Natural Zones: AG, OS				
Total SF	60 SF	60 SF	60 SF	60 SF
Max Individual Sign SF	45 SF	45 SF	45 SF	45 SF
Max Height	8 FT	Footnote 1	8 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A

1. *Attached Signs may protrude above the roofline, cornice line, parapet, or the highest point of a façade a distance equal to 10% of the height of the building façade they are installed.*
2. *See Additional Freestanding regulations in 10-10-10*
3. *1 SF per linear-foot of street frontage, not to exceed 350 SF.*
4. *10% of the building façade not to exceed 350 SF.*
5. *Multi-occupant Building: 10% of the lease space/unit building façade, not to exceed Total SF.*
6. *1 SF per linear-foot of street frontage, not to exceed 500 SF.*
7. *10% of the building façade not to exceed 500 SF.*

TABLE: PERMANENT SIGN DIMENSION ALLOWANCE

	Permanent Commercial		Permanent Non-Commercial	
	Free Standing	Attached	Free Standing	Attached
Mixed Use Districts: MU, CMT, PRO				
Total SF	60 SF	60 SF	60 SF	60 SF
Max Individual Sign SF	60 SF	60 SF	60 SF	60 SF
Max Height	8 Ft	Footnote 1	8 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
Commercial Districts: COM, CC				
Total SF	Footnote 3	Footnote 4 & 5	Footnote 3	Footnote 4 & 5
Max Individual Sign SF	Footnote 2 & 3	Footnote 4 & 5	Footnote 2 & 3	Footnote 4 & 5
Max Height	35 FT	Footnote 1	35 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A
Industrial Districts: IND 1 & 2, Airport				
Total SF	Footnote 6	Footnote 7	Footnote 6	Footnote 7
Max Individual Sign SF	Footnote 2&6	N/A	Footnote 2&6	N/A
Max Height	35 FT	Footnote 1	35 FT	Footnote 1
Front Setback	10 FT	N/A	10 FT	N/A

1. *Attached Signs may protrude above the roofline, cornice line, parapet, or the highest point of a façade a distance equal to 10% of the height of the building façade they are installed.*
2. *See Additional Freestanding regulations in 10-10-10*
3. *1 SF per linear-foot of street frontage, not to exceed 350 SF.*
4. *10% of the building façade not to exceed 350 SF.*
5. *Multi-occupant Building: 10% of the lease space/unit building façade, not to exceed Total SF.*
6. *1 SF per linear-foot of street frontage, not to exceed 500 SF.*
7. *10% of the building façade not to exceed 500 SF.*

10-10-8: Temporary Signs

A. General Provisions

1. Temporary signs may not require a permit from the City, if they satisfy the restrictions imposed by this section and other relevant parts of this Code.If a permit is required, a fee, adopted by the City Council, shall be applied to the permit.
2. Illumination. Temporary signs shall not be internally or externally illuminated.
3. Location.
   a. No temporary sign shall be placed within, extend into, or project over any public right-of-way.
      i. Temporary signs may be displayed on a closed public right of way if in conjunction with an event which has been vetted and approved through the Special Event approval process.
      ii. Temporary signs may be displayed on the adjacent sidewalk of a "festival street" as designated by the City Council with the following requirements:
         A. Maximum size of 9 square feet
         B. Maximum height of 4 feet

b. A property owner may grant another entity permission to place one off premise temporary sign on the property owners' grounds. The total amount of signage shall not exceed the limits allowed in the zoning district of the property where the temporary sign is placed.

c. No portion of a temporary sign shall be placed, extend into, or otherwise obstruct the sight triangle of intersections or driveways as defined in 9-9-16 of City Code, or as amended.

4. Maintenance: Temporary signs shall be kept neat, clean and in good repair. Signs that are abandoned, neglected, or dilapidated as defined in 10-10-14 of this Title shall be immediately repaired or removed.

5. Placement:

a. Temporary signs shall not be attached to public property; examples include but are not limited to benches, street light poles, and trees.

b. Temporary signs shall not obstruct or obscure permanent signs on adjacent premises as viewed from the public way.

c. Temporary signs shall not be attached to a fence or other signs.

d. Temporary signs shall have a minimum of 1 foot spacing between each sign. As measured from the outermost extent of the material displaying the sign.

B. Temporary Sign Definition. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, metal, or other like materials, and that appears to be intended, or is determined by the administrator to be displayed for a limited period of time (rather than permanently attached to the ground or a structure).

Examples include but are not limited to the following depictions:



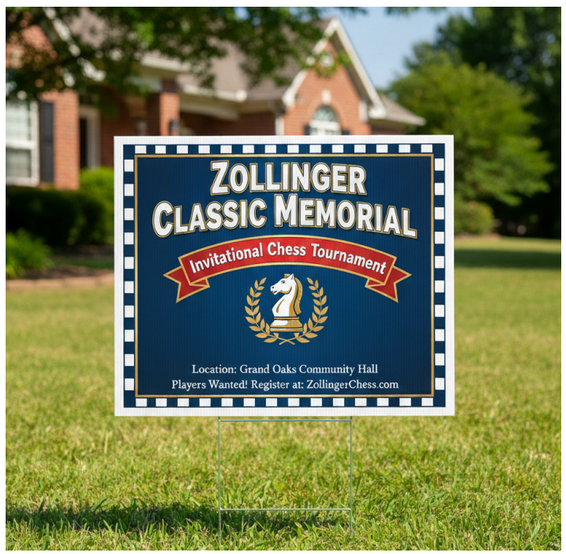


TABLE: TEMPORARY SIGN DIMENSION ALLOWANCE

	Free Standing	Attached
Residential Districts: RR, TN1, TN2, TN3		
Total SF	32 SF (see Footnote 2 & 3)	
Max Individual Sign SF	32 SF	32 SF
Max Height	10 FT	Footnote 1
Front Setback	N/A	N/A
Natural Zones: AG, OS		
Total SF	48 SF (see Footnote 2 & 3)	
Max Individual Sign SF	32 SF	32 SF
Max Height	10 FT	Footnote 1
Front Setback	N/A	N/A
Mixed Use Districts: MU, CMT		
Total SF	32 SF (see Footnote 2 & 3)	
Max Individual Sign SF	32 SF	32 SF
Max Height	10 FT	Footnote 1
Front Setback	N/A	N/A
Commercial Districts: Com, CC		
Total SF	1 SF per linear foot of Public Street Frontage, or Primary entrance building façade, up to 100 SF (see Footnote 2 & 3)	
Max Individual Sign SF	100 SF	100 SF
Max Height	15 FT	Footnote 1
Front Setback	N/A	N/A
Industrial Districts: IND 1 & 2, Airport		
Total SF	1 SF per linear Foot of Public Street Frontage, or Primary entrance building façade, up to 150 SF. (see Footnote 2 & 3)	
Max Individual Sign SF	100 SF	100 SF
Max Height	15 FT	Footnote 1
Front Setback	N/A	N/A

1. *In no case shall a sign protrude above the roofline, cornice line, parapet, or the highest point of the building wall/façade upon which the sign is installed, whichever is lower.*
2. *Any 2 adjoining properties may combine the total allowable square footage, and maximum individual sign size, thereby doubling the total for each category. Placement of these signs shall be on the property line of the adjoining properties.*
3. *Platted undeveloped lots may have a total of 80 square feet, no single sign to exceed 32 square feet.*

10-10-9: Digital and Electronic Signs

A. Definition: A "Digital sign" is a sign containing a display that can be changed by electrical, electronic and/or a computerized process that provides general public service information such as but not limited to time, date, temperature, weather, or messages of interest to the public. A digital sign may also provide commercial messages relating to the use of the property on which the sign is located.

B. Digital Signs Permissible: Digital signs are permissible subject to the following conditions:

1. Time: A sign permit shall not be issued to erect or place a digital sign on a property until a site plan and/or final plat has been approved by the City for development of the property and after issuance of a building permit for a building on the property.

2. Place:

   a. Digital signs are only allowed in conjunction with another allowed attached or freestanding signs and will be included in the total square feet allowed for one sign and overall signage.

   b. Digital signs are allowed only in conjunction with a nonresidential use.

   c. Digital signs shall not project into the right of way.

3. The Administrator, or designee, must make all of the following findings in permitting such a sign:

   a. The location and placement of the sign will not endanger motorists or pedestrians and does not cause undue distraction to traffic on the adjacent street or impede views at street or railroad intersections.

   b. The sign will not cover or blanket any prominent view of a structure or facade of historical or architectural significance.

   c. The sign will not obstruct views of users of adjacent buildings to side yards, front yards or to open space.

   d. The sign will not distract, intrude upon or negatively impact the visual quality of a public open space such as a public recreation facility, square, plaza, courtyard and the like.

   e. The sign is compatible with building heights of the existing neighborhood and does not impose a foreign or inharmonious element to an existing skyline.

   f. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect or spill onto adjacent business or residential areas.

4. Manner:

   a. The maximum area of a digital sign is 50 square feet of the total square footage of the sign in which it is located. If however, the property where the digital sign is to be located, has a single, contiguous street frontage equal to or greater than 400 linear feet, total square footage shall not exceed 80 square feet.

   b. The lighting on digital signs shall not exceed the following light measurements, as made using a one degree photographic exposure meter (spot meter) and measured 100 feet from the sign at a position 5.5 feet above ground level perpendicular from the face of the sign

      i. Daylight: The average exposure value (EV) shall not exceed 14 EV during the sign's normal running cycle, and shall never peak higher than 15 EV.

      ii. Night: The average exposure value (EV) shall not exceed 12 EV during the sign's normal running cycle, and shall never peak higher than 13.5 EV.

   c. Flashing (the same copy flashing on and off repeatedly) is prohibited.

   d. Word messages shall not have a change frequency less than one second per frame.

   e. Animated graphics allowed so long as they are not used in conjunction with on/off flashing.

   f. Sequential message or message sequencing, meaning messages shown over a series of images or visuals, is prohibited.

10-10-10: Additional Permanent Freestanding Sign Regulations

A. Definition: A "freestanding sign" is a sign that is erected on its own vertical framework consisting of one or more uprights support elements.

B. Time: A permit shall not be issued to erect or place a freestanding sign on a property until a site plan and/or final plat has been approved by the City for development of the property.

C. Place:

1. Each property is allowed at least one free standing sign.

2. Distance between Freestanding Signs:

   a. All freestanding signs shall be a minimum of 100 feet from any other freestanding sign on the same property.

   b. Directional Signs (10-10-10-D.2 & 3) are excluded from this distance requirement.

3. When a property does not have street frontage, the Administrator shall determine a street frontage equivalent based on the circumstances of the project including but not limited: to private access/driveways, orientation of the building, and primary building entrance location.

D. Manner:

1. Vertical Support Structure: Any freestanding sign exceeding 6 feet in height shall provide a minimum 24 inch wide vertical support structure. The minimum width may be calculated as a total of multiple support structures. However, no single support structure shall be fewer than 12 inches in width.

   Unique or innovative sign designs not meeting the Vertical Support Structure, may be reviewed and approved by the Planning & Zoning Commission as a consideration item.

2. Freestanding signs which direct traffic internally (internal directional signage), are allowed within the development and must meet all of the following criteria:

   a. Signs shall not exceed 5 square feet.

   b. Shall not exceed 10 feet in height.

   c. Shall not be intended to be viewed from public right-of-way.

d. If no emblem, brand, or commercially identifiable design is on the sign it shall not count towards the total square footage of a property's allowed signage.

3. Freestanding signs that direct traffic from the public right-of-way must meet all of the following criteria:

a. Signs shall not exceed 3 square feet

b. Shall not exceed 3 feet in height, measured from the nearest top of curb in the right of way.

c. Shall be counted towards the total square footage of a property's allowed signage.

d. Shall not be counted towards number of freestanding signs on the property.

e. Shall be a minimum of 7 feet from face of curb or 2 feet from back of side walk, whichever is greater, but in no case can any portion be located in the right-of-way.

E. Freestanding Signs In Multi-Tenant Developments (multi-tenant signage). Multi-Tenant Signs are intended to have a limited scope and areas where permanent off-site signage is permitted. The following standards applicants seeking to utilize this multi-tenant sign provision:

1. Time: A sign permit shall not be issued to erect or place a multi-tenant sign on a property or development until a sign coordination plan, as defined in section 10-10-4 of this chapter, has been approved.

2. Place:

a. Multi-tenant signs are allowed only in nonresidential zoning districts within multi-tenant development consisting of multiple businesses/tenants with the same subdivision name or multiple properties which were depicted on the same preliminary plat or site plan;

b. All other freestanding signage requirements apply.

3. Manner:

a. Prior to City consideration of a multi-tenant zone, all property owners located within a proposed multi-tenant zone must submit notarized letters to the City authorizing the creation of the multi-tenant zone. Properties shall only be included in one multi-tenant zone.

b. All other freestanding signage requirements apply.

10-10-11: Additional Permanent Attached Sign Regulations

A. Properties within the Central City Zoning district may be allowed to construct Attached Signs over the right of way with the approval of the authority having jurisdiction.

a. City of Twin Falls right of way approvals will follow the encroachment agreement process.

10-10-12: Removal/Impoundment of Prohibited Signs

A. All signs listed in section 10-10-6 of this chapter, and any other prohibited or noncompliant signs, shall be considered a public nuisance and are prohibited by this chapter.

B. If a sign is placed within the public right of way or on City owned property in violation of this chapter, the sign may be immediately removed and impounded by order of the Administrator.

C. Upon identification of any prohibited sign, the City shall provide written notification of the violation to the owner of the property where the prohibited sign is located and the permittee of the sign.

1. The notification shall clearly identify the prohibited sign, and list any actions required to remedy the offense within a specific time period prescribed by the City.

2. The notification shall further state if the prohibited sign is not removed within a specific time frame (not to exceed 30 days) a citation may be issued and the City may resort to any civil remedy available up to and including impoundment.

D. Signs authorized by a sign permit with an expiration date shall be removed promptly upon the date of expiration. Signs remaining after the date of expiration shall be deemed prohibited. The sign permit listing the expiration date shall be considered adequate notice of violation.

E. It shall be unlawful for any person, firm or corporation receiving such written notice or having an expired permit to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (C) of this section, the City is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located.

10-10-13: Inspection

A. The City of Twin Falls reserves the right to perform inspections of all signs regulated by this chapter. The purpose of the inspection is to ascertain whether the same is unsafe or insecure, is dilapidated or deteriorated, and to ensure that the sign has been constructed in accordance with the standards contained herein, any other applicable ordinances, and the applicable permits. The method and time of such inspections shall be determined by the appropriate City Official.

B. If the City determines that any sign is unsafe or insecure, or is dilapidated or deteriorated, written notice shall be given to repair, remove or replace (in accordance with this chapter) said sign to the person or persons responsible for such sign. If the permit holder, owner of the sign, or owner of the property on which the sign is located, fails to repair, remove or replace the sign within thirty (30) days after such notice, or fails to file an appeal of administrator's determination, the City is hereby authorized to cause the removal of such sign.

C. Nothing contained herein shall prohibit the immediate removal, without notice, of any sign or portion of a sign that is determined by the City to be an immediate threat or danger to the public health, safety, or welfare. Any expense incident to the removal of a sign pursuant to this subsection shall be paid by the permit holder, owner of the sign, or owner of the site on which the sign is located. The removal of the sign or portion of the sign shall be limited to the extent necessary to eliminate the threat to the public health, safety and welfare.

D. The City is authorized to file a lien against any property, which is not otherwise exempt, to recover expenses incurred by the City for the removal of a sign, or portion of a sign, from the property.

10-10-14: Abandoned, Neglected, or Dilapidated Signs (Permanent or Temporary)

A. Abandoned signs are defined as follows:

1. Permanent Signs: a sign that, for at least 180 days, does not identify or advertise a bona fide business, lessor, service, owner, product, or activity; or pertains to a time, event, or purpose which no longer applies.
2. Temporary Signs: a sign that, for at least 30 days, does not identify or advertise a bona fide business, lessor, service, owner, product, or activity; or pertains to a time, event, or purpose which no longer applies.

B. A neglected or dilapidated sign is a sign that contains missing panels, burned out lights, missing letters, rust, loose parts, is faded from its natural color, faded, frayed, neglected, ripped, torn, worn, partial or wholly ruined or any similar state of disrepair

C. Abandoned, neglected or dilapidated signs shall be considered a public nuisance and are prohibited by this chapter.

Upon written notification to the permit holder by the City, such abandoned signs shall be removed from the premises, and neglected or dilapidated signs shall be repaired or removed from the premises by the property owner, agent, or person having beneficial use of the land, building, or structure upon which such sign is located.

The notification shall state the offending sign shall be repaired or removed within 14 days after written notification. The notification shall further state if the sign is not removed or repaired, a citation may be issued and the City may resort to any civil remedy available to remove or repair the sign.

D. It shall be unlawful for any person, firm or corporation receiving such written notice to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under subsection (C) of this section, the City Official is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located.

10-10-15: Nonconforming Signs

A. Definition: A "nonconforming sign" is a sign and its supporting structure that does not conform to all or part of the provisions of this chapter, and:

1. Was in existence and lawfully erected prior to the effective date of this chapter;
2. Was in existence and lawfully located and used in accordance with the provisions of the prior ordinance applicable thereto, or which was considered legally nonconforming thereunder, and has since been in continuous or regular use; or
3. Was in existence, located, and used on the premises at the time it was annexed into the City limits or included in the City's area of impact and has since been in regular and continuous use.

B. Repair or Replacement: Any nonconforming sign and its supporting structure, which is destroyed, damaged, dilapidated or deteriorated, may be replaced or repaired providing:

1. The new sign does not have a nonconforming feature that the original sign did not have,
2. The replacement sign does not exceed the size of the original sign,
3. A nonconforming sign is not expanded or changed, and
4. A sign permit for the replacement or repair is issued within six months of the date of the damage. The Commission may grant an additional six months for a sign replacement to be installed. Under no circumstance shall a permit be issued for a replacement after one year has elapsed from the date of the damage.

C. No Increase in Dimension: No sign or supporting structure that is lawfully reproduced, repaired, or renovated as a nonconforming sign shall be increased in area or height.

D. Change of Interior Panel Allowed: Changing an interior panel of a nonconforming sign is allowed in all cases.

E. Relocation: Notwithstanding any other provision of this chapter, any sign that is a legally existing nonconforming sign hereunder may be relocated on the same property or tract of land, if the sign is required to be removed from its present location because the property upon which the sign is located is acquired by any governmental agency or other entity that has or could have acquired the property through the exercise of its power of eminent domain. Such relocated sign shall be placed, insofar as possible, as to comply with all the provisions of this chapter.

10-10-16: Variances to Sign Regulations

Requests for variances to sign regulations shall be made in writing by the applicant and heard by the Planning and Zoning Commission at a public hearing. A variance application may be obtained from the City. Applications for a variance will be administered per the variance process contained in section 10-2 of this title. The planning and zoning commission's decision on a variance application will be based on the approval criteria in section 10-2 of this title.

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10-11: SUPPLEMENTAL REGULATIONS

10-11-1: EFFECT OF SUPPLEMENTARY REGULATIONS

The regulations herein set forth qualify or supplement the regulations within zoning districts and appearing elsewhere in this Title.

10-11-2: SALE OR LEASE OF REQUIRED SPACE

No space needed to meet the yard, area or other requirements of this title for a lot or building may be sold or leased apart from such lot or building unless other space so complying is provided.

10-11-3: FILLING OF CANYONS

Filling of canyons is prohibited and a special use permit shall be required for filling within 100 feet of canyon rims. Minor filling may be allowed by the Administrator for cosmetic purposes.

10-11-4: OUTSIDE STORAGE AND DISPLAY

Merchandise shall not be stored or displayed outside of the primary business building unless in areas that are screened from public view. Exceptions include vehicles, as defined in Title 49 of Idaho Code, pickup shells, large agricultural implements and machinery for sale or rent, and seasonal items as determined by the Administrator. The term "primary business building" shall include any paved pedestrian area adjoining the building and parallel to any portion of the building facing the street.

A. Notwithstanding the above outside display restriction, a retail business may apply for a "parking lot sale" permit for the temporary outside display of retail merchandise. Parking lot sale permits are subject to the following conditions:

1. Up to 8 temporary parking lot sale permits shall be allowed on a lot or parcel in a calendar year, with not more than 2 per quarter.
2. A parking lot sale permit shall be issued for not more than 5 consecutive days. Parking lot sale permits issued in different calendar year quarters shall have a minimum of seven days between permits.
3. Retail merchandise may only be temporarily displayed on private real property and only on the same lot, parcel or shared parking as the primary business building to which the parking lot sale permit has been issued.
4. Retail merchandise shall not be temporarily displayed within required landscape areas or in any other area that creates a site obstruction or other traffic obstruction or hazard.
5. Retail businesses that share a lot, parcel or parking with other businesses may apply for a parking lot sale permit if a parking lot sale site plan has been prepared by the applicant and the site plan has been approved by an authorized representative of each business sharing the same lot, parcel, or parking. Approval signatures shall be provided to the planning department with the permit application along with name and contact information for the authorized representatives who provided the approval.

B. Parking lot sale permit applications shall be submitted to the planning department not less than 2 weeks prior to the planned parking lot sale. The Administrator may approve parking lot sale permit requests that comply with the standards contained herein.

10-11-5: RECREATIONAL VEHICLES ON RESIDENTIAL LOTS

Motor homes, camp trailers, campers and other similar recreational vehicles may be stored, maintained, loaded or unloaded (but not occupied otherwise or connected to sewer, water or cable services, except in approved RV parks) on residential lots. The zoning administrator may approve a temporary RV park (not to exceed 6 months) for on site construction on nonresidential lots for a minimum of three and a maximum of 15 RVs, provided that all RVs are connected to centralized sewer and water services.

10-11-6: COMMERCIAL PAINTING

Outside commercial painting is prohibited in all zoning districts. Inside commercial painting is permitted only by special use permit. The painting of interior and exterior of buildings and fixtures to real estate shall be excluded from these regulations.

10-11-7: WIRELESS COMMUNICATION FACILITIES

A. General Regulations:

1. Preferred Locations and Facility Types:

a. Site Selection Criteria: A master development plan is to be created, prior to any wireless communication facility permit request, based upon engineering constraints and desired areas of service. Wireless communication facilities shall be located on a master development plan in the following priority order:

i. Collocation on an existing tower, structure or building. The applicant shall have the burden of proving that there are no feasible existing structures upon which to locate as described in this section.

ii. Publicly owned property.

iii. Other nonresidential buildings or vacant nonresidentially zoned land.

b. Priority Order: Facility types are preferred in the following priority order:

i. Roof mounted.

ii. Facade mounted.

iii. Utility pole mounted.

iv. Stealth Freestanding.

v. Freestanding.

2. New Freestanding Towers: No new tower shall be permitted unless the applicant demonstrates that no existing tower or structure can accommodate the applicant's proposed wireless communication facility. Evidence submitted to demonstrate the unavailability of other towers or structures shall address all of the following:

a. An RF engineering analysis of all utility poles, regardless of height, and of all towers or structures 35 feet in height or higher, within a 1,320 foot radius of the proposed wireless communication facility site.

b. The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for collocation are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

3. Prohibitions: The following are prohibited or restricted:

a. Lattice towers are prohibited.

b. Interference with city and public safety communication systems is prohibited.

c. Freestanding towers within residentially zoned areas are prohibited.

d. Diagonal bracing is permitted only to anchor the antenna to an existing building to which the antenna is attached.

4. The City Shall follow the requirements for review of Micro and Macro Towers as regulated by the FCC.

5. When a Wireless Communication Facility is identified as causing radio frequency interference (RFI) with the City of Twin Falls public safety communications equipment, the following steps shall be taken:

a. Upon notification by the City of interference with public safety communications equipment, the owners of the Wireless Communications Facility equipment shall utilize the hierarchy and procedures set forth in the Federal Communication Commission's (FCC) Wireless Telecommunications Bureau's Best Practices Guide. If the Wireless Communication Facility owner fails to cooperate with the City and/or County in applying the procedures set forth in the Best Practices Guide in order to eliminate the interference, then the City of Twin Falls may take steps to contact the FCC to eliminate the interference.

b. If there is a determination of RFI with the public safety communications equipment, the party that caused the interference shall be responsible for reimbursing the City and/or for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the City to determine the source of the interference.

6. Lighting: Lighting shall follow the Federal Aviation Administration (FAA) minimum standard.

7. Pedestrian and Vehicular Movement: No facility, structure, or associated equipment shall impede pedestrian or vehicular movement and circulation.

8. Facility Storage:

a. A wireless communication facility shall not be used for the storage of any excess equipment or hazardous materials, nor be used as habitable space.

b. No outdoor storage yard(s) shall be allowed in a wireless communications facility equipment compound.

B. Application Procedure: The administrator shall be the granting authority for wireless communication facility collocating on existing structures or utility poles in accordance with the standards set forth below. All other wireless communications facilities shall require a special use permit from the planning and zoning commission. An application for a special use permit for a wireless communication facility shall contain the information set forth below, in addition to the standard application information required for all special use permits:

1. Elevation drawings or before and after photographs/drawings simulating and specifying the location and height of the antennas, support structures, equipment enclosures and other accessory uses.
2. The master development plan showing the location of all existing and proposed wireless communication facility sites of the applicant within the city and its area of impact, including the service area of each wireless communication facility.
3. Evidence demonstrating the unavailability of collocation, as set forth above.

C. Standards For Wireless Communication Types:

1. Colocation

a. Roof Mounted:

i. Height: Roof-mounted wireless communications facilities may extend above the highest portion of the roof, including parapet walls, by a distance equal to its distance to the nearest exterior wall. The maximum height for any roof-mounted facility, including the building, shall be 100 feet.

ii. Setback: Roof-mounted wireless communications facilities shall be set back from the edge of the building the height of the antenna and support system.

b. Facade Mounted:

i. Height: Facade-mounted wireless communications facilities may not exceed five feet above the facade to which it is attached.

ii. Setback: Maximum projection of 24 inches but may not encroach into the public right of way.

iii. Attachment: The antenna and supporting electrical and mechanical equipment must be the same color as the supporting structure so as to make the antenna and related equipment as unobtrusive as possible.

c. Utility Pole Mounted:

i. Height: Maximum height of 133 percent of the height of the original utility pole or an additional 15 feet, whichever is greater.

ii. Attachment: The antenna shall be either fully concealed within the utility pole or face mounted (not to exceed 24 inches from the face of the pole). When located within the right-of-way the antenna shall be fully concealed within the utility pole.

iii. Pole Replacement: Existing utility poles may be replaced with a new utility pole of the same height, dimensions and appearance as the existing utility pole.

iv. Equipment Enclosures: Aboveground equipment enclosures are classified as utility distribution facilities.

v. Relocation Of Utilities: In the event the utilities located on a utility pole are relocated underground, the wireless communication facility shall be relocated to another location pursuant to the requirements of this section.

2. Freestanding:

a. Height: Freestanding towers shall not exceed 100 feet in height as measured from the ground.

b. Setback: Setbacks shall be measured from the base of the tower to the property line of the parcel on which it is located. Towers shall be set back from all residential and residentially zoned property 125 percent of the tower height as measured from ground level.

c. Color: Freestanding towers shall be a neutral color, simulate a standard utility pole, or otherwise be camouflaged or disguised so as to make the tower as unobtrusive as possible.

d. Maintenance: All facilities and landscaping shall be properly maintained.

D. Modification: Modification to any existing wireless communication facility, which includes construction involving the replacement of support structure apparatus, antennas or any exterior alteration, shall comply with all the requirements of this title.

E. Abandonment: Upon abandonment or discontinuation of use, the carrier shall physically remove the wireless communication facility within 90 days of the date of abandonment or discontinuation of use, and restore the site to its original condition.

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10-12-1: GENERAL SUBDIVISION REGULATIONS

10-12-1-1: AUTHORITY

These regulations are authorized by Title 50, Chapter 13 of the Idaho Code; Title 67, Chapter 65 of the Idaho Code; and Article 12, Section 2 of the Idaho Constitution, as amended or subsequently codified.

10-12-1-2: PURPOSE

The purpose of these regulations is to promote the public health, safety and general welfare, and to provide for:

A. The harmonious development of the area;

B. The coordination and continuation of the historic grid network of streets and roads;

C. Adequate open space for recreation;

D. Adequate facilities for transportation, potable water, drainage, irrigation, and sewer;

E. The avoidance of scattered subdivision of land that would result in either of the following:

   1. The lack of water supply, irrigation supply, sewer service, drainage, transportation or other public services; and

   2. The unnecessary imposition of an excessive expenditure of public funds for the supply of such services.

F. Adequate requirements and standards, and timing of installation and improvement for roads, water and sewer, and other utility mains, piping connections or other public facilities.

G. The manner, form, and process of making and filing of any plat; and

H. The administration of these regulations by defining the powers and duties of approval authorities.

10-12-1-3: JURISDICTION

These regulations shall apply to the subdividing of land within the corporate limits of the City.

10-12-1-4: INTERPRETATION

All subdivisions as herein defined shall be submitted for final approval by the Council and shall comply with the provisions of these regulations. These regulations may be supplemented by other regulations, ordinances, resolutions, or standards; and where in conflict with other laws, regulations, ordinances, resolutions or standards, the more restrictive requirements shall apply.

10-12-1-5: ADMINISTRATION

The administration of this Chapter shall be conducted by the Administrator.

10-12-2: PROCEDURE FOR SUBDIVISION APPROVAL

10-12-2-1: SUBDIVISION APPROVAL REQUIRED

A. Any person desiring to create a subdivision, as herein defined, shall submit all necessary completed applications to the Administrator on forms as provided by the City.

B. All applicant shall go through the following reviews:

   1. Subdivision Concept
   2. Short Plat or Preliminary Plat, whichever is applicable,
   3. Public Infrastructure Construction Plan
   4. Final plat

C. No Final Plat shall be filed with the County Recorder, or improvements made on the property, until the Preliminary Plat has been acted upon by the Planning and Zoning Commission, where required, and a Final Plat has been approved by the City Council.

D. No lots shall be sold until the Final Plat has been recorded in the office of the County Recorder.

10-12-2-2: SUBDIVISION CONCEPT REVIEW

A. Application: The subdivider shall submit a concept drawing with sufficient detail (specific items to be listed on forms provided by the City) to enable the administrator to review and comment on the proposed subdivision.

B. Administrator Action: Within 15 business days from the date of receiving a complete Subdivision Concept Application, the Administrator shall notify the subdivider as to the general conformance, or nonconformance, of the proposal with this Title, and shall provide the necessary forms and check lists, as well as the additional following consideration:

   1. Compliance of the proposed development with existing local or state policies, goals and objectives or comprehensive plans;
   2. Determination if additional special permits or ordinance conflicts, such as rezone, special development permit or variance are needed and the manner of coordinating such permits;
   3. Consideration of any unique environmental features or hazardous concerns that may be directly or indirectly associated with the subject property, such as areas that have been designated as areas of critical environmental concern, unique plant or animal life and floodplains; and
   4. Consideration of other local and state agencies that the subdivider should contact before preparing a preliminary plat.

C. Approval Period: Approval of a Subdivision Concept Review is valid for one year form the date of final written decision.

10-12-2-3 SHORT PLAT

A. Purpose: The purpose of the Short Plat Process is to allow for minor subdivisions of land through a streamlined process. The ideal scenario is intended for in-fill development where no further subdivisions will occur on adjacent properties.

B. Applicability: Short Plats shall adhere to the following:

   1. Shall not involve a total area exceeding five acres.
   2. Shall not Create more than five lots.
   3. Parent Parcel Clause: The "parent" lot, or parcel must not have been created using the short plat process within the last 10 years of recording date.
   4. All new parcels abutting public right-of-way shall install access approaches to current standards.
   5. Any existing structures shall connect to centralized sewer and water.
   6. Subdivisions of Special Concern shall not qualify for short plat consideration.

C. Application Process: The subdivider shall file a complete short plat subdivision application with the administrator, on forms furnished by the City.

   1. The administrator, or designee, shall review the application for completeness.
   2. The administrator, or designee, shall conduct an inter-departmental technical review to evaluate compliance with Preliminary and Final Plat standards and requirements for utilities, stormwater management, access, fire safety, and any other relevant public facilities.
   3. The City may provide copies of submitted documents to outside agencies that may be impacted by the proposed development, as necessary.
   4. Written notice to the owners of property within 100 feet of the exterior property lines of the project shall be provided. The written notice shall provide:
      a. The proposed short plat drawing;
      b. General information concerning the proposal; and
      c. Time frame of no fewer than 10 days for submitting written comments from the date of mailing.

D. Decision and Appeal: The City Engineer, or designee, must find that all criteria outlined in 10-12-2-4 have been met.

   1. The City Engineer, or designee, shall act as a Hearing Examiner in accordance with Idaho Code § 67-6520.
   2. The Hearing Examiner shall render a written decision to approve, approve with conditions, or deny the request for short plat.
   3. Notice of the action taken will be mailed to the applicant and all owners of real property who received notice as required by this section.
   4. A decision to deny the application must indicate the reasons for denial and explain what steps are necessary to obtain approval.

5. The applicant or any affected party may appeal the decision of the City Engineer by filing a notice of appeal with the Planning Director no later than 10 days after the City Engineer's decision.
    a. The appeal must be in writing and explain in a clear and concise fashion the basis for appeal.
    b. The appeal will be set as a consideration item before the City Council at the next regularly scheduled meeting at which it can be reasonably accommodated.
    c. The City Council will base its decision on whether the findings required by this title have been met.
    d. The City Council will render a written decision to the applicant and any party appealing the original decision. The Director shall also make the City Council decision available for public inspection.
6. Upon preliminary plat approval by the City, the developer may apply for a final plat and construction documents as required elsewhere in this title.

E. Approval Period: Approval of a Short Plats is valid for one year from the date of final written decision. Any Plat not recorded within 1 year of final approval shall be considered expired.

All other limitations, requirements and restrictions on final plats, public infrastructure construction, and warranties are applicable to short plats.

10-12-2-4: PRELIMINARY PLAT

A. Application: The subdivider shall file with the administrator a complete subdivision application containing all required information prior to any official review taking place.

B. Content Of Preliminary Plat Application: The contents of the preliminary plat and related information shall be in such form as stipulated by the administrator as listed on the official application. Additional information may also be required as deemed necessary by the Administrator. A completed application shall contain at least the following:
    1. A signed application.
    2. A preliminary plat drawing of the proposed subdivision, drawn to the specifications, standards and requirements listed on the application.
    3. Water modeling results that indicate the new subdivision/development can be developed in a manner that will provide adequate water supply for domestic water and fire protection and the new subdivision/development will not adversely affect the city's ability to continue to provide adequate domestic water and fire protection to the existing water system users. The cost of the water modeling will be the responsibility of the developer.
    4. Sewer treatment modeling results that indicate the new Subdivision/development can be developed in a manner that will provide adequate sewer service and sewer treatment capacity by the city and the new subdivision/development will not adversely affect the city's ability to continue to provide adequate sewer treatment capacity to the existing sewer system users. The cost of the sewer modeling will be the responsibility of the developer.
    5. Appropriate information that sufficiently details the compliance of the proposed development with any special development criteria when applicable (see 10-12-5 Special Development Subdivisions).

C. Administrator Review:
    1. Certification: Upon receipt of the submitted preliminary plat application, the Administrator, shall review the application for complete information. When the application is deemed complete the date of application acceptance shall be affixed thereon.
    2. Review: The Administrator shall receive a written review of the application from the City Engineer prior to any action taken by the Commission. Additionally, the Administrator may require the developer to submit the application materials to other agencies as deemed necessary. Such agencies may include the following:
        a. Other governing bodies having joint jurisdiction;
        b. The appropriate utility companies, irrigation companies or districts and drainage districts;
        c. The superintendent of the school district; and
        d. Other agencies having an interest in the proposed subdivision.

        External agencies shall have a time frame of no fewer than 10 days for submitting written comments from the date of notification.
    3. Recommendation: The Administrator shall prepare a recommendation to the Commission and place the item on the next available agenda once all review periods have been completed.

D. Notification to Property Owners:
    1. Written notice to the owners of property within 300 feet of the exterior property lines of the project shall be provided at least 15 days prior to the meeting. The written notice shall provide:
        a. The proposed preliminary plat drawing;
        b. General information concerning the proposal; and
        c. Deadline for submitting written comments.
    2. Site Posting: Notice shall be posted on site as follows:
        a. At least 15 days prior to the meeting, the written notice shall be posted on the premises.
        b. The applicant shall post the required notice on the premises as follows:
            i. Notice shall be provided by not less than one sign located on the subject property adjacent to each street frontage of the property. In the event that the subject property is not adjacent to a public street, signs may be placed within the nearest public street right-of-way with prior approval from the Administrator and the owner of the right of way.

ii. Signs shall be placed on the property so as to remain clearly visible from adjacent streets. In the event that visibility of signs located on the property is obstructed, signs may be placed within the adjacent street right-of-way with prior approval from the Administrator and the owner of the right of way.

iii. Additional notice signs may be required as determined by the Administrator.

iv. The applicant shall remove the posted notice sign(s) from the property not more than five days after decision.

c. Notice Sign Design Requirements:

i. Notice signs shall be made from metal, plywood, corrugated plastic, or an equivalent surface and shall be mounted on 2 posts in a manner that is most visible to the street.

ii. Size of Notice Signs. Notice signs shall be a minimum of two feet tall by three feet wide.

iii. Notice signs shall have a background blue in color and shall include each of the following with a minimum size of two inch black letters:

A. The words, "Notice of Subdivision;"

B. The words, "for more information call", and then the phone number for the city's planning and zoning department; and

C. The official city logo.

d. Notice signs shall include a space 8.5 x 11 inches in size for the written notice to be attached.

E. Commission Action:

1. Consideration by Commission: The Commission shall review the preliminary plat, written comments from concerned persons and agencies, and the report from the Administrator to arrive at a decision on the preliminary plat.

A public hearing is not required to consider a preliminary plat.

2. Commission's Findings: In determining the acceptance of a proposed subdivision the Commission shall consider the following:

a. The Standards and Regulations of this Title;

b. General conformance of the subdivision with the Comprehensive Plan;

c. The availability of public services to accommodate the proposed development;

d. Other health, safety or environmental problems that may be brought to the Commission's attention.

3. Decision on Preliminary Plat: The Commission may approve, conditionally approve, deny, or table for additional information when acting on the preliminary plat. If tabled, approval or disapproval shall occur at the regular meeting following the meeting at which the preliminary plat is first considered by the Commission.

4. Reasoned Decision Required. The reasoned decision shall be stated in writing and provided to the applicant within 30 days of the Commission's action. Upon granting or denying a preliminary plat the Commission shall specify:

a. The regulations and standards used in evaluating the application;

b. The reasons for approval or denial; and

c. The actions, if any that the applicant could take to obtain plat approval.

F. Approval Period: Preliminary plat approvals shall be valid for 24 months from the date of written decision by the Commission, or the recordation date of the preceding phase of development in an approved subdivision.

1. The planning commission, upon written request, may grant two extensions of 12 months each upon a finding that the preliminary plat complies with current development requirements and all applicable conditions of approval. The commission may apply conditions to the extension to ensure compliance with adopted policies or ordinance changes since the original approval.

2. A request for an extension of a preliminary plat approval must be received by the Administrator within 45 days after the approval lapse, and must be accompanied by the required fee.

3. In any case, at 6 years from preliminary plat approval, any subsequent Final Plat submittal shall follow adopted standards for infrastructure construction at the time of final plat submittal.

10-12-2-5: FINAL PLAT

A. Application: After the approval, or conditional approval, of the preliminary plat, the subdivider may file a final plat application for the total parcel, or any part thereof, including the payment of fees to defray the costs and expenses of plan checking all associated documents.

B. Content Of The Final Plat: The final plat documents shall be in compliance with all items required under title 50, chapter 13 of the Idaho Code, and contain the following:

1. Proof of current ownership of the real property included in the proposed final plat.

2. Substantial conformance with the approved preliminary plat, meeting all requirements or conditions thereof.

3. Conformance with all requirements and provisions of this Title.

4. Acceptable engineering practices and local standards established by the City Engineer.

5. Any other pertinent information the administrator, or Council, may deem necessary to arrive at a decision.

C. Administrator Review.

1. Acceptance: Upon receipt of the final plat, and compliance with all other requirements provided for herein, the Administrator shall certify the application as complete and shall affix the date of acceptance thereon.

2. Substantial Conformance to Preliminary Plat: The Administrator shall review the final plat for substantial conformance with the design of approved preliminary plat, and compliance with any conditions of approval.

    a. If the Administrator determines there is substantial difference in the design of the final plat from the approved preliminary plat, then the administrator may require the final plat be submitted to the commission in the same manner as the preliminary plat process.

3. Internal Department Review: The Administrator shall transmit the application and associated documents for review and recommendation to all affected City of Twin Falls Departments. Such review shall include the construction standards of improvements, compliance with health standards, the cost estimate for all improvements, and the legal review of the performance bond if applicable.

4. Submission to The Council: Upon the determination that the final plat is in compliance with the preliminary plat, and all conditional requirements have been met, the Administrator shall forward the application for agency review, the final plat on the council consent agenda.

D. Agency Review: The Administrator may transmit copies of the final plat, or other associated documents, for review and recommendation to external agencies as they deem necessary to ensure compliance with the preliminary approval and/or conditions of preliminary plat approval.

   External agencies shall have a time frame of no fewer than 10 days for submitting written comments from the date of notification.

E. Council Action: Following receipt of the Administrator's report, the Council shall consider the conditions of preliminary plat approval, and comments from agencies, to arrive at a decision on the final plat.

   The Council shall approve, approve conditionally, disapprove or table the final plat for additional information. Upon granting or denying the final plat the council shall specify:

   1. The regulations and standards used in evaluating the application;
   2. The reasons for approval or denial; and
   3. The actions, if any, that the applicant could take to obtain approval.

F. Final Documents: Prior to recording the final subdivision plat, the subdivider shall submit to the administrator:

   1. A copy of the approved plat, satisfying any additional conditions placed by the Council.
   2. Approved copies of the Construction Plans and specifications for public infrastructure including but not limited to: streets, water, sewer, stormwater, parks, gravity irrigation and pressure irrigation systems. The City Engineer shall establish all applicable standards.

      All plans and specifications shall have sufficient detail and written information to accurately locate the proposed improvements in the field and determine their relationship to other improvements.
   3. Financial guarantee of improvements pursuant to section 10-12-4-3 of this chapter.

   4. An approvable weed management plan.
   5. Certification of water and sewer plan approval from the Idaho Department of Environmental Quality.
   6. Street and utility plan approval from the appropriate authority (Idaho Transportation Department, Twin Falls Highway District, etc), if applicable.
   7. Gravity irrigation system plan approval from the Twin Falls Canal Company, if applicable.
   8. An executed City of Twin Falls Improvement Agreement for Developers.
   9. Certification of the notice of intent and stormwater pollution prevention plan filed with Idaho DEQ.
   10. All water share certificates transferred to the City of Twin Falls equal to one share per gross acre for new residential developments, or such other number of shares as negotiated between the City Council and the developer by separate agreement.

G. Approval Period: Final plat approvals shall be valid for 24 months from the date of written decision by the City Council.

   1. The City Council, upon written request, may grant 2 extensions of 12 months each upon a finding that the Final Plat complies with current development requirements and all applicable conditions of approval. The City Council may apply conditions to the extension to ensure compliance with adopted policies or ordinance changes since the original approval.
   2. A request for an extension of a Final plat approval must be received by the administrator within 45 days after the approval lapse and must be accompanied by the required fee.
   3. In any case at 6 years from preliminary plat approval, any subsequent Final Plat submittal shall follow adopted standards for infrastructure construction at the time of final plat submittal.

H. Recording of Final Plat: Upon approval of the final plat, the applicant may proceed to recording the plat through the following process:

   1. Pay any outstanding City of Twin Falls fees,
   2. Posting of surety bond, or other acceptable guarantee for the public improvements, as outlined within this Title,
   3. Providing a final plat mylar which accommodates for the following signatures and restriction:

      a. Certification and signature of the city council verifying that the subdivision has been approved;
      b. Certification and signature of the City Engineer verifying that the subdivision meets the city requirements; and
      c. Certification of the sanitation restrictions on the face of the plat per Idaho Code § 50-1326.

   Upon successfully accomplishing the above items the developer may submit the final plat to the county recorder for recording.

10-12-3: PUBLIC INFRASTRUCTURE DESIGN STANDARDS

10-12-3-1: MINIMUM STANDARDS

All plats submitted pursuant to the provisions of this title, and all public infrastructure construction plans, shall comply with the minimum design standards set forth herein, or in accordance with supplemental standards provided by the City of Twin Falls, including but not limited to: Idaho Standards for Public Works Construction ("ISPWC": City of Twin Falls revisions), City Infrastructure Design Manual, or other standards approved by the City Engineer.

Standards from any highway district, state highway department, or health agency will govern where that agency has jurisdiction.

10-12-3-2: DEDICATION OF STREETS

Within any proposed subdivision, arterial and collector streets as shown on a Master Transportation Plan, shall be dedicated to the public in all cases. In general, all other streets shall also be dedicated to public use, unless otherwise approved by the City Council.

10-12-3-3: STREET LOCATION

Street and road locations shall conform to the following:

A. Street Location and Arrangements: All street locations shall conform to the Twin Falls Master Transportation Plan where applicable. Collector streets may contain curvature throughout a development at the discretion of the City Engineer per engineering standards and best practices.

   However, such trafficways shall maintain the city wide grid type pattern for connectivity as close to one-fourth of a mile as is reasonably feasible.

B. Stub Streets: Where adjoining areas are undeveloped, new subdivisions shall be designed and constructed to make provisions for the future extension of streets into adjacent areas. Temporary cul-de-sacs may be required at the discretion of the City Engineer.

C. Relation to Topography: Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets and acceptable gradients.

D. Alleys: Alleys shall be provided in multi-dwelling or commercial subdivisions unless other provisions are made for service access and off-street loading and parking. Dead end alleys shall be prohibited in all cases.

E. Cul-De-Sac Streets: Cul-de-sac streets shall not be more than 500 feet in length and shall terminate with an adequate turnaround having a minimum radius per the current City of Twin Falls Standards.

F. Half Streets: Half streets shall be prohibited, unless required by condition of approval by the Planning Commission or City Council through the Platting process.

G. Private Streets: Private streets shall be constructed to the local road standard as listed in ISPWC.

H. Private Reserve Strips: Privately held reserve strips (aka spite strips) controlling access to public streets shall be prohibited.

10-12-3-4: STREET SPECIFICATIONS

A. Right Of Way Widths: Right of way widths shall conform to the adopted plans or standards of the City.

B. Street Grades: Street grades shall not exceed ten percent on either local or collector streets and six percent for arterial streets. Minimum street grades shall be four-tenths percent.

C. Street Alignment: Street alignment shall be as follows:

   1. Horizontal alignment: Shall be in accordance with section 10-12-3-12 of this chapter.
   2. Vertical alignment: Minimum stopping sight distances shall be 200 feet for minor streets and designed in accordance with design speed for collector and arterial streets.

10-12-3-5: STREET NAMES

The naming of streets shall conform to the following:

A. Street names shall not duplicate any existing name within the limits of this title except where a new street is a continuation of an existing street. Street names if spelled differently but sound the same as existing streets shall not be used.

B. All new streets shall be named as follows: Streets having predominantly north-south direction shall be named "street" or "way"; streets having a predominantly east-west direction shall be named "avenue" or "road"; meandering streets shall be named "drive", "lane", "path" or "trail" and cul-de-sacs shall be named "circle", "court" and "place".

C. When any new subdivision contains any street which is a continuation of any street, such new street shall take the name of such existing street. No new street shall be given the similar name of any existing street. The City Engineer shall have the power to change the name of any street on any map or plat submitted to make such map or plat conform to the provisions of this section.

10-12-3-6: INTERSECTIONS

A. Angle of Intersection: Streets shall intersect at ninety degrees or as closely thereto as possible, and in no case shall streets intersect at less than eighty degrees.

B. Sight Triangles: Minimum clear sight distance at all street intersections shall permit vehicles to be visible to the driver of another vehicle when each is 100 feet from the center of the intersection. The City Engineer may increase this distance where reasonable based on situational circumstances. See also section 9-9-16 of this code.

C. T Intersections: T intersections may be used at the discretion of the City Engineer.

D. Centerline Off Sets: Street centerlines shall be offset by a distance of at least 300 feet on arterials, and 150 feet on all others.

E. Vertical Alignment of Intersection: A nearly flat grade with appropriate drainage slopes is desirable within intersections. This flat section shall be extended a minimum of 100 feet each way from the intersection. An allowance of two percent maximum intersection grade.

10-12-3-7: PATHWAY CONNECTIONS

A. Right of way for pathway connections in the middle of long blocks, and at the terminus of cul-de-sacs, may be required to ensure non-motorized circulation routes to schools, parks, or for the general welfare of a robust public sidewalk/trail network.

B. Pathway easements shall be no less than 15 feet wide, and contain a paved walkway at least ten feet wide.

C. Additional landscaping and safety features may be required within the pathway connection at the discretion of the administrator, including but not limited to lighting, bollards, gates, etc.

10-12-3-8: UTILITY AND DRAINAGE WAY EASEMENTS

A. Unobstructed utility easements shall be provided along front lot lines. Additional utility easements for rear lot lines and side lot lines may be approved when necessary at the discretion of the City Engineer.

B. Minimum utility easement size is 15 feet, or six feet from edge of pipe, whichever is greater.

C. Unobstructed drainageway easements shall be provided at the discretion of the City Engineer.

10-12-3-9: LOT SIZE

A. Lot sizes and dimensions shall conform to the minimum requirements of the applicable zoning district.

B. Sufficient Lot Size for Septic Tank: Where individual septic tanks have been authorized, sufficient lot size shall be provided for a replacement drain field.

10-12-3-10: PARKS AND STORMWATER RETENTION/DETENTION

A. No plat shall be approved unless it includes provision stormwater retention/detention.

B. Construction Standards: Stormwater Retention/Detention areas shall meet the standards found in City of Twin Falls revisions to ISPWC (Idaho Standard for Public Works Construction) and The City of Twin Falls Parks Department Landscape and Irrigation Specifications.

C. Dedication and Maintenance: All stormwater retention/detention facilities shall be dedicated to the city upon completion and acceptance of all required improvements. Irrevocable Restrictive Covenants for each development shall be required in order to provide the City the right to add a fee to the City Utility bill of each account within the development, for the purpose of maintaining stormwater facilities.

10-12-3-11: RESTRICTIVE COVENANTS

Restrictive covenants may be prepared and recorded as part of a subdivision. This is done to provide protection to future property owners by establishing higher standards than required under other regulations. The provisions within protective covenants are enforceable through civil action and local governments shall not be required to enforce these provisions.

10-12-3-12: RIGHT OF WAY AND OTHER PUBLIC WAY REQUIREMENTS

	LOCAL (FT)	COLLECTOR (FT)	ARTERIAL (FT)
Min Row Width	50	78	92
Min Tangent Length	100	250	500
Min Centerline Radius	100	250	500
Multi-Use Path	15	15	15
Minimum cul-de-sac:			
Diameter	110	NA	NA

10-12-4: PUBLIC INFRASTRUCTURE CONSTRUCTION STANDARDS

10-12-4-1: RESPONSIBILITY FOR PLANS

A. It shall be the responsibility of the subdivider of every proposed subdivision to have prepared by an active licensed engineer, a complete set of construction plans, including profiles, cross sections, specifications and other supporting data, for all required public streets, utilities and other facilities.

B. Such construction plans shall be based on preliminary plans that have been approved with the preliminary plat, and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All construction plans shall be prepared in accordance with the public agencies' standards or specifications.

10-12-4-2: PLAN ELEMENTS

Every subdivider shall be required to install the following improvements in accordance with the conditions and specifications as follows:

A. Monuments: Monuments shall be required as per Idaho Code.

B. Streets And Alleys: All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City Engineer.

C. Curbs And Gutters: Curbs and gutters shall be constructed on all streets.

All construction shall be in accordance with the standards and specifications adopted by the City Engineer.

D. Bicycle Pathways: A bicycle pathway shall be provided within all subdivisions, as part of the public right of way or separate easement, as may be specified in an overall bicycle plan as adopted by the council or the Comprehensive Plan (including associated chapters/plans).

E. Installation Of Public Utilities: Underground utilities shall be required in all new subdivisions.

Existing power utilities or new large transmission lines shall not be required to be buried.

F. Driveways: All driveway openings in curbs shall be as specified by the City Engineer, highway district or state highway department; whichever entity has jurisdiction.

G. Storm Drainage: Refer to section 10-11-8 of this title for drainage requirements.

H. Public Water Supply, and Sewer Systems: All new public water supply, or sewer systems shall be an extension of an existing public system.

I. Fire Hydrants and Water Mains: Adequate fire protection shall be required in accordance with standards established by the City Engineer; or the Fire Marshal per National Fire Protection Agency Standards.

J. Street Name Signs: Street name signs shall be installed in the appropriate locations at each street intersection in accordance with the local standards set forth by the City Engineer.

K. Sidewalks and Pedestrian Walkways: Sidewalks shall be required on both sides of the street, and located within Right-of-Way.

Sidewalks, crosswalks, and Pedestrian Walkways shall be constructed in accordance with the standards and specifications as adopted by the City Engineer.

L. Mailboxes: Mailbox locations shall conform to ISPWC, or U.S. Postal Service standards, and not impede traffic or pedestrian flow.

M. Greenbelt: Greenbelts or landscaping screening may be required for the protection of residential properties from adjacent major arterial streets, waterways, railroad rights of way or other features as required by the Commission or Council. Subdivision plats shall show the location of any greenbelt areas.

N. Street Luminaires: Luminaires shall be required to be installed at intersections throughout the subdivision in accordance with the local standards set forth by the City Engineer.

O. Arterial and Collector Street Landscape Buffer and Detached Sidewalk Placement:

1. Landscaping and sidewalk placement is required adjacent to arterial and collector streets. The developer shall install a 6 foot landscape area with ground cover and trees immediately behind the curb line, followed by a six foot sidewalk. The landscaping area shall contain ground cover, trees, and an adequate watering system.
2. The ground cover and trees shall meet 10-9 of this Title. The water system shall follow the Landscaping and Irrigation Specifications set forth by the Parks Director.
3. This common landscape area may be maintained by the City only when funded through a fee added to the water bill of each account within the development through irrevocable restrictive covenants recorded upon each development.
4. Alternative landscaping, including trees and ground cover, may be approved by the Parks Director.

P. Pressure Irrigation System:

1. The use of the city's potable water supply as the primary source of irrigation water in all new developments shall be prohibited. For purposes of this subsection, the term "new development" means any new subdivision or ZDA, or any development of any parcel of land one acre or larger that is not part of a subdivision or ZDA.
2. All new developments shall include an operating pressure irrigation system constructed to city standards and approved by the City Engineer. Developers shall connect to or construct a regional pump station. The pressure irrigation system shall be operational prior to the first building permit being issued for that station's service area.
3. One share of Twin Falls Canal Company water for each acre of property within the subdivision shall be transferred to the city before the filing of the final plat.
4. The City Engineer may authorize relief from the requirement of a pressure irrigation system, owing to special conditions, where a literal enforcement of the provisions of this subsection would result in unnecessary hardship.
    a. Special conditions may include, but are not limited to, small developments in terms of acreage, developments without viable access to irrigation water delivery, or developments without Twin Falls Canal Company water shares.
    b. The City Engineer shall not authorize relief from the requirement of an operating pressure irrigation system unless an alternate provision has been approved by the City Engineer. Alternates may include, but shall not be limited to, required xeriscaping (i.e., landscaping in ways that do not require supplemental irrigation), payment of an in-lieu fee equal to the estimated cost of construction of an operating pressure irrigation system (including land acquisition), or some combination of these or other acceptable options.

Q. Special Features: All other special features or items as presented or conditioned by the Commission or Council during the approval process.

10-12-4-3: GUARANTEE OF COMPLETION OF IMPROVEMENTS

A. Conditional Approval of Final Plat: the approval of all final subdivision plats shall be conditioned on the accomplishment of one of the following:

1. The construction of improvements required by this title shall have been completed by the subdivider and approved by the city engineer.
2. Surety acceptable to the council shall have been filed in the form of a cash deposit, certified check, negotiable bond, irrevocable bank letter of credit or surety bond.

B. Financial Guarantee Arrangements: In lieu of the actual installation of required public improvements before recording of the final plat, the City Engineer may permit the subdivider to:

1. Execute a trust and escrow agreement and record a notice prohibiting the sale of an undeveloped lot, or
2. Provide a financial guarantee of performance as agreed upon between the developer and the City Council through the "Improvement Agreement for Developers."

C. Inspection Of Public Improvements Under Construction shall follow the process outlined within the Improvement Agreement for Developers. This agreement shall be executed prior to recording the final plat.

D. Failure To Complete Construction: In the event the subdivider fails to complete such work within the time period written in the agreement, it shall be the responsibility of the Council to proceed to have such work completed.

The council shall reimburse itself for the cost and expense thereof by appropriating the financial guarantee, or they may take such steps as may be necessary to require performance by the bonding or surety company, as included in a written agreement between the council and the subdivider.

10-12-5: SPECIAL DEVELOPMENT SUBDIVISIONS

10-12-5-1: PURPOSE

The purpose of this section is to identify various types of developments that normally pose special concerns when reviewing and acting upon subdivision requests. This section outlines the plan submittal requirements and design standards that shall be taken into consideration when acting on special developments. The provisions of this section are in addition to the plan requirements, design standards and improvement standards that are required by sections 10-12-2, 10-12-3 and 10-12-4 of this chapter.

10-12-5-2: CONDOMINIUM SUBDIVISIONS

A. Condominium developments shall be subject to requirements set forth in this title and also subject to all provisions herein contained.

B. Condominium subdivisions do not require a preliminary plat.

C. Allowances: Developments complying with Idaho Condominium Act are permitted to apply for a condominium subdivision.

D. Site Development Plan: The developer shall provide the commission with a colored rendering of adequate scale to show the completed development that will include at least the following where applicable:

1. Architectural style and building design.
2. Building materials and color.
3. Landscaping.
4. Screening.
5. Solid waste areas.
6. Parking.
7. Open space.
8. Any other items deemed appropriate by the Administrator to adequately depict the development.

E. Owners' Association: The Owners' association bylaws and other similar deed restrictions, which provide for the control and maintenance of all common areas, recreation facilities or open space shall meet with the approval of the council. Any and all powers as specified in such agreements may also be assigned to the council and the city may elect to accept said powers for the purpose of assessing property for delinquencies and enforcement of motor vehicle regulations to protect the best interests of the owners involved and of the general public.

F. Storage Areas: Storage areas shall be provided for the anticipated needs of boats, campers and trailers. For typical residential development, 200 square feet shall be provided for every two living units. This may be reduced by the Council if there is a showing that the needs of a particular development are less.

G. Parking Space: One additional parking space beyond that which is required by Chapter 8 of this Title may be required for every three dwelling units to accommodate visitor parking.

H. Maintenance Building: A maintenance building may be provided by the developer, size and location to be suitable for the service needs that are necessary for the repair and maintenance of all common areas.

I. Open Space: The location of open space shall be appropriate to the development and shall be of such shape and area to be usable and convenient to the residents of the development.

J. Control During Development: Single ownership or control during development shall be required and a time limit may be imposed to guarantee the development is built and constructed as planned.

K. Storm Drainage: Refer to Section 10-7-9 for additional drainage requirements.

10-12-5-6: PLANNED TOWNHOME SUBDIVISION

A. Planned townhome subdivision developments shall be subject to requirements set forth in this Title and also subject to all provisions contained herein.

B. Allowances: See Chapter 3 & 6 of this Title. Except for side yard and lot area requirements which are as specified below.

C. Site Development Plan: The developer shall provide the Commission with the following:

1. Plat Map with building envelopes.
2. Common wall agreement detailing the specifics of ownership and maintenance for the common walls between buildings.
3. Maintenance Easements, where applicable, must be shown on the plat.
4. Other common area easements and owners association documents, if applicable.

D. Requirements:

1. Lot Area: No minimum, the project shall not have more density than the base Zoning District for single family homes. Common area may be counted towards lot size requirements.

   (Example: TN2 District = 4000 sq ft per single family home. Townhome subdivision in the TN2 District of 1 acre: 43560 / 4000 = 10 Total townhomes within the project area.)

2. Front Yard: Same as in Chapter 3 of this Title as specified in each zone.

   a. Platted Common Area may be used to satisfy this setback requirements.

3. Rear Yard: Same as in Chapter 3 of this Title as specified in each zone.

   a. Platted Common Area may be used to satisfy this setback requirements.

4. Zero Side Yard: The zero side yard shall not be adjacent to a public or private right of way.
5. Windows: No window shall be placed on the zero lot line.
6. Projections: No portion of the dwelling or architectural projections other than rain gutters may project over any property lines.
7. Blocks of townhomes shall have a maximum of number of lots as listed in 10-6-13.

E. Storm Drainage: Refer to section 10-7-9 of this Title for additional drainage requirements.

10-12-5-7: CEMETERY SUBDIVISION

A. Function: The developer shall provide the commission with written documentation that will sufficiently explain the functions of the proposed cemetery for either human or animal remains.

B. Compliance With Idaho Code: The developer shall submit a written statement that has been prepared by an attorney that adequately assures the compliance of the proposed cemetery with the procedural management requirements that are outlined in Title 27, Idaho Code.

C. Storm Drainage: Refer to section 10-7-9 of this Title for additional drainage requirements.

10-12-5-8: SUBDIVISION WITHIN A FLOODPLAIN

A. Flood Areas: For any proposed subdivision that is located within a floodplain, the developer shall provide the commission with a development plan of adequate scale and supporting documentation that will show and explain at least the following:

1. Location of all planned improvements.
2. Location of the floodway and the floodway fringe as shown on the FEMA flood insurance rate map and flood insurance study referenced in 10-13 of this Title or as established by engineering studies and approved by the City Engineer.
3. Location of the present water channel.
4. Any planned rerouting of waterways.
5. All major drainageways.
6. Areas of frequent flooding.
7. Means of floodproofing buildings.
8. Means of insuring loans for improvements within the floodplain.
9. For subdivisions of 50 or more lots or of 5 acres of area or more, base flood elevations where flood elevation data has not been established.
10. Storm drainage: Refer to section 10-7-9 of this title for additional drainage requirements.
11. New construction and substantial improvements of residential structures within the floodplain shall meet the requirements of subsection 10-13, "Residential Construction", of this Title.

B. Justification For Development:

1. Upon the determination that buildings are planned within the floodplain or that alterations of any kind are anticipated within the floodplain area that will alter the flow of water, the developer shall demonstrate conclusively to the commission that such development will not present a hazard to life, limb or property and will not have adverse effects on the safety, use or stability of a public way or drainage channel or the natural environment.
2. No subdivision or part thereof shall be approved if levees, fills, structures or other features within the proposed subdivision will individually or collectively significantly increase flood flows, heights or damages. If only part of a proposed subdivision can be safely developed, the council shall limit development to that part and shall require that development proceed consistent with that determination.
3. The subdivision shall be reviewed to assure that:
   a. All such proposals are consistent with the need to minimize flood damage;
   b. All public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages;
   c. All necessary state and federal permits required for the development have been received pursuant to FEMA chapter 1, part 60, subpart 60.3(a)(2);
   d. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;
   e. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated by the developer for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres, whichever is less;
   f. New or replacement water supply systems and/or sanitary sewage systems shall be designated to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, and require on site waste disposal systems to be located so as to avoid impairment of such systems or contamination from such systems during flooding;
   g. In new or substantially improved manufactured home parks or manufactured home subdivisions:
      i. Stands or lots are to be elevated on compacted fill or pilings so that the lowest floor of the manufactured home is above the base flood level.
      ii. Adequate lot surface drainage and access for a tractor are to be provided.
      iii. In the instance of elevation on pilings, lots are to be large enough to permit steps, piling foundations are to be placed in stable soil no more than 10 feet apart and reinforcement is to be provided for pilings more than 6 feet above the ground level.

10-12-5-9: SUBDIVISION WITHIN AN AREA OF CRITICAL CONCERN

A. Hazardous or unique areas may be designated as an area of critical concern by the council or by the state.

B. Special consideration shall be given to any proposed development within an area of critical concern to assure that the development is necessary and desirable and in the public interest in view of the existing unique conditions. Hazardous or unique areas that may be designated as areas of critical concern are as follows:

1. Avalanche paths
2. Earthquake locations

3. Floodplain
4. Historical significance
5. Scenic areas
6. Unique animal life
7. Unique plant life
8. Unstable soils and rock formations
9. Other areas of critical concern

C. Plan Submission: The developer shall prepare and submit an environmental assessment along with the preliminary plan application for any development that is proposed within an area of critical concern.

D. Content Of Local Environmental Assessment: The content of the environmental assessment shall usually be prepared by an interdisciplinary team of professionals that shall provide answers to the following questions:

1. What changes will occur to the area of environmental concern as a result of the proposed development?
2. What corrective action or alternative development plans could occur so as not to significantly change the area of environmental concern?
3. What changes in the area of environmental concern are unavoidable?
4. What beneficial or detrimental effects would the development have on the environment such as animal life, plant life, social concerns, economic conditions, noise, audio and visual conditions?
5. Storm drainage: Refer to section 10-7-9 of this title for additional drainage requirements.

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10-13: FLOODPLAIN REGULATION

A. Statutory Authority.

1. The Legislature of the State of Idaho, pursuant to Idaho Code §§ 46-1020, 46-1023, and 46-1024, authorizes local governments to adopt floodplain management ordinances that identify floodplains and minimum floodplain development standards to minimize flood hazards and protect human life, health, and property. Therefore, the Council of the City of Twin Falls, Idaho does hereby ordain as follows:

2. Findings of Fact.

   a. The flood hazard areas of City of Twin Falls are subject to periodic inundation that results in: loss of life and property; health and safety hazards; disruption of commerce and governmental services; extraordinary public expenditures for flood relief and protection; and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

   b. These flood losses are caused by structures in flood hazard areas, which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.

   c. Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

3. Statement of Purpose: The purpose of this ordinance is to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

   a. Protect human life, health, and property;

   b. Minimize damage to public facilities and utilities such as water purification and sewage treatment plants, water and gas mains, electric, telephone and sewer lines, streets, and bridges located in floodplains;

   c. Help maintain a stable tax base by providing for the sound use and development of flood prone areas;

   d. Minimize expenditure of public money for costly flood control projects;

   e. Minimize the need for rescue and emergency services associated with flooding, generally undertaken at the expense of the general public;

   f. Minimize prolonged business interruptions;

   g. Ensure that potential buyers are notified the property is in an area of special flood hazard; and

   h. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

4. Objectives and Methods of Reducing Flood Losses: In order to accomplish its purpose, this ordinance includes methods and provisions to:

   a. Require that development which is vulnerable to floods, including structures and facilities necessary for the general health, safety, and welfare of citizens, be protected against flood damage at the time of initial construction;

b. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;

c. Control filling, grading, dredging, and other development which may increase flood damage or erosion;

d. Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or that may increase flood hazards to other lands;

e. Preserve and restore natural floodplains, stream channels, and natural protective barriers which carry and store flood waters.

B. Definitions: Unless specifically defined below, words or phrases used in this ordinance shall be interpreted according to the meaning they have in common usage and which give this ordinance its most reasonable application.

1. ACCESSORY STRUCTURE (APPURTENANT STRUCTURE): A structure on the same lot or parcel as a principal structure, the use of which is incidental and subordinate to the principal structure.
2. ADDITION (TO AN EXISTING BUILDING): An extension or increase in the floor area or height of a building or structure.
3. APPEAL: A request for review of the Floodplain Administrator's interpretation of provisions of this ordinance or request for a variance.
4. AREA OF SHALLOW FLOODING: A designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
5. AREA OF SPECIAL FLOOD HAZARD: See Special Flood Hazard Area (SFHA).
6. BASE FLOOD: The flood having a one percent (1%) chance of being equaled or exceeded in any given year.
7. BASE FLOOD ELEVATION (BFE): A determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a Federal, State, local, or other source using FEMA-approved engineering methodologies. This elevation, when combined with the Freeboard, establishes the Flood Protection Elevation.
8. BASEMENT: Any area of the building having its floor sub grade (below ground level) on all sides.
9. BUILDING: See Structure.
10. CRITICAL FACILITIES: Facilities that are vital to flood response activities or critical to the health and safety of the public before, during, and after a flood, such as a hospital, emergency operations center, electric substation, police station, fire station, nursing home, school, or shelter; and facilities that, if flooded, would make the flood problem and its impacts much worse, such as a hazardous materials facility, power generation facility, water utility, or wastewater treatment plant.

11. DATUM: The vertical datum is a base measurement point (or set of points) from which all elevations are determined. Historically, that common set of points was the National Geodetic Vertical Datum of 1929 (NGVD29). The vertical datum currently adopted by the federal government as a basis for measuring heights is the North American Vertical Datum of 1988 (NAVD88).
12. DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
13. DEVELOPMENT ACTIVITY: Any activity defined as Development which will necessitate a Floodplain Development Permit, such as: the construction of buildings, structures, or accessory structures; additions or substantial improvements to existing structures; bulkheads, retaining walls, piers, and pools; the placement of mobile homes; or the deposition or extraction of materials; the construction or elevation of dikes, berms, and levees.
14. DIGITAL FLOOD INSURANCE RATE MAP (DFIRM): The digital official map of a community, issued by the Federal Emergency Management Agency, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.
15. ELEVATED BUILDING: For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.
16. ELEVATION CERTIFICATE: The Elevation Certificate is an important administrative tool of the NFIP. It is used to determine the proper flood insurance premium rate; it is used to document elevation information necessary to ensure compliance with community floodplain management regulations; and it may be used to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).
17. ENCLOSURE: An area enclosed by solid walls below the BFE/FPE or an area formed when any space below the BFE/FPE is enclosed on all sides by walls or partitions. Insect screening or open wood lattice used to surround space below the BFE/RFPE is not considered an enclosure.
18. ENCROACHMENT: The advance or infringement of uses, fill, excavation, buildings, structures, or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
19. EXISTING CONSTRUCTION: For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."
20. EXISTING MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION: A manufactured home park or subdivision where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before the effective date of the original floodplain management regulations adopted by the community, on July 6, 1981.
21. EXISTING STRUCTURES: See Existing Construction.

22. EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
23. FLOOD OR FLOODING:
    a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
        i. 1. The overflow of inland or tidal waters.
        ii. 2. The unusual and rapid accumulation or runoff of surface waters from any source.
        iii. 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph a.2. of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
    b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.
24. FLOOD ELEVATION DETERMINATION: See Base Flood Elevation (BFE).
25. FLOOD ELEVATION STUDY: See Flood Insurance Study (FIS).
26. FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.
27. FLOOD INSURANCE RATE MAP (FIRM): An official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
28. FLOOD INSURANCE STUDY (FIS): An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations; or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
29. FLOOD ZONE: a geographical area shown on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) that reflects the severity or type of flooding in the area.
30. FLOODPLAIN OR FLOOD-PRONE AREA: Any land area susceptible to being inundated by water from any source (see definition of "Flood or Flooding").
31. FLOODPLAIN ADMINISTRATOR: The individual appointed to administer and enforce the floodplain management regulations.
32. FLOODPLAIN DEVELOPMENT PERMIT: Any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.
33. FLOODPLAIN MANAGEMENT: The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and flood plain management regulations.
34. FLOODPLAIN MANAGEMENT REGULATIONS: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
35. FLOODPROOFING: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
36. FLOOD PROTECTION ELEVATION (FPE): The Base Flood Elevation plus the Freeboard.
    a. In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus one (1) foot of freeboard; and
    b. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade.
37. FLOOD PROTECTION SYSTEM: Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
38. FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.
39. FREEBOARD: A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effects of urbanization in a watershed. The Base Flood Elevation (BFE) plus the Freeboard establishes the Flood Protection Elevation (FPE). Freeboard shall be one (1) foot in areas that have a BFE and two (2) feet in areas where no BFE exists.
40. FUNCTIONALLY DEPENDENT USE: A facility that cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

41. HIGHEST ADJACENT GRADE (HAG): The highest natural elevation of the ground surface prior to construction, adjacent to the proposed walls of a structure. Refer to the FEMA Elevation Certificate for HAG related to building elevation information.
42. HISTORIC STRUCTURE: A structure that is:
    a. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
    b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or to a district preliminarily determined by the Secretary to qualify as a registered historic district;
    c. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
    d. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
        i. By an approved state program as determined by the Secretary of the Interior, or
        ii. Directly by the Secretary of the Interior in states without approved programs.
43. LETTER OF MAP CHANGE (LOMC): A general term used to refer to the several types of revisions and amendments to FEMA maps that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F).
44. LETTER OF MAP AMENDMENT (LOMA): an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) Map. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.
45. LETTER OF MAP REVISION (LOMR): FEMA's modification to an effective Flood Insurance Rate Map (FIRM) or a Flood Boundary and Floodway Map (FBFM) or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and, when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.
46. LETTER OF MAP REVISION BASED ON FILL (LOMR-F): FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway. The LOMR-F does not change the FIRM, FBFM, or FIS report.
47. CONDITIONAL LETTER OF MAP REVISION (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). Upon submission and approval of certified as-built documentation, a Letter of Map Revision (LOMR) may be issued by FEMA to revise the effective FIRM. Building Permits and/or Flood Development Permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.
48. LEVEE: A man-made structure, usually an earthen embankment, designed and constructed according to sound engineering practices, to contain, control, or divert the flow of water so as to provide protection from temporary flooding.
49. LEVEE SYSTEM: A flood protection system that consists of a levee or levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
50. LOWEST ADJACENT GRADE (LAG): The lowest point of the ground level next to the structure. Refer to the FEMA Elevation Certificate for LAG related to building elevation information.
51. LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR § 60.3 and this ordinance.
52. MANUFACTURED HOME: A structure, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle."
53. MANUFACTURED HOME PARK OR SUBDIVISION: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
54. MARKET VALUE: The building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.
55. MEAN SEA LEVEL: For purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929, or other datum (such as North America Vertical Datum of 1988 - NAVD88) to which Base Flood Elevations (BFEs) shown on a community's FIRM are referenced.
56. MUDSLIDE (I.E., MUDFLOW): Describes a condition where there is a river, flow, or inundation of liquid mud down a hillside usually as a result of a dual condition of loss of brush cover and the subsequent accumulation of water on the ground preceded by a period of unusually heavy or sustained rain. A mudslide (i.e., mudflow) may occur as a distinct phenomenon while a landslide is in progress and will be recognized as such by the Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

57. MUDSLIDE (I.E., MUDFLOW) AREA MANAGEMENT: The operation of an overall program of corrective and preventive measures for reducing mudslide (i.e., mudflow) damage, including but not limited to emergency preparedness plans, mudslide control works, and flood plain management regulations.
58. MUDSLIDE (I.E., MUDFLOW) PRONE AREA: An area with land surfaces and slopes of unconsolidated material where the history, geology, and climate indicate a potential for mudflow.
59. NATIONAL FLOOD INSURANCE PROGRAM (NFIP): The NFIP is a Federal program created by Congress to mitigate future flood losses nationwide through sound, community-enforced building and zoning ordinances, and to provide access to affordable, federally backed flood insurance protection for property owners.
60. NEW CONSTRUCTION: For floodplain management purposes, a structure for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. Any construction started after July 6, 1981, and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within one hundred and eighty (180) days of permit issuance.
61. NEW MANUFACTURED HOME PARK OR SUBDIVISION: A place where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed on or after the effective date of Floodplain Management Regulations adopted by a community May 1, 1984.
62. POST-FIRM: Construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map (FIRM).
63. PRE-FIRM: Construction or other development for which the "start of construction" occurred before July 6, 1981, Ordinance #2012, the effective date of the initial Flood Insurance Rate Map (FIRM).
64. RECREATIONAL VEHICLE: A vehicle that is:
    a. Built on a single chassis, and
    b. Four hundred (400) square feet or less when measured at the largest horizontal projection, and
    c. Designed to be self-propelled or permanently towed by a light duty truck, and
    d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
65. REGULATORY FLOODWAY: See Floodway
66. REMEDY A VIOLATION: To bring the structure or other development into compliance with State or Local flood plain management regulations or, if this is not possible, to reduce the impacts of its non-compliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.
67. REPETITIVE LOSS STRUCTURE: An NFIP-insured structure that has had at least two paid flood losses of more than One Thousand Dollars ($1,000) each in any ten (10) year period since 1978.
68. RIVERINE: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
69. SPECIAL FLOOD HAZARD AREA (SFHA): The land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard."
70. START OF CONSTRUCTION: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred and eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site (such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation) or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
71. STRUCTURE: A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
72. SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of its market value before the damage occurred. See definition of "Substantial Improvement." Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a ten (10) year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.
73. SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
    a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
    b. Any alteration of a "historic structure,' provided that the alteration will not preclude the structure's continued designation as a "historic structure" and the alteration is approved by variance issued pursuant to this ordinance.

74. TECHNICAL BULLETINS AND TECHNICAL FACT SHEETS: FEMA publications that provide guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U. S. Code of Federal Regulations § 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations. Rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations. It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.
75. TEMPERATURE CONTROLLED: Having the temperature regulated by a heating and/or cooling system, built-in, or appliance.
76. VARIANCE: A grant of relief by the governing body from a requirement of this ordinance.
77. VIOLATION: The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the Finished Construction Elevation Certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.
78. WATER SURFACE ELEVATION: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988 (or other specified datum), of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.
79. WATERCOURSE: A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

C. General Provisions.

1. Lands to Which This Ordinance Applies: This Ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of City of Twin Falls. Nothing in this ordinance is intended to allow uses or structures that are otherwise prohibited by the zoning ordinance.
2. Basis for Special Flood Hazard Areas: The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for City of Twin Falls, dated May 1, 1984, with accompanying Flood Insurance Rate Maps (FIRM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data, are adopted by reference and declared a part of this ordinance. The FIS and the FIRM are on file at City of Twin Falls, 203 Main Avenue, East Room 218.
3. Establishment of Floodplain Development Permit: A Floodplain Development Permit (FDP) shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas (SFHA) determined in accordance with the provisions of Part (D), Section 2.
4. Compliance: No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.
5. Abrogation and Greater Restrictions: This ordinance shall not in any way repeal, abrogate, impair, or remove the necessity of compliance with any other laws, ordinances, regulations, easements, covenants, or deed restrictions, etcetera. However, where this ordinance and another conflict or overlap, whichever imposes more stringent or greater restrictions shall control.
6. Interpretation: In the interpretation and application of this ordinance all provisions shall be:
    a. Considered as minimum requirements;
    b. Liberally construed in favor of the governing body; and
    c. Deemed neither to limit nor repeal any other powers granted under state statutes.
7. Warning and Disclaimer of Liability: The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas (SFHA) or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of City of Twin Falls, or by any officer or employee thereof, for flood damages that result from reliance on this ordinance or an administrative decision lawfully made hereunder.
8. Penalties for Violation: No structure or land shall hereafter be located, extended, converted, or altered unless in full compliance with the terms of this ordinance and other applicable regulations.
9. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than One Hundred Dollars ($100) or imprisoned for not more than one hundred and eighty (180) days, or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Twin Falls from taking such other lawful actions as is necessary to prevent or remedy any violation.

D. Administration.

1. Designation of Floodplain Ordinance Administrator: The Assistant City Engineer, hereinafter referred to as the "Floodplain Administrator," is hereby appointed to administer and implement the provisions of this ordinance.

2. Duties and Responsibilities of the Floodplain Administrator: The Floodplain Administrator shall perform, but not be limited to, the following duties:

   a. Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas (SFHA) to assure that the requirements of this ordinance have been satisfied.

   b. Review all proposed development within Special Flood Hazard Areas (SFHA) to assure that all necessary local, State, and Federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

   c. Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).

   d. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.

   e. Prevent encroachments into floodways and flood fringe areas unless the certification and flood hazard reduction provisions of Part (E), Section 5 are met.

   f. Obtain actual elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of Part (D) Section 3.c.

   g. Obtain actual elevation (in relation to mean sea level) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Part (D) Section 3.c.

   h. Obtain actual elevation (in relation to mean sea level) of all public utilities in accordance with the provisions of Part (D) Section 3.c.

   i. When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of Part (D) Section 3.c and Part (E) Section 2.b.

   j. Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas (SFHA), floodways, or flood fringe areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

   k. When Base Flood Elevation (BFE) data has not been provided in accordance with the provisions of Part (C) Section 2, obtain, review, and reasonably utilize any BFE data, along with floodway data or flood fringe area data available from a Federal, State, local, or other source, including data developed pursuant to Part (E) Section 3.b.ii, in order to administer the provisions of this ordinance.

   l. When Base Flood Elevation (BFE) data is provided but no floodway or flood fringe area data has been provided in accordance with the provisions of Part (C) Section 2, obtain, review, and reasonably utilize any floodway data or flood fringe area data available from a Federal, State, local, or other source in order to administer the provisions of this ordinance.

   m. When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.

   n. Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

   o. Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.

   p. Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

   q. Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.

   r. Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

   s. Follow through with corrective procedures of Part (D), Section 4.

   t. Review, provide input, and make recommendations for variance requests.

   u. Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps, and studies adopted in accordance with the provisions of Part (C) Section 2 of this ordinance, including any revisions thereto including Letters

of Map Change, issued by FEMA. Notify the NFIP State Coordinator and FEMA of your community's mapping needs.

v. Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).

3. Floodplain Development Application, Permit, and Certification Requirements

a. Application Requirements: Application for a Floodplain Development Permit (FDP) shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas (SFHA). The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:

i. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:

A. The nature, location, dimensions, and elevations of the area of development/ disturbance; existing and proposed structures, utility systems, grading/ pavement areas, fill materials, storage areas, drainage facilities, and other development;

B. The boundary of the Special Flood Hazard Area (SFHA) as delineated on the FIRM or other flood map as determined in Part (C) Section 2, or a statement that the entire lot is within the Special Flood Hazard Area;

C. The Flood Zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in in Part (C) Section 2;

D. The boundary of the floodway(s) or flood fringe area(s) as determined in Part (C) Section 2;

E. The Base Flood Elevation (BFE) where provided as set forth in Part (C) Section 2; Part (C) Section 3; or Part (E) Section 3;

F. The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and,

ii. Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area (SFHA), including but not limited to:

A. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;

B. Elevation in relation to mean sea level to which any non-residential structure in Zone A, AE, AH, AO, or A1-30 will be floodproofed; and

C. Elevation in relation to mean sea level to which any proposed utility systems will be elevated or floodproofed.

iii. If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-33) with supporting data; an operational plan; and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures.

iv. A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:

A. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation, or on columns/ posts/piers/piles/shear walls); and

B. Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Part (E) Section 2.d.i-vi when solid foundation perimeter walls are used in Zones A, AE, AH, AO, and A1-30.

v. Usage details of any enclosed areas below the lowest floor.

vi. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.

vii. Certification that all other local, State, and Federal permits required prior to floodplain development permit issuance have been received.

viii. Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure that the provisions of Part (E) Section 2.f and g of this ordinance are met.

ix. A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and

x. A map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

b. Permit Requirements. The Floodplain Development Permit (FDP) shall include, but not be limited to:

i. A complete description of all the development to be permitted under the floodplain development permit (i.e. house, garage, pool, septic, bulkhead, cabana, pole barn, chicken coop, pier, bridge, mining, dredging, filling, rip-rap, docks, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.).

ii. The Special Flood Hazard Area (SFHA) determination for the proposed development in accordance with available data specified in Part (C) Section 2.

iii. The Flood Protection Elevation (FPE) required for the lowest floor and all attendant utilities.

iv. The Flood Protection Elevation (FPE) required for the protection of all public utilities.

v. All certification submittal requirements with timelines.

vi. A statement that no fill material or other development shall encroach into the floodway or flood fringe area of any watercourse, as applicable.

vii. The flood openings requirements, if in Zones A, AE, AH, AO, or A1-30.

viii. All floodplain development permits shall be conditional upon the start of construction of work within 180 days. A Floodplain Development Permit (FDP) shall expire one hundred and eighty (180) days after issuance, unless the permitted activity has commenced as per the Start of Construction definition.

ix. A statement of the limitations of below BFE enclosure uses, if applicable. (i.e., parking, building access and limited storage only).

x. A statement that all materials below BFE/FPE must be flood resistant materials.

c. Certification Requirements.

i. Elevation Certificates:

A. A Construction Drawings Elevation Certificate (FEMA Form 86-0-33) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.

B. A Building Under Construction Elevation Certificate (FEMA Form 86-0-33) is required after the lowest floor is established. Within seven (7) calendar days of establishment of the lowest floor elevation, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. Any work done within the seven (7) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop-work order for the project.

C. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the lowest floor and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

ii. Floodproofing Certificate: If non-residential floodproofing is used to meet the Flood Protection Elevation requirements, a Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan, are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the lowest floor and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

iii. If a manufactured home is placed within Zone A, AE, AH, AO, or A1-30 and the elevation of the chassis is more than thirty-six (36) inches in height above grade, an engineered foundation certification is required, in accordance with the provisions of Part (E) Section 2.c.ii.

iv. If a watercourse is to be altered or relocated, the following shall all be submitted to the Floodplain Administrator by the permit applicant prior to issuance of a Floodplain Development Permit (FDP):

A. A description of the extent of watercourse alteration or relocation; and

B. A professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and

C. A map showing the location of the proposed watercourse alteration or relocation; and

D. An Idaho Stream Channel Alteration Permit.

v. Certification Exemptions. The following structures, if located within Zone A, AE, AH, AO, or A1-30, are exempt from the elevation/floodproofing certification requirements specified in items a and b of this subsection:

A. Recreational Vehicles meeting requirements of Part (E) Section 2.f.i;

B. Temporary Structures meeting requirements of Part (E) Section 2.g; and

C. Accessory Structures less than 200 square feet meeting requirements of Part (E) Section 2.h.

d. Determinations for Existing Buildings and Structures. For applications for building permits to improve buildings and structures (including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures), the Floodplain Administrator, in coordination with the Building Official, shall:

i. Estimate the market value or require the applicant to obtain an appraisal of the market value, prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;

ii. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, and the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

iii. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and

iv. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the adopted Idaho Building Code and this ordinance is required.

4. Corrective Procedures.

a. Violations to be Corrected. When the Floodplain Administrator finds violations of applicable State and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.

b. Actions in Event of Failure to Take Corrective Action. If the owner of a building or property fails to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:

i. that the building or property is in violation of the Floodplain Management Regulations (FMR);

ii. that a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and

iii. that following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building, or to remove fill, as applicable.

c. Order to Take Corrective Action. If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance (FDPO), he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than one hundred-eighty (180) calendar days Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.

d. Appeal. Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

e. Failure to Comply with Order. If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

5. Variance Procedures.

a. The City Council of Twin Falls, hereinafter referred to as the "appeal board," shall hear and decide requests for variances from the requirements of this ordinance.

b. Variances may be issued for:

i. the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;

ii. functionally dependent facilities, if determined to meet the definition as stated in Part (B) of this ordinance, provided provisions of Part (D), Section 5.i.ii, iii, and v, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or

iii. any other type of development, provided it meets the requirements of this Section.

c. In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

i. the danger that materials may be swept onto other lands to the injury of others;

ii. the danger to life and property due to flooding or erosion damage;

iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

iv. the importance of the services provided by the proposed facility to the community;

v. the necessity to the facility of a waterfront location as defined under Part (B) of this ordinance as a functionally dependent facility, where applicable;

vi. the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

vii. the compatibility of the proposed use with existing and anticipated development;

viii. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;

x. the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

xi. the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

d. The applicant shall include a written report addressing each of the above factors in Part (D), Section 5.c.i-xi with their application for a variance.

e. Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this ordinance.

f. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to $25 per $100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.

g. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) and the State of Idaho, upon request.

h. Conditions for Variances:

i. Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.

ii. Variances shall not be issued within any designated floodway or flood fringe area if the variance would result in any increase in flood levels during the base flood discharge.

iii. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

iv. Variances shall only be issued prior to development permit approval.

v. Variances shall only be issued upon:

A. A showing of good and sufficient cause;

B. A determination that failure to grant the variance would result in exceptional hardship; and

C. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

vi. A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas (SFHA), provided that all of the following conditions are met:

vii. The use serves a critical need in the community.

viii. No feasible location exists for the use outside the Special Flood Hazard Area (SFHA).

ix. The lowest floor of any structure is elevated or floodproofed to at least the Flood Protection Elevation (FPE).

x. The use complies with all other applicable Federal, State and local laws.

i. The City of Twin Falls will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

j. Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Idaho Code 67-6535.

E. Provisions for Flood Hazard Reduction.

1. General Standards: In all Special Flood Hazard Areas (SFHA), the following provisions are required:

a. All new construction, substantial improvements, and development shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.

b. All new construction, substantial improvements, and development shall be constructed with materials and utility equipment resistant to flood damage in accordance with the Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the Federal Emergency Management Agency (FEMA).

c. All new construction, substantial improvements, and development shall be constructed by methods and practices that minimize flood damages.

d. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation (FPE). These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.

e. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

f. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.

g. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

h. A fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor shall:

i. be constructed entirely of flood resistant materials at least to the Flood Protection Elevation (FPE); and

ii. include, in Zones A, AE, AH, AO, and A1-30, flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:

A. A minimum of two (2) flood openings on different sides of each enclosed area subject to flooding;

B. The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;

C. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;

D. The bottom of all required flood openings shall be no higher than one (1) foot above the interior or exterior adjacent grade;

E. Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and

F. Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

i. Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.

j. Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, flood fringe area, or stream setback, provided there is no additional encroachment below the Flood Protection Elevation (FPE) in the floodway, flood fringe area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

k. New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in Part (D), Section 5.x. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area (SFHA) only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of Part (D), Section 3.c.

l. All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage and determined to be reasonably safe from flooding.

m. All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

n. All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

o. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

p. When a structure is partially located in a Special Flood Hazard Area (SFHA), the entire structure shall meet the requirements for new construction and substantial improvements.

q. When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest Base Flood Elevation (BFE) shall apply.

2. Specific Standards: In all Special Flood Hazard Areas (SFHA) where Base Flood Elevation (BFE) data has been provided, as set forth in Part (C), Section 2, or Part (E), Section 4, the following provisions, in addition to the provisions of Part (E), Section 1, are required:

a. Residential Construction. New construction, substantial improvements, and development of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than the Flood Protection Elevation (FPE), as defined in Part (B) of this ordinance.

b. Non-Residential Construction. New construction, substantial improvements, and development of any commercial, industrial, or other non-residential structure shall have the lowest floor, including basement, elevated no lower than the Flood Protection Elevation (FPE), as defined in Part (B) of this ordinance. Structures located in Zones A, AE, AH, AO, and A1-30 may be floodproofed to the Flood Protection Elevation (FPE) in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Flood Protection Elevation (FPE) are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AH and AO Zones, the floodproofing elevation shall be in accordance with Part (E), Section 6.b. A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in (D), Section 3.c, along with the operational plan and the inspection and maintenance plan.

c. Manufactured Homes.

i. New and replacement manufactured homes shall be elevated so that the lowest floor of the manufactured home is no lower than the Flood Protection Elevation (FPE), as defined in Part (B) of this ordinance.

ii. Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the Idaho Division of Building Safety's "Idaho Manufactured Home Installation Standard" in accordance with Idaho Code § 44-2201(2). Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less

above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.

iii. All enclosures or skirting below the lowest floor shall meet the requirements of Part (E), Section 2.d.

iv. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved, or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management Coordinator.

d. Additions/Improvements.

i. Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:

A. Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure; or

B. A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.

ii. Additions to post-FIRM structures that are a substantial improvement with no modifications to the existing structure other than a standard door in the common wall shall require only the addition to comply with the standards for new construction.

iii. Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are

A. Not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction; or

B. A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.

iv. Any combination of repair, reconstruction, rehabilitation, addition, or improvement of a building or structure taking place during a 10 year period, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started, must comply with the standards for new construction. For each building or structure, the ten (10) year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The requirement does not, however, include either:

A. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assume safe living conditions; or

B. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

e. Recreational Vehicles. Recreational vehicles shall be either:

i. Temporary Placement. Be on site for fewer than one hundred and eighty (180) consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions); or

ii. Permanent Placement. Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction, as set forth in Part (E), Section 1.

f. Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

i. a specified time period for which the temporary use will be permitted. Time specified may not exceed six (6) months, renewable up to one (1) year;

ii. the name, address, and phone number of the individual responsible for the removal of the temporary structure;

iii. the time frame prior to the event at which a structure will be removed (i.e., immediately upon flood warning notification);

iv. a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and

v. designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.

g. Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area (SFHA), elevation or floodproofing certifications are required for all accessory structures in accordance with Part (D), Section 3.c, and the following criteria shall be met:

i. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);

ii. Accessory structures shall not be temperature-controlled;

iii. Accessory structures shall be designed to have low flood damage potential;

iv. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;

v. Accessory structures shall be firmly anchored in accordance with the provisions of Part (E), Section 1.a;

vi. All service facilities, such as electrical, shall be installed in accordance with the provisions of Part (E), Section 1.d; and

vii. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of Part (E), Section 2.d.iv.

viii. An accessory structure with a footprint less than two hundred (200) square feet and is a minimal investment of Seven Thousand Five Hundred Dollars ($7,500) or less and satisfies the criteria outlined in a. through g. above is not required to meet the elevation or floodproofing standards of Article V, Section B.2.

h. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area (SFHA), the following criteria shall be met:

i. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);

ii. Elevated above-ground tanks in flood hazard areas shall be attached to an elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;

iii. Not elevated above-ground tanks that do not meet the elevation requirements of Part (E), Section 2.b of this ordinance shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

iv. Tank inlets, fill openings, outlets, and vents shall be:

A. At or above the flood protection elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the base flood; and

B. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.

i. Construction of Below-Grade Crawlspace.

i. The interior grade of a crawlspace must not be below the BFE and must not be more than two (2) feet below the exterior lowest adjacent grade (LAG).

ii. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall, must not exceed four (4) feet at any point.

iii. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.

iv. The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

See Technical Bulletin 11 for further information.

Caution: Buildings that have below-grade crawlspaces may have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation of the crawlspace soil at or above the Base Flood Elevation (BFE).

j. Other Development in Regulated Floodways and Flood Fringe.

i. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways and flood fringe shall meet the limitations of Part (E), Section 2.b of this ordinance.

ii. Retaining walls, bulkheads, sidewalks, and driveways that involve the placement of fill in regulated floodways and flood fringe shall meet the limitations of Part (E), Section 5 of this ordinance.

iii. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways and flood fringe, shall meet the limitations of Part (E), Section 5 of this ordinance.

iv. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways and flood fringe shall meet the limitations of Part (E), Section 5 of this ordinance.

v. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways and flood fringe shall meet the limitations of Part (E), Section 5 of this ordinance

k. Subdivision Plats in Flood Zones.

i. A note must be provided on the final plat documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plat in situations where two or more flood zones intersect over the property or properties being surveyed.

ii. FEMA FIRM panel(s): #160xxxxxxC, & 160xxxxxxE, etc.

iii. FIRM effective date(s): mm/dd/year

iv. Flood Zone(s): Zone X, Zone A, Zone AE, A Zone AO, Zone, AH, Zone D, etc.

v. Base Flood Elevation(s): Example: (AE ____.0 ft., etc.)

vi. Flood Zones are subject to change by FEMA & all land within a floodway or floodplain is regulated by _____ chapter/section of the City Code 10-11-9(C)1

l. Critical Facilities:

i. As a best practice, FEMA recommends protection that exceeds code minimums. For example, FEMA 543, Design Guide for Improving Critical Facility Safety from Flooding and High Winds (2007) recommends protecting critical facilities to withstand at least a 0.2-percent-annual-chance flood event (often called the "500-year flood event"). Flood elevations for the 0.2-percent-annual-chance flood may be greater than the elevation specified by ASCE 24. If federal funding or other Federal action is involved, the requirements of Executive Order 11988 – Floodplain Management may necessitate protection of critical actions to the 500-year flood elevation (critical actions may include the construction and repair of critical facilities).

3. Standards for Floodplains without Established Base Flood Elevations.

a. Within the Special Flood Hazard Areas designated as Zone A (also known as Unnumbered A Zones) and established in Part (C), Section 2, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Part (E), Section 1, shall apply:

b. The BFE used in determining the Flood Protection Elevation (FPE) shall be determined based on the following criteria:

c. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Part (E), Section 1 and 2.

d. When floodway or flood fringe data is available from a Federal, State, local or other source, all new construction and substantial improvements within floodway and flood fringe areas shall also comply with the requirements of Part (E), Section 2 and 5.

e. All subdivision, manufactured home park, and other development proposals shall provide Base Flood Elevation (BFE) data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such Base Flood Elevation (BFE) data shall be adopted by reference in accordance with Part (C), Section 2 and utilized in implementing this ordinance.

f. When Base Flood Elevation (BFE) data is not available from a Federal, State, local, or other source as outlined above, the lowest floor shall be elevated or floodproofed (non-residential) to two (2) feet above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE), whichever is higher, as defined in Part (B). All other applicable provisions of Part (E), Section 2 shall also apply.

4. Standards for Riverine Floodplains with Base Flood Elevations but Without Established Floodways or Flood Fringe Areas.

a. Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but neither floodway nor flood fringe areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

b. Standards of Part (E), Sections 1 and 2; and

c. Until a regulatory floodway or flood fringe area is designated, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the community.

5. Standards for Floodways and Flood Fringe Areas

a. Areas designated as floodways or flood fringe areas are located within the Special Flood Hazard Areas established in Part (C), Section 2. The floodways and flood fringe areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Part (E), Sections 1 and 2, shall apply to all development within such areas:

i. No encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless:

A. It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit; or

B. Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six (6) months of completion of the proposed encroachment.

ii. If Part (E), Section 5.a is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.

iii. Manufactured homes may be permitted provided the following provisions are met:

C. The anchoring and the elevation standards of Part (E), Section 2.c; and

D. The encroachment standards of Part (E), Section 5.a.

6. Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH)

a. Located within the Special Flood Hazard Areas (SFHA) established in Part (C), Section 2, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Part (E), Sections 1 and 2, all new construction and substantial improvements shall meet the following requirements:

i. The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two (2) feet, above the highest adjacent grade; or at least two (2) feet above the highest adjacent grade if no depth number is specified.

ii. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Part (E), Section 6.a so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Part (D), Section 3.c, and Part (E), Section 2.b.

iii. Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.

F. Stormwater Management:

1. Any applicant for a building permit shall furnish satisfactory engineering data to allow the City Engineer to ascertain that any proposed construction will comply with the following drainage criteria:

a. A conceptual drainage plan shall be presented and approved with the preliminary plat or site plan. A drainage study shall be submitted and approved before any improvement plans are reviewed.

b. The drainage study shall be prepared by a civil engineer registered in the state. Refer to section 10-7-9 of this chapter for additional drainage requirements.

c. The drainage study and conceptual plan shall be submitted under the following concepts:

i. Drainage Patterns: Drainage flows of all frequencies should enter and depart from the property to be developed in substantially the same manner as predevelopment conditions.

ii. Street Relationships/Emergency Access: All lots, structures, etc., within a development shall be accessible by at least one route during a 100-year storm with a maximum street water depth of 1 foot. In all cases, the flow of water shall be contained within rights of way.

2. In order to reduce the storm runoff as much as feasible, retention facilities shall be sized for local (on site) stormwater using the following procedures:

a. The design frequency shall be the fifty (50)-year storm, using the twenty four (24)-hour rainfall depth "D" as determined from the National Weather Service's isopluvials for Idaho. For the Twin Falls area the twenty four (24)-hour rainfall on a fifty (50)-year storm frequency is 1.9 inches.

b. Volume requirements for the retention facility are calculated by the following method:

$$Vt = \frac{1.9\ A}{12}$$

Vt = Volume required (acre-feet)

1.9 = 24 hour rainfall depth (inch) on a 50-year storm frequency

A = Tributary area

c. Where possible, the retention facility shall have four to one (4:1) side slopes.

G. Legal Status Provisions.

1. Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance: This ordinance, in part, comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted July 6, 1981 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit, or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of City of Twin Falls enacted on July 6, 1981, as amended, which are not reenacted herein are repealed.

2. Effect upon Outstanding Floodplain Development Permits: Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a Floodplain Development Permit (FDP) has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance. Provided, however, that when construction is not begun under such outstanding permit within a period of one hundred and eighty (180) days subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

3. Severability: The ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity."

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10-14: AREA OF IMPACT

10-14-1 ADMINISTRATION

A. The administration of the codes applicable to the City of Twin Falls area of impact shall be as appointed and authorized by the Board of Commissioners for Twin Falls County.

B. Persons living within the City of Twin Falls area of impact shall be entitled to representation on the City Planning and Zoning Commission. Such representation shall as nearly as possible reflect the proportion of population living within the city as opposed to the population living within the City of Twin Falls area of impact.

10-14-2 ENFORCEMENT

Twin Falls County and its employees and agents shall enforce compliance with the provisions of this chapter within the City of Twin Falls area of impact.

10-14-3 RENEGOTIATION

The area of city impact may be reviewed at any time upon the request of either party.

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10-15: DEFINITIONS

USE/TERM	DEFINITION
100-YEAR FLOOD	The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a 1 percent chance of occurring each year).
ACCESS EASEMENT	An easement across one or more adjacent properties to allow vehicular access to an otherwise inaccessible area at any time.
ACCESSORY Building	A Building that is incidental and subordinate to the principal allowed use of a property and located on the same lot as the principal allowed use. Commonly described as: car port, deck, covered patio, garage, garden shed, tool shed, shop, and other similarly described terms.
ACCESSORY USE	A use that is incidental and subordinate to the principal allowed use of a property and located on the same lot or property as the principal allowed use.
Addiction Treatment Facility	An establishment or facility used primarily for the purposes of temporary inpatient treatment of individuals recovering or suffering from alcohol, drug, substance or other addictions. This Definition excludes "Group Homes" as defined herein.
Administrative or Professional Office - Major	A facility or establishment designed, or primarily intended, for occupancy of fifty (50) or more persons to transact the clerical affairs of a business, industry, service, profession or other organization. This definition does not include offices otherwise defined herein, or offices incidental and accessory to another business, or sales activity, that is the principal use.
Administrative or Professional Office - Minor	A facility or establishment designed, or primarily intended, for occupancy of forty-nine (49) or fewer persons to transact the clerical affairs of a business, industry, service, profession or other organization. This definition does not include offices otherwise defined herein, or offices incidental and accessory to another business, or sales activity, that is the principal use.
ADMINISTRATOR	Planning and Zoning Director, or their designatee.
Adult Establishments	Any Business which falls under Idaho State Statute 67-6533 or as amended.
Agricultural	Farming, including plowing, tillage, cropping, storage, installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products; grazing or raising of livestock (except dairies and feed lots); aquaculture, sod production; orchards; Christmas tree plantations; nurseries; and cultivation of natural products as part of a recognized commercial enterprise.
Agritourism Activity	An accessory use/secondary activity carried out on an active farm or ranch that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities including, but not limited to, farming, ranching, historic, cultural, on-site educational farming programs, recreational farming programs that may include on-site hospitality services, guided and self-guided tours, bed and breakfast accommodations, farm animal petting zoos, short term farm festivals, corn mazes, "harvest-your-own" events, hayrides, barn parties, horseback riding, fee fishing and camping. An activity is an Agritourism activity whether or not the participant paid to participate in the activity.
Airport Supplemental Uses	Land uses on Joslin Field, Magic Valley Regional Airport that support and/or supplement the fundamental operations and services of the airport.
Airport/Heliport	Any area of land or water used or intended for landing, takeoff, or maintenance of aircraft, including appurtenant area used or intended for airport buildings, facilities, and rights of way.
ALLEY	See definition of Street. A right-of-way, which gives a primary or secondary means of vehicular access to the rear or side of properties otherwise abutting a street, and which may be used for public pedestrian, vehicular or utility access.
APPLIANCE REPAIR	The repair of a household or office device operated by natural gas or electrical current, or mechanical means.

USE/TERM	DEFINITION
ARCHITECTURAL PROJECTION	Any projection which is not intended for occupancy and which extends horizontally beyond the face of an exterior wall of a building, but shall not include signs. Examples of such projections are cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, etc. For carports or canopies the architectural projection shall be measured from the support posts unless said posts are located more than three feet (3') from the outer edge of the carport or canopy roof. In such case a maximum of three feet (3') shall be considered the architectural projection.
AREA OF IMPACT	The area surrounding the city as established by mutual agreement with the county in conformance with state law.
AREA OF SPECIAL FLOOD HAZARD	The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.
Artisan's Workshop - Minor	" Establishments primarily engaged in the preparation, display, and direct retail of individually crafted artwork or other goods by the use of hand tools or consumer grade mechanical equipment. Such uses include small scale businesses creating artwork, furniture, jewelry, pottery, and simlar items. "
Artisan's Workshop - Major	" Establishments primarily engaged in the preparation, display, and direct retail of individually crafted artwork or other goods by the use of hand tools or consumer grade mechanical equipment. Such uses include small scale businesses creating artwork, furniture, jewelry, pottery, and simlar items. This definition includes any use which involves ""classified areas"" as defined in the current Building Code. This definition excludes uses involving assembly line or automated production equipment. "
Assembly	An establishment or premises used for the gathering of persons for various functions.
Assisted Care / Living Facility - MAJOR	Any facility licensed and/or certified by the state, which provides mental or physical health services for sixteen (16) or more individuals for illness, disease, physical or mental infirmity. This Definition excludes "Group Homes" and "Certified Family Homes" as defined by State Statute; or hospitals, emergency rooms, or medical clinics.
Assisted Care / Living Facility MINOR	Any facility licensed and/or certified by the state, which provides mental or physical health services for three (3) to fifteen (15) individuals for illness, disease, physical or mental infirmity. This Definition excludes "Group Homes" and "Certified Family Homes" as defined by State Statute; or hospitals, emergency rooms, or medical clinics.
Athletic Arena or Stadium	An area generally used for sporting events such as baseball, basketball, football, rodeo, soccer, swimming, tennis, or other competitions; facilities may have improved seating facilities for spectators, PA System, and or lighting.
Auction Services and/or Public Sales Establishment	A location or business primarily used for the public sale of equipment, goods, merchandise, vehicles or wares to the highest bidder.
Auto and Automobile	See Vehicle, and other related definitions.
Bar	An establishment primarily designed for serving alcoholic drinks (after obtaining the proper licensing), typically offering other nighttime entertainment including but not limited to: music, dancing, billiards, darts and similar social games.
Barber Shop/Beauty Salon/ MediSpa	Any establishment or place of business within which the practice of barbering, cosmetology, permanent makeup, or other personal health treatments are engaged in or carried on by one or more aestheticians, barbers, cosmotologist, massage therapists, or similar licensed professionals. Excludes any practice including surgery or other medical practice otherwise defined.

USE/TERM	DEFINITION
BASE FLOOD	The flood having a one percent (1%) chance of being equaled or exceeded in any given year.
BASEMENT	A portion of living space in a dwelling unit all or at least one-half (1/2) of its height below the average level of the adjoining ground.
Bed & Breakfast Facility	A small scale lodging establishment providing between 4 to 7 guest rooms. Owner or operator occupied.
BEST MANAGEMENT PRACTICES (BMPs)	Those methods, or practices to prevent or reduce water pollution and include, but are not limited to, structural and nonstructural controls, and operation and maintenance procedures. BMPs can be applied before, during, and after pollution producing activities to reduce or eliminate the introduction of pollutants into receiving waters.
BLOCK	A group of lots, tracts or parcels within well defined boundaries, usually streets.
Body Art Studio	An establishment where the practice of physical body adornment by artists using but not limited to the techniques of body piercing and tattooing. (This definition excludes those establishments offering Ear Piercing exclusively.)
Botanical Gardens and Arboretums	A public or private facility, where admittance may or may not be fee based, for the demonstration and observation of the cultivation of flowers, fruits, vegetables, ornamental plants, or other vegetation, which is maintained by a trained/certified professional. (This definition excludes residential gardens incidental, or accessory, to dwelling units.)
BUILDING	Any structure having a roof supported by columns or by walls and intended or used for shelter, housing or enclosure of persons, animals, plants, chattels, or property of any kind.
BUILDING LINE	See definition of Line, Building.
BUILDING OFFICIAL	The building official or other city employee appointed by the City Manager.
Bus Terminal	A location of multiple originating or terminating transit routes, where passengers board or alight/disembark transit buses.
Campground or Recreational Vehicle Park	Any area that is designed or improved for occupancy by visitors or transients using recreational vehicles, motor homes, mobile trailers, or fabric tents for temporary lodging, or sleeping purposes. This definition excludes manufactured housing communities.
CANYON RIM	The point below which the final slope toward Rock Creek or the Snake River exceeds thirty percent (30%) for a distance of ten (10) or more feet. The "final slope", as the term is used herein, excludes minor breaks in the canyon wall which have a slope of less than thirty percent (30%) but are: a) inaccessible from existing streets, and/or b) less than one hundred feet (100') in width. There may be multiple rims meeting this definition, and the requirements of the canyon rims overlay district apply to all such rims. The location of the rim shall be determined before any excavation or grading preparatory to development occurs. Any developer may, prior to filing an application for approval, request that the city engineer delineate the rim on his or her property.
CANYON RIM SETBACK	The shortest distance between the canyon rim and the exterior wall, or support post, of any building for which a canyon rim setback is required.
Car Wash	A facility or establishment designed for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment, either through a mechanical or production line process, or by hand with equipment provided on-site.
CEMETERY	Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery for which perpetual care and maintenance is provided.
Centralized Sewer Facilities	Large-scale public sewer systems (municipal wastewater treatment plants) are centralized systems.

USE/TERM	DEFINITION
Centralized Water Facilities	Large-scale public water systems (municipal water sources and distrubution lines) are centralized systems.
Certified Family Home	A home that meets approval criteria set by the State of Idaho and is certified by the Idaho Department of Health & Welfare to care for between one and four adult residents who cannot live on their own.
CHANGE OF USE	A change of use from one Land Use Categoryto another.
CITY	The City of Twin Falls.
CITY MANAGER	The City Manager, or their designee.
College, University, Trade, or Private Boarding School	An institution dedicated to the education of students at the respective level of the institution, where the students generally live on or near the institution's campus, and pay for the course they attend.
COMMERCIAL USE	A structure or area used or intended for the selling, bartering or swapping of any merchandise, commodities, objects or the rendering of services to the general public. Dwelling - Multi Unit Uses (5 Units or more) are included in this definition. Home Occupations are exempted from this definition.
COMMISSION	The City of Twin Falls Planning and Zoning Commission.
COMMON WALL	A wall located upon or at the division line between adjoining premises and use, intended to be used or available to be used by both owners of such premises in the construction or maintenance of improvements on their respective properties.
COMMON, INTEREST IN	Every interest created in favor of several persons in their own right is an interest in common, unless acquired by them in partnership, for partnership purposes or unless declared in its creation to be a joint interest or unless acquired as community property.
Community Garden	A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or household.
COMPREHENSIVE PLAN	The policy document that guides the planning and zoning decisions of the City of Twin Falls. The comprehensive considers previous and existing conditions, trends, desirable goals and objectives, or desirable future situations for various planning components.
Conditional Use Permit	
CONDOMINIUM OWNERSHIP	An estate consisting of: a) an undivided interest in common in real property in an interest or interests in real property or in any combination thereof, together with b) a separate interest in real property, in an interest or interests in real property, or any combination thereof.
CONDOMINIUM PLAT	The drawing of a division of real property into individual interests in common together with a separate interest in the real property for the purpose of establishing condominium ownership together with the declaration that is filed according to law with the county recorder.
Convention Center	A facility designed to accommodate 500 or more persons used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions; along with accessory functions including temporary displays, food and beverage preparation and service.
COUNCIL	The City of Twin Falls City Council.
COUNTY	Twin Falls County, Idaho and its governing board.
COVENANT	A written promise or pledge.
Crematorium	"An enclosed facility wherein human or animal remains are cremated in a cremation chamber (retort of a crematory)."
Customer Area	

USE/TERM	DEFINITION
Daycare Business	The care and supervision, provided for compensation, during part of a day, for a child or children not related by blood or marriage to the owner of the daycare business, in a place other than the child's own home. This term includes preschools, nursery schools, play schools, kindercare and any like or similar operation. Daycare businesses are categorized as "centers", "facilities" or "homes", as defined in this section, according to Idaho health and welfare regulations.
Daycare Center	A Daycare Business providing care for thirteen (13) or more children on the premises at any one time. A daycare center is required to be licensed by the Idaho department of health and welfare.
Daycare Facility	A Daycare Business providing care for no more than twelve (12) children on the premises at any one time and having not more than two (2) employees. Required by Idaho State Law to have a fire inspection.
Daycare Home	A Daycare Business providing care for six (6) or fewer children on the premises at any one time, having not more than one employee in addition to the owner/operator, and operating between the hours of seven o'clock (7:00) A.M. and six o'clock (6:00) P.M.
DEDICATION	The setting apart of land or interest in land for use by the public by ordinance, resolution or entry in the official minutes as by the recording of a plat. Dedicated land becomes public land upon the acceptance by the local governing authority.
Detention Center	A facility established in conjunction with a law enforcement or public safety building, used primarily for the detention of adult or juvenile persons while being processed for arrest or detention by law enforcement.
DEVELOPED	Property for which a certificate of occupancy, or letter of completion, has been issued to occupy a building on the property and/or where any Required Improvements have been made on the private property.
DEVELOPER	The owner, or his legally authorized agent, of lands that are being platted, mapped, or developed.
DEVELOPMENT	Lands within the boundaries of an area that is platted or mapped in accordance with this title that are intended to be improved by the construction or addition of buildings or other structures; by mining, dredging, filling, grading, paving, excavation or drilling.
DORMITORY	A building specificlaly designed for a long-term stay by students of a college, university, or nonprofit organization for the purpose of providing rooms for sleeping purposes. One common kitchen and some common gathering rooms for social purposes may also be provided.
Drive-Thru	An area or location intended to be used for sales and/or services to patrons who remain in their vehicles.
Dry Cleaning/Laundering Plant	A building, portion of a building, or a premises used, or intended to be used, for cleaning of apparel, clothing, fabrics, textiles, or other articles of any sort. Such cleaning method may or may not involve volatile solvents including, but not limited to solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and any other incidental process or chemical.
Dry Cleaning/Laundering Service	An establishment or business maintained for the pickup and delivery of items, materials or laundry, without the maintenance or operation of any laundry or dry cleaning equipment or machinery on the premises.
Dwelling - Live/Work Unit	A dwelling unit located within the same building as the primary non-residential land use of the property.
Dwelling UNIT	Space within a building designed with permanent cooking, sleeping and sanitation needs of one Household.
Dwelling units existing at the time this Title was adopted	A residential unit that was built, constructed or existed prior to the adoption of Ordinance #2012 (AD 1981)

USE/TERM	DEFINITION
Dwellings - Accessory Dwelling Unit (ADU)	A dwelling unit, located on the same property as the primary residence; either attached or detached and may or may not have direct access to or from the primary dwelling.
Dwellings - Attached Single Dwelling Unit (Townhouse)	A Building containing one (1) dwelling unit , built on a separate lot or parcel, sharing one or more common walls.
Dwellings - Detached Single Dwelling Unit	A Building containing one (1) dwelling unit, built on a separate lot or parcel, separated from other dwelling units by a Yard on all four (4) sides.
DWELLINGS - MULTI-Dwelling Unit	A Building containing three (3) or more Dwelling Units designed for Households living independently of each other.
DWELLINGS - TWO Dwelling Unit	A building containing two (2) dwelling units designed exclusively for occupancy for two (2) households living independently of each other.
EASEMENT	A right of use for a stated purpose, falling short of ownership, granted by a property owner to the public or to another person and restricting the property owner's use of the property.
Electric Power Generating Plant	A facility, regardless of fuel or energy source, whose primary function is the creation of electricity to any electrical distribution system or transmission grid.
Emergency Service Stations	A facility or premises which houses: communication equipment, emergency response personnel, equipment, gear, vehicles, and any other items pertinent to the protection of the health, safety and welfare of the general public.
ENGINEER	A professional engineer registered in the state of Idaho.
EQUESTRIANWAY	A public way designed to be used for horseback riding.
Equipment and Machinery, Major	High-capacity mechanical devices for moving earth or other materials, and/or mobile power units including but not limited to: carryalls, graders, loading and unloading devices, cranes, drag lines, trench diggers, tractors, augers, bulldozers, concrete mixers and conveyers, harvesters, combines, or other major agricultural equipment/ implements, and similar devices operated by mechanical power, as distinguished from manpower.
Equipment and Machinery, Minor	Bulky nonvehicular items, for agricultural, commercial, construction, or industrial purposes which individually can be transported in or with a common passenger vehicle. Such items include but are not limited to: barrels, construction or mechanical hand tools, lawn and garden equipment, party supplies and similar goods and equipment.
Event Center - Major	A facility designed to accommodate between 100 and 500 people used for conferences, seminars, product displays, recreation activities, and/or entertainment functions, along with accessory functions including temporary outdoor displays, food, and beverage preparation; and service for on-premises consumption. This definition excludes "Night Club."
Event Center - Minor	A facility designed to accommodate fewer than 100 people used for conferences, seminars, special occasion gatherings, and other similar gatherins on a commercial basis. Accessory functions include food, and beverage preparation and service for on-premises consumption. This definition excludes "Night Club."
FAÇADE MOUNTED	Directly attached or affixed to the elevation of a building, tank, or other structure.
FARM	An area being primarily used for the purpose of producing food, fiber, seed stock, fodder or oil producing crops.
Farm – animals on pasture	Any premises on which a primary use is the breeding, raising, or maintaining of animals for sale or where the primary income from the premises is derived from such uses. This definition excludes Poultry or Pigs.
Farm – plants and trees	Any premises on which a primary use is the growing ofcrops, flowers, plants, or trees, for off-premise consumption, use, or sale.

USE/TERM	DEFINITION
FEEDLOTS AND DAIRIES	A parcel, or parcels of land under the same ownership or management, with more than five (5) animals per acre or a total of fifty (50) animals, whichever is less.
Financial Institution	An establishment which the primary function is to advise, hold, invest, loan (secured), save, or transfer monies for individuals or other establishments. Such establishements may include but are not limited to banks, credit unions, savings and loan offices, and mortgage loan offices. Automated teller machines (ATMs) are considered accessory to the primary business. This definition does not include payday, cash advance or check advance loan service establishments.
FINISH FLOOR	Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "finish floor".
Fish Hatchery	Any property on which a primary use is the hatching and raising of fish for the purpose of harvesting and sale. This definition excludes recreational fishing operations.
FLOOD PLAIN REGULATIONS	The codes, ordinances and other regulations relating to the use of land and construction within the channel and flood plain areas, including zoning ordinances, subdivision regulations, building codes, housing codes, setback requirements, open area regulations and similar methods of control affecting the use and development of the areas.
Food Processing	Any facility or premises primarily engaged in producing food or seed products by way of the Manufacturing Process.
Food Products	A substance that can be used or prepared for use as food for human or animal consumption.
FRONT	The front of a building shall be the wall so designated by the building official which best conforms to the intent of this title. The front property line shall be the lot line most nearly parallel to the front of a building. In designating the front of a building, the administrator shall base their decision on the location of the door which provides the principal access into the building and/or the location of the traffic way which provides the principal access to the property. The decision of the administrator may be appealed.
FRONTAGE, ENTIRE	All the property fronting on one side of a street between intersecting streets, or between a street and right of way, waterway, end of dead end street or city boundary, measured along the street line. An intersecting street shall determine only the boundary of the frontage on the side of the street which it intersects.
Fuel Pumps	A pump, generally located at a fueling station or point, which is used to fill a vehicle's fuel tank.
Fuel sales (bulk)	Any establishment or premises primarily enganged in the storage and sale of large (Semi Truck/Tanker) quantities of fuel to end users or distributors.
Fuel/Charging Station	An establishment which sells fuel for vehicles or a location which provides an electrical hook-up for charging electric vehicles.
Fuel/Charging Station Store	A retail store that has the primary use of facilitating vehicle fuel and charging sales, however other products such as groceries, snack foods, beer and wine to consume off-site, tobacco products, and toiletries are also sold. This definition does not include "Truck Stop", "Car Wash", or "Vehicle Repair Services".
Fun Center - Major	A facility or establishment primarily designed for entertainment activities with a total occupant load of fifty (50) individuals or more, or provides any activities outdoors (such activities include, but are not limited to: billiards, bingo, bowling, card/poker games, darts, escape/puzzle rooms, ice or roller skating, swimming and video arcades/virtual reality simulators).
Fun Center - Minor	A facility or establishment primarily designed for entertainment activities with a total occupant load of forty-nine (49) individuals or less and entirely indoors (such activities include, but are not limited to: billiards, bingo, bowling, card/poker games, darts, escape/puzzle rooms, ice or roller skating, swimming and video arcades/virtual reality simulators).

USE/TERM	DEFINITION
Fun Park	An establishment, location, or premises where three (3) or more of the following take place on the same or adjacent properties: amusement rides, Fun Center (Major/Minor), Go-Carts, Miniature Golf Course, Zip Lines, or other similar activities.
Funeral Chapel	An establishment which provides space for human funeral services, but which does not contain facilities for the preperation, cremation or storage of human remains. See also "Mortuary".
Furniture/Upholstery Repair	The fixing, mending or reconditioning of furniture, such as chairs, desks, tables or other items used to make a house or office suitable for living or working.
Gasoline Stations	See Fuel/Charging Station
Golf Course - Miniature	See Miniature Golf Course
Golf Course/Country Club	An establishment or facility for the playing of golf at which there may be a clubhouse including rest rooms and locker rooms, and which may include, swimming, outdoor recreation, related retail sales, restaurant and cocktail lounge. This definition excludes miniature golf course.
Golf Driving Range	An establishment or facility equipped with distance markers, clubs, balls, and tees for practicing golf skills, and which may include a snack-bar and proshop. This definition excludes miniature golf course.
GOVERNMENT FACILITIES	Facilities owned, operated, or maintained by a Public agency for the benefit of the general population.
Grain & Seed Processing	See Food Processing
Group Home	Any group residence in which eight (8) or fewer unrelated persons with disabilities or elderly persons reside and who are supervised at the group residence in connection with their disability or age related infirmity, including resident staff. No more than two (2) of such staff shall reside in the dwelling at one time. This definition shall be consistent with Idaho State Statute 67-6531 or as amended.
Gun Club	See Sport Shooting Range
Gym	See Health/Fitness Facility
Handcrafted Furniture	Furniture which is created by a craftsman and/or apprentices using hand tools and not in or by an assembly line or a mechanized process or industrial machines.
Hazardous Materials	Any item, material, or product classified hazardous by the Twin Falls Fire Marshal.
Health/Fitness Facility - Major	An establishment or facility primarily designed for patrons to use equipment or space for the purpose of physical exercise or training; with a total maximum occupant load of fifty (50) individuals or more.
Health/Fitness Facility - Minor	An establishment or facility primarily designed for patrons to use equipment or space for the purpose of physical exercise or training under the direction/supervision of a coach or trainer; with a total maximum occupant load of forty-nine (49) individuals or less.
HEIGHT	The total vertical distance measured from the average elevation of the natural grade of the building pad or structural footprint.
Heliport	See Airport/Heliport
Helistop	A facility, accessory to a primary use, for boarding, landing and discharging passengers and/or cargo. A helistop does not include refueling or maintenance but may include a storage facility for one (1) helicopter.
HIGHWAY	A street designated as a highway by an appropriate state or federal agency.

USE/TERM	DEFINITION
HOME OCCUPATION	A service, excluding daycare, offered by the resident of a household unit; or the sale of items handcrafted on the premises by the resident of a household unit; providing the service, sale or handcrafting is performed only by the resident therein and providing the area used in performing the home occupation does not exceed four hundred (400) square feet in area and providing there is no exterior indication of the home occupation. Services which generate no traffic to the premises and or which use no vehicles which would not normally be found incidental to a residential use shall be exempt from this definition.
HOSPITAL	An institution providing comprehensive health care services, primarily for inpatient and medical or surgical care of the sick or injured, including outpatient departments, training facilities, central service facilities and staff offices.
HOTEL	Any building containing more than 8 Sleeping Units designed to be rented or hired out by guests where all units are accessed by an internal hallway.
HOUSEHOLD	An individual, or two (2) or more individuals related by blood, marriage, legal adoption or guardianship, or a group of four (4) or less persons who are unrelated and reside together for more than thirty (30) days.
Idaho Licensed Design Professional	A individual with a current liscence to practice their profession as an engineer, architect, or landscape architect.
IMPROVEMENT	Any alteration to the land or other physical construction associated with subdivision and building site developments; including, but not limited to: grading, asphalt/ concrete parking or access, curb, gutter, sidewalk, landscaping, water/sewer/ stormwater lines.
Indoor	Within a building, or structure which has a roof, and which is enclosed on at least 85 percent of its perimeter with solid exterior walls/doors.
Industrial USE	The fabricating or assembling of materials into finished or partially finished products by hand or by the use of machinery, the disassembly or deconstruction of materials, or any establishment or premises engaged in the Manufacturing Process. Or any use which is located in this category on the Land Use Charts. This definition excludes home occupations, activities creating products in which the process does not yield any vapor, liquid or solid waste materials, and Artisan Workshops.
ISPWC	Idaho State Public Works Construction
Judicial Facility	A facility or establishment, with ancillary facilities such as court rooms, meeting rooms, and offices, where judicial proceedings take place, including temporary holding facilities for individuals who require detainment.
Junkyard	See " Wrecking, Salvage, and Junk Yards"
Kennel	Any lot, building, structure, enclosure or premises where more than four (4) dogs or four (4) cats over the age of four (4) months are raised, kept, housed, or boarded, excluding Licensed Veterinary Clinic.
LANDFILL	A solid waste disposal operation where the wastes are spread on land in thin layers, compacted to the smallest practical volume, and covered with cover material once each day of operation in order to safeguard against environmental pollution, nuisances, and health hazards
LATTICE TOWER	A support structure that consists of a network of crossed metal braces, forming a tower that is usually triangular or square in cross section. Roof mounted towers not exceeding two feet (2') in width in any cross section and not exceeding fifty feet (50') in height shall not be considered lattice towers.
Laundromat, Self Serve	An establishment which provides equipment such as washing mashines and dryers, where individuals can launder personal property, where water is the main solution and no chemicals are utilized in the process, as with dry cleaning.
LESSEE	A person holding a legally enforceable lease, a tenant.

USE/TERM	DEFINITION
Library	A public, nonprofit facility in which literary, musical, artistic, or reference materials such as, but not limited to, books, manuscripts, computers, recordings, or films are kept for use by, or loaning to, patrons of the facility, but are not normally offered for sale.
LINE, BUILDING	One of four (4) perpendicular lines established by the adminstrator for the purpose of measuring setbacks. The lines shall be established parallel to the predominate building walls and shall pass through the most exterior point on the building walls, excluding architectural features not intended for occupancy.
LINE, PROPERTY	The legal boundary of a parcel of real property.
Livestock Sales	A commercial establishment wherein livestock is collected for sale or auctioning
LOADING SPACE	An off street space on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials; and which abuts upon a street, alley or other appropriate means of access.
LOT	Unless otherwise defined, a parcel of land, legally recognized, with sufficient size to meet the minimum requirements of this title for use, dimensional standards and off street parking and which is owned by a single person with a separate interest or a group of persons with a separate interest together with an interest in common in the real property.
LOT AREA	The total area of a lot measured on a horizontal plane within the boundary lines exclusive of public and private roads, and easements of access to other property.
LOT, CONDOMINIUM	For the purposes of a condominium, a lot shall be the farthest exterior boundary of the real property upon which the project is situated.
LOT, CORNER	A lot situated at the intersection of two (2) or more streets.
LOT, DEPTH	The horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.
LOT, INTERIOR	A lot other than a corner lot.
LOT, PLATTED	A lot or individual parcel shown on a plat.
Machine Shop	A facility, or building, where wood and metal working machines are used; such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair shops; and mechanical/engine overhaul or repair shops. This definition includes businesses where the Machine Shop is the primary function, as well as businesses which utilize a Machine Shop as an accessory/subordinate use.
MAINTENANCE EASEMENT	An easement granted for the purpose of providing access for repair and maintenance of appurtenant property.
MANAGEMENT BODY	A person or group of persons created in accordance with this title to manage a development and maintain all common areas.
MANUFACTURED HOME	Per Idaho Statute 39-4105-(8): a structure, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 U.S.C. section 5401 et seq.
Manufactured building sales	An establishment which displays and sells dwelling units which fall under the manufactured home definition found herein or prefabricated buildings including, but not limited, to sheds, sea container, modular, etc.

USE/TERM	DEFINITION
Manufactured Housing Community	Any tract of land that is divided into rental spaces under common ownership or management for the purpose of locating two (2) or more mobile/manufactured homes for dwelling purposes.
Manufacturing Process	Subjecting natural resources to some special process or treatment which changes the physical state or chemical composition of matter, the second step in use of a natural resource; examples include petroleum refining, retorting and refining, ore smelting, coal crushing and cleaning, saw mill, alfalfa pellet mills, food bottling/canning/ packaging. Mass production or creation of glass, ceramic, or plastic materials; gravel crushing, cement manufacture, asphalt or concrete batch plants also included.
Manufacturing, Heavy	Establishments or premises engaged in the Manufacturing Process. Any activity or process engaged in the storage of Hazardous Materials needed for the manufacturing process.
Manufacturing, Light	The manufacture, predominantly from previously prepared materials, of finished products or parts, including fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products.
Manufacturing, Medium	Establishments or premises engaged in the Manufacturing Process which do not engage in the storage of Hazardous Materials needed for the manufacturing process.
Medical Clinic, Major	An establishment where patients are admitted for examination or treatment by physicians, dentists, other health care professionals, or similar professions; where the business operates outside Normal Business Hours, otherwise known as an In-patient Clinic
Medical Clinic, Minor	An establishment where patients are admitted for examination or treatment by physicians, dentists, other health care professionals, or similar professions and where the business operates within Normal Business Hours. Otherwise known as an Out-patient Clinic.
Mineral Extraction	The exploration for or extraction of surface or subterranean compounds and materials; this includes oil and gas exploration and production, and/or the mining of metallic and nonmetallic minerals, sand, gravel, and rock.
MOBILE HOME	ID State Statute 39-4105 (9); a factory-assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation.
MONUMENT	Any permanent marker either of concrete, galvanized iron pipe, or iron steel rods, used to identify any tract, parcel, lot or street lines, as specified in Idaho Code.
Mortuary	An establishment which provides space for human funeral services, and may contain facilities for the preperation, cremation, or temporary storage of human remains.
Motel	Any building containing more than 8 Sleeping Units designed to be rented or hired out by guests where all units are accessed by external walkways.
Municipality	The City of Twin Falls
Museum/ Learning Center - Major (>100)	A building, facility, or institution designed to accomdate more than 100 people which is devoted to the procurement, care, study, and exhibition of books, art, and/or other objects of historical or scientific value. Such as Aquariam, Planetarium, Childrens Exploration Center, and other similar uses.
Museum/ Learning Center - Minor (<100)	A building, facility, or institution designed to accomodate 100 or fewer people which is devoted to the procurement, care, study, and exhibition of books, art, and/or other objects of historical or scientific value. Such as Aquariam, Planetarium, Childrens Exploration Center, and other similar uses.
Night Club	An establishment which is designed, or intended, to provide floor space used for the purposes of recreational dancing; usually projecting loud music, where admission or cover charge can be directly collected, or some other form of compensation is obtained. May or may not serve alcohol, provided the proper licenses are obtained.

USE/TERM	DEFINITION
NONCONFORMING BUILDING	A building or structure not conforming to the provisions of this title but which was lawfully existing or under construction at the time of the adoption of this title.
NONCONFORMING USE	A use not conforming to the provisions of this title but which was lawfully existing at the time of adoption of this title.
NONRESIDENTIAL USE	Any structure, activity, or use not included in the definition of "residential use" contained in this section.
Normal Business Hours	Between 7:00 AM and 10:00 PM
Nursery – Major	The growing, storage, and/or sale of ground cover (bark, rock, ect), plants, shrubs, soils, trees, vines, or other similar materials , in bulk or wholesale volumes, including the use of a Storage Yard.
Nursery – Minor	The retail handling of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products in small quantities to the consumer. This definition excludes establishments with a Storage Yard.
Occupant Load	The number of persons for which the means of egress of a building or portion thereof is designed
OFF PREMISES SIGN	A sign mounted on property other than that occupied by the use being advertised by said sign. This definition shall exclude signs located within an approved ZDA advertising a nonresidential use or nonresidential uses located within that ZDA and approved as part of a master sign plan through the ZDA process.
ON PREMISES SIGN	A sign mounted on property that is occupied by the use being advertised by said sign.
Open Air Market	An establishment or premises designed to accomodate an open area where individuals, or groups of individual sellers, offer various items for sale to the public. Commonly refered to as a Farmers Market or Flea Market. This definition excludes Rummage and Garage Sales.
ORIGINAL PARCEL OF LAND	A lot or tract as recorded on any plat or record on file in the office of the county recorder, or an unplatted contiguous parcel of land held in one ownership and of record at the effective date hereof. In cases of "unrecorded matters of fact", the commission shall use its best judgment to determine a fair designation.
OWNER	Any person or group of persons having legal title to real property which is subject to this title.
Paint Booth	A booth or other area which has been designed, or used, for the primary purpose of applying paint, powdercoat, laquer, or similar materials to furniture, parts, vehicles, or other items for commercial purposes.
Park	Any parcel or parcels of land available for the benefit of the patrons or the general public for athletic, cultural, educational, active/passive recreational uses. May or may not contain Athletic Arena, Field, or Stadium.
Parking Lot	An area, excluding a street or other public way, which the primary use is to contain Parking Spaces for licensed vehicles on a temporary basis, and available whether for free or for compensation. Parking Lots shall be accessory to a primary land use.
PARKING SPACE	An enclosed or unenclosed surfaced area, together with access and maneuvering space sufficient to permit a standard automobile to be parked within the surfaced area, permanently reserved for the temporary parkingof one vehicle. The size of said space to meet the Minimum Standards for Parking Lot Design found herein.
Parking Structure	A multi-level structure designed to accommodate vehicular parking spaces.
Pawnshop	An establishment primarily engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the sale of such property.
Payday Loan / Check Cashing Service	An establishment primarily engaged in the providing loans to individuals in exchange for personal checks as collateral.
PEDESTRIANWAY	A public way designed to be used as a walkway for pedestrians.

USE/TERM	DEFINITION
PERFORMANCE BOND	An amount of money or other negotiable security paid by the subdivider, or his surety, to the City which guarantees that the subdivider will perform all actions required by the governing body regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of an approved plat, the subdivider or his surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approved plat.
PERMANENT	More than six (6) months.
PERSON	Any individual or any corporation, joint venture, limited partnership, partnership, firm, association, trustee or other similar entity or organization.
Pet Grooming	A business or entity engaged in the practice of cleaning, grooming, and/or maintaining the apperance of pets for customers.
Photography studios	An establishment or workspace designed primarily to take, develop, print and duplicate photographs. Typically owner operated, smaller in scale, not containing commercial grade or large machinery for developing large volumes of photographs.
PLAT	The drawings, certifications, descriptions and approvals of a division or proposed division of real property into two (2) or more lots, blocks, parcels, sites, plots, units, common areas, limited common areas or other descriptive designations of real property for the purpose of offering for sale, lease or development; either on the installment plan or upon any and all other plans, terms and conditions to any person having a separate interest or an individual interest in common together with a separate interest in any or all of the real property, as set forth by Idaho Code, or as amended.
Playground	A recreational area containing one or more various play structures, courts, fields and similar apparatus. Not typically used for organized competitions.
PREMISES	A parcel of land, or contiguous parcels of land, with appurtenances, buildings, or structures, which are under one ownership or control.
Print Shop – Major	A facility which provides printing service for periodical and magazine type publications which require complex collating and binding and at a level or volume which requires a printing press.
Print Shop – Minor	A facility for the reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, and facsimile sending and receiving.
PRIVATE	Belonging to an individual or group of persons, not by a public entity.
PROHIBITED SIGN	Signs that do not comply with this, or other applicable ordinances, and any sign otherwise prohibited within this title or other applicable ordinances.
PROJECT (CONDOMINIUM)	The entirety of the property divided or to be divided into condominiums.
PROPERTY (CONDOMINIUM)	The land described in the declaration recorded, together with any building, improvement or structure thereon, and every easement or right appurtenant thereto, and all personal property intended for use in connection therewith or for the use, benefit or enjoyment of the condominium owners.
PUBLIC	Federal, state, local government or political subdivisions thereof.
PUBLIC VIEW	A view from any public right of way or access easement.
PUBLIC WAY	Any right of way or easement dedicated or platted across real property owned by the person dedicating or platting the public way and intended for the general or special use of the public; or any right of way or easement legally obtained by the city through the use thereof providing such public way has not been vacated by the city council.
Pump Station - Irrigation	A facility, including pumps and equipment, which supplies water to a pressurized irrigation system.
Pump Station - Sewer	See Sewer Lift Station

USE/TERM	DEFINITION
Racetracks	A facility or premises containing a course designed, or primarily intended for participants to compete against one another, against time, or some other form of showmanship or competition using animals, vehicles, or other mechanical device. The competitions may include but are not limited to aerial, aquatic, asphalt (or other hard surface) or dirt tracks. This definition includes areas where participants train or practice for such events described above. This definition excludes Track and Field facilities associated with Schools.
REAL PROPERTY	Real estate consisting of: a) lands, possessory rights to land, ditch and water rights, and mining claims, both lode and placer; b) that which is affixed to land; and c) that which is appurtenant to land.
REAR	The rear of a building and rear property line shall be the wall and lot line most nearly parallel to the front wall and lot line.
Recycling Center	An establishment or premises primarily designed or intended for recyclable waste to be collected and sorted for processing. It may or may not be open to the public for personal deposit of recyclable materials. These facilities typically handle but are not limited to such materials as metals, plastics, paper, cardboard, wood, and organic waste.
Recycling Plant	A plant or establishment designed for reprocessing used or abandoned materials by manipulating or transforming the materials to a condiiton where they may be reused. This process typically occurs by means of the manufacturing process. (Excludes Wrecking, Salvage, or Junk Yards)
Religious Facility	A site used by a religious group primarily for religious worship and related religious services.
RESIDENTIAL USE	Any detached single-household, attached single-household, duplex, multi-household (4 units or less), agricultural, or other structure, activity, or use occupied or operated primarily to provide the cooking, sleeping, and sanitary needs of an individual or household. This definition includes those uses which are incidental and subordinate to the primary use of the property as a dwelling.
Restaurant	A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building and where food sales constitute a majority of the gross sales. May include Bakery's, Deli's, and similar common terms. Beer and Wine Sales by the drink are considered an accessory or incidental use to a Restaurant.
Retail Shop	An establishment or business whose primary function is the selling of goods, wares, or merchandise directly to the end consumer; with a designed occupant load of forty-nine (49) persons or less.
Retail Store - Major	An establishment or business whose primary function is the selling of goods, wares, or merchandise directly to the end consumer; with a designed occupant load of two hundred and one (201) persons or more.
Retail Store - Minor	An establishment or business whose primary function is the selling of goods, wares, or merchandise directly to the end consumer; with a designed occupant load between fifty (50) to two hundred (200) persons.
RIGHT OF WAY	A strip of land dedicated or reserved for use as a public way, which normally includes streets, sidewalks and other public utilities or service areas.
ROOF PROJECTIONS	Chimneys, smokestacks, church spires, flagpoles, radio and telecommunications facility or towers, masts, cooling towers, elevator shafts and other similar projections.
SCHOOL	Any facility or establishment providing full time instruction, including accessory facilities traditionally associated with a program of study, which meets the accredidation, licensing or requirements of the appropriate governing entity.
Seamstress/Tailor	An individual whose occupation is altering or repairing fabric or textile products.

USE/TERM	DEFINITION
Service Shop (Service - Minor)	An establishment or business whose primary function is the rendering of services or assistance, as opposed to a tangible product, directly to the end consumer; with an occupant load of forty-nine (49) persons or less. All activities shall take place indoors.
Service Store (Service - Major)	An establishment or business whose primary function is the rendering of services or assistance, as opposed to a tangible product, directly to the end consumer; with an occupant load of fifty (50) persons or more. This definition includes Service businesses where any activity takes place outdoors.
SETBACK	The distance from a property line, centerline, canyon rim, right of way, or structure within which a building is prohibited.
Sewage treatment plant	A facility designed for the collection, removal, treatment, and disposal of waterborne sewage generated within a given service area.
Sewer Lift Station	See "Utility Collection Facility"
Shelter home	A building or part of a building used for the temporary housing or relocation of abused, vulnerable, or homeless individuals. Qualified supervision and care shall be provided for those housed in the facility. This Definition exludes "Group Homes" as defined herein.
SIDE	The side of a building and side property line shall be the wall and lot line most nearly perpendicular to the front wall and lot line.
SIGN	Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. This definition includes the signs defined herein.
Skating Rink	An area designed primarily for the purpose of offering skating on ice, or other surface.
Slaughterhouse	An establishment or facility used for the purpose of slaughtering and/or packaging of meat for future sale or further processing.
Sleeping Unit	A room or space in which people sleep, which can also include permanent provisiosn for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.
Smoking Lounge	An establishment primarily designed for smoking/vaping indoors.
Solar/Photovoltaic Panel	A panel designed to absorb the sun's rays as a source of energy for generating electricity or heating.
SPECIAL USE PERMIT	A permit granted by the commission for a use that is otherwise prohibited, but may be allowed under specific provisions when not in conflict with a comprehensive plan.
Sport Shooting Range	Shooting Range as defined by State Statute 55-2604, or as amended. (An area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or an other similar sport shooting.
Stable, Commercial	An establishment primarly engaged in providing a building or premises where horses, ponies and/or other large animal, except dogs or cats, are sheltered, fed, and/or kept for hire.
STANDARD SPECIFICATIONS	The specifications as specified in this title or as officially adopted by the city.
STATE	State of Idaho.
Storage Facility, Self-service	An establishment primarily engaged in the business of renting self-contained units or spaces, within a building or structure, for the storage of private property on a temporary basis.
Storage Yard	An outdoor, or open air, yard used to store items, materials, merchandise, or other property of the business, or owner, that operates and maintains the yard. This definition excludes "Impound", "Wrecking, Salvage or Junk Yard", "Parking Lot", and "Vehicle/Equipment Storage Yard".
STORM WATER DETENTION FACILITY	Those methods or devices that temporarily collect and hold the stormwater runoff and release the water at a metered rate over time.

USE/TERM	DEFINITION
STORMWATER	Stormwater runoff, snowmelt, and surface runoff and drainage.
Stormwater RETENTION FACILITY	Those methods or devices that collect and hold the stormwater runoff for dissipation through infiltration and/or evaporation.
STREET	Provides access to adjacent properties, the dedication of which has been officially accepted. The term "street" also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, land, place and other such terms.
Street - (A) Alley	A minor street providing secondary access at the side or back of a property otherwise abutting a street.
Street - (B) Local	A street which has the primary purpose of providing access to abutting properties.
Street - (C) Collector	A street designated for the purpose of carrying traffic from local streets to other collector streets and/or arterial streets.
Street - (D) Arterial	A street designated for the purpose of carrying fast and/or heavy traffic.
Street - (E) Loop	A local street with both terminal points on the same street of origin.
Street - (F) Cul-De-Sac	A street connected to another street at one end only as provided with a turnaround space at its terminus.
Street - (G) Frontage	A local street parallel to and adjacent to an arterial street to provide access to abutting properties.
Street - (H) Partial	A dedicated right of way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.
Street - (I) Stub Street	A street which terminates without provisions for a turnaround area.
Street - (J) Half Street	A street comprised of one-half (1/2) of the width required to conform with a standard city street section.
Street - (K) Private	A street constructed per the City of Twin Falls revisions to ISPWC that acts as a street that serves more than one parcel and is maintained by a non-public entity.
STREET GRADE	The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grade of the street shall be taken as the street grade.
STRUCTURAL ALTERATIONS	Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders.
STRUCTURE	Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences and billboards, but exclude utility poles and streetlights.
SUBDIVIDER	The individual, firm, corporation, partnership, association, syndicate, trust or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this title. The subdivider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient property rights in the property to represent the owner.
SUBDIVISION	The result of an act of dividing an original lot, tract or parcel of land into two (2) or more parts for the purpose of transfer of ownership or development; which shall also include the dedication of public streets and other rights of way and the addition to, or creation of, a cemetery.
SURVEYOR	A land surveyor or professional engineer registered in the State of Idaho.
Swimming Pool	An artificial basin designed for the purpose of containing a body of water offering the possibility of use for swimming for fitness, leisure, or recreational purpose, which is not readily portable in design or construction.
Taxidermy studio	A building or facility where a taxidermist prepares, preserves, stuffs and/or mounts any of the dead bodies of any wildlife or any part thereof not personally harvested by the individual performing taxidermy services.

USE/TERM	DEFINITION
Testing laboratories, Major	An establishment designed primarily for the objective analytical data collection and/or testing of a product or a process; where any testing activities take place outdoors, or where any special equipment, beyond a normal office environment, is utilized or where hazardous materials are present.
Testing laboratories, Minor	An establishment designed primarily for the objective analytical data collection and/or testing of a product or a process; where all testing activities take place indoors and no special equipment, beyond a normal office environment, is utilized.
Textile products	Any cloth or goods produced by weaving, knitting, or felting.
Theater	A building or establishment primarily designed for showing motion pictures, or live dramatic, dance, musical, or other performances.
TOTAL STRUCTURE (CONDOMINIUM)	The structure within which is contained all of the units of the condominium.
TOWNHOUSE	A single-household dwelling with no side yards between abutting dwellings.
TRAFFICWAY	A public way or a private way whose primary use is for movement of motorized vehicles.
Tree	
Tree - Class One	Small trees which do not generally reach over 25-30' in height and width. Spacing, 20-30'between trees. Good for under power lines or smaller planting areas.
Tree - Class Three	Many are long lived and attain large height and trunk diameter. Make sure you have ample room to accommodate it at maturity. May reach 70'+ in height and width. Spacing, 40-60' between trees.
Tree - Class Two	Usually considered medium sized trees mostly planted for their shade and excellent use in the landscape and parkway plantings. Reaching 30-40+' height and width. Spacing, 30-40' between trees.
Tree - Conifers	Provide year round greenery, screening and serve as excellent wildlife shelters. Generally, they should not be pruned and will need large growing areas away from buildings, sidewalks and driveways. Spacing varies with species.
Truck Stop	An establishment or premises, typically a Refueling Station, where truck drivers park for resting purposes. Often including other secondary services such as: food, groceries, showers, sleeping rooms, ect.
UNDEVELOPED	A property for which a certificate of occupancy or letter of completion has not been issued and/or for which no Required Improvements have been made.
UNPLATTED lands	Any area for which a plat has not been recorded according to law.
USE	An activity or purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.
Utility Collection/ Distribution Facility - Major	A building, structure, or area used by a single provider for utility distribution to customers covering more than 3,000 square feet.
Utility Collection/ Distribution Facility - Minor	A building, structure, or area used by a single provider for utility distribution to customers that are over 3 feet tall or covering between 300 and 3,000 square feet.
Utility Collection/ Distribution Line	Electric, gas, communication, water, sewer, irrigation, and drainage lines providing local distribution or collection service. This includes below ground utility boxes, and above ground boxes up to three (3) feet tall.
UTILITY POLE	A telephone, power, light, or cable television pole. Light poles shall include street, stadium and security light poles.
Variance	Permission to deviate from the literal standards of the zoning ordinance or city code. Only granted if applicable to and following procedure found in Twin Falls City Code and Idaho State Law.
VEHICLE	Any device in, upon, or by which any person or personal property is or may be transported. Including but not limited to cars, trucks, motorcycles, 4-wheelers, RV's, snowmobiles, trailers, utility vehicles and any vehicle required to be licensed by the State of Idaho. Excludes bicycles, equipment, impliments, machinery and similar items.

USE/TERM	DEFINITION
Vehicle IMPOUND FACILITY	A facility that provides temporary outdoor storage for three (3) or more vehicles that are to be claimed by titleholders or their agents, provided that no vehicle shall be stored at said facility for more than forty five (45) days and must remain mechanically operable and licensed at all times, or a parcel of land or a building that is used for the storage of wrecked motor vehicles usually awaiting insurance adjustment or transport to a repair shop and where motor vehicles are kept for a period of time not exceeding fourteen (14) days.
Vehicle Rental Facility	An establishment, facility, or location used for the storage and/or display of vehicles for rental purposes. All vehicles held on the premises shall be licensed and in operating condition.
Vehicle Repair Services, Major	A site or location used for major vehicle rebuilding or reconditioning. This includes engine rebuilding/replacement, major reconditioning of worn or damaged vehicles, and collision service (body, frame, or fender straightening, repair or painting). All repair work shall be conducted within enclosed buildings, and all vehicles shall be stored inside a building, or approved screened area.
Vehicle Repair Services, Minor	A site or location used for minor vehicle maintenance and repair. This includes muffler shops, oil change stations, tire sales/installations, wheel and brake shops. All repair work shall be conducted within enclosed buildings and all vehicles shall be stored inside a building, or approved screened area.
Vehicle Sales	An establishment, facility, or location used for the display and/or storage of more than two (2) vehicles for sale. Includes retail and/or wholesale.
Vehicle Sales - Heavy Trucks	An establishment, facility or location used for the display and/storage of more than two (2) Semi Trucks and/or Semi Trailers
Vehicle Sales – Temporary	See State requirement for Temporary Supplementary Sales Lot
Vehicle WRECKING	The dismantling or wrecking of two (2) or more used motor vehicles, mobile homes or trailers.
Veterinary Clinic, Major	An establishment, building or portion of a building, primarily designed for the care, observation, and/or treatment of animals where any treatment and/or boarding takes place outside.
Veterinary Clinic, Minor	An establishment, building or portion of a building, primarily designed for the care, observation, and/or treatment of animals where all treatment and/or boarding takes place inside.
VICINITY MAP	A drawing which sets forth by dimensions or other descriptive means the relationship of a proposed development to other nearby developments, trafficways or other landmarks within the general area in order to better locate and orient the area in question.
WALL - Building	The full width or length of a building, including recessed windows or doors.
Warehouse/Distribution Center	An establishment or facility primarily used for receiving, rerouting, transfering and/or storing goods or items for delivery to retailers, or directly to consumers.
Water Treatment Plant	A facility which produces drinking water for public consumption or "industrial water" for manufacturing or other business operations. Treatment includes but is not limited to filtering out sediment and disease-causing organisms, or chemical treatment, to remove excess minerals or other contaminants.
Wildland-Urban Interface	Areas where homes are built near or among lands prone to wildland fire.
Wind Turbine	A structure designed to primarily provide electricity by way of wind power for sale on the electrical grid.
Wireless Communications Facility (WCF)	A location or equipment used for the transmission or reception of radio frequency (RF) signals, or other wireless communications or signals, for commercial communications purposes; typically consisting of one or more antennas, a tower or attachment support structure, transmission cables, and other transmission equipment. May or may not include an equipment enclosure or cabinets. This definition includes small cell technologies and associated equipment.
Wireless Communications Tower	Any pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, or masts; intended primarily for the purpose of mounting equipment for the transmission of radio, wireless, or other electromagnetic signals.
Wireless Communications Tower, Colocation	A visually unobtrusive installation method because the equipment is attached to an existing structure.
Wireless Communications Tower, Stealth or Alternative	A telecommunications tower designed to be indistinguishable by the casual observer from its surrounding environment, or unobtrusively blend into its surrounding environment.
WRECKING, Salvage AND JUNK YARDs	Any area where vehicle wrecking is carried out and/or accumulation of parts thereof, are stored in the open; or any land, building or structure used for the wrecking or storing of such motor vehicles; or property containing any dismantled, abandoned, nonoperating, junked, damaged or destroyed household goods and equipment, motor vehicles, machinery or miscellaneous property.
YARD	An open space on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title.
YARD, FRONT	A yard extending between side lot lines across the front of a lot and from the front lot line to the nearest part of a building, excluding architectural projections. Any street frontage is considered a front yard.
YARD, REAR	A yard extending between side lot lines across the rear of the lot and from the rear lot line to the rear of the principal building, excluding architectural projections.
YARD, SIDE	A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards, excluding architectural projections.
ZIP LINE	An aerial trail system providing recreation and educational activities that preserves and protects the natural environment and habitat by enabling people to traverse terrain by means of cable and trolley.
ZONING DEVELOPMENT AGREEMENT	A written commitment by a property owner or developer concerning the use or development of a subject parcel. A zoning development agreement may be required as a condition of rezoning and/or development of a subject parcel when a property is located adjacent to major arterial or collector streets and/or where a variety of uses may be desired in a preplanned environment with more flexible standards than normally apply to the use of land in a standard zoning district.
Zoo	An area, building(s), or structure(s) containing animals, on exhibition for viewing by the public.