

## CHAPTER 6 Commercial (C) Zone

### SECTION:

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11-6-1: **PURPOSE.** The purpose of this zone is to regulate general retail uses, professional offices and travel or highway related service requirements within the City.

(Ord. 170-01-13, 1/15/13).

11-6-2: **PERMITTED USES.** The following uses are allowed in the Commercial (C) zone.

- (A) All commercial uses that are retail in nature or provide a service not involving manufacturing on the premises, except products the major portion of which are to be sold at retail by the manufacturer to the consumer.
- (B) Public utilities and facilities such as schools, city infrastructure, parks and playgrounds, churches and other similar facilities of a non-industrial nature.
- (C) Residential use directly related to the commercial use on the property.
- (D) Accessory buildings subject to the restrictions in section 11-11-6 of this Code, provided such buildings do not exceed two (2) stories in height.
- (E) Automobile and trailer sales, service and rental.

- (F) Other similar uses that are determined by the City Council to be compatible with the purpose and intent of this zone.

(Ord. 170-01-13, 1/15/13).

**11-6-3:           CONDITIONAL USES.**

- (A) The City may, after notice and public hearing pursuant to Chapter 8 of this Title, permit the uses specified below, where such uses are deemed essential or desirable to the public convenience or welfare. On all conditional use permit applications, the City shall have the discretion to require an impact statement to assess the impact of the proposed conditional use upon surrounding properties and upon city services and infrastructure. The City may impose such conditions and safeguards, as it deems necessary to protect the best interests of the surrounding property or neighborhood and city services or infrastructure from damage, hazard, nuisance or other detriment.
- (B) The following conditional uses are permitted in the Commercial Zone:
  - (1) Wholesale operations.
  - (2) Junk or salvage yards/Second hand sales.
  - (3) Adult book stores or adult businesses.
  - (4) Welding or machine shops, motor vehicle and agricultural vehicle repair shops or garages.
  - (5) Commercial storage buildings.
  - (6) Manufactured home or recreational vehicle sales or parks.
  - (7) Government protective facilities.
  - (8) Temporary buildings as uses necessary for construction purposes for a period not to exceed one (1) year.
  - (9) Any business requiring bulk storage for resale of any flammable liquid to be stored above or below ground.
  - (10) Any business for which a beer, wine or liquor license is required under the provisions of Chapters 2, 3 and 4, of Title 4 of this Code, whether for consumption on or off premises.
  - (11) Wireless communication towers and associated operational facilities, buildings, and equipment, provided such facilities are located within a T-1 or T-2 Overlay zone and are compliant with the provisions set forth in Chapter 2, Title 10 of this City Code.

- (12) All buildings used in conjunction with unconditional uses otherwise allowed in this zone, where such buildings exceed thirty-five (35) feet in height.

(Ord. 143-01-09, 3/17/09); (Ord. 170-01-13, 1/15/13); (Ord. 190-02-15, 2/17/15).

11-6-4: **HEIGHT REGULATIONS.** No building, structure or any portion thereof shall exceed thirty-five (35) feet in height, unless approved by conditional use permit. Roofs above the square of the building and building architectural design features not used for human occupancy, such as chimneys, flag poles, television antennas, ornamental architectural design appurtenances or other similar building features, shall not be considered in determining such height.

(Ord. 170-01-13, 1/15/13).

11-6-5: **SETBACK AND SITE REQUIREMENTS.**

- (A) No front or side yard shall be required, except when a building or group of buildings abuts upon a residential use; any required side yard shall be provided on the side of the lot abutting the residential use having a width of not less than ten (10) feet.
- (B) Rear yards shall have a depth of not less than twenty-five (25) feet when abutting upon a residential use. The rear yard may be used for off-street parking and loading.
- (C) Corner lots must meet the visibility setback requirements as imposed by the City, county, or state.
- (D) **Protection of Waterways.** Any development near any irrigation canal or ditch shall protect the canal or ditch right-of-way from encroachment and meet all standards required by the owner of the canal.

(Ord. 170-01-13, 1/15/13); (Ord. 238-07-20, 7/21/20).

11-6-6: **AREA REQUIREMENTS.** There shall be no minimum lot size or setbacks, unless the commercial use is contiguous to a residential zone. The side and rear yard setbacks as required by that residential zone shall be observed on all sides of the commercial property contiguous with the residential zone.

(Ord. 170-01-13, 1/15/13).

11-6-7: **WATER AND SEWER SERVICE.**

- (A) **Sewer.** All commercial structures within the zone shall be connected to a public sewer facility, if located within three hundred (300) feet of the terminus of any existing sewer

line. If such sewer facilities are not available, then the use shall meet the requirements of the Idaho District Seven Health Department.

(B) **Water.** All commercial uses shall be connected to the domestic water system of the City.  
(Ord. 170-01-13, 1/15/13).

11-6-8: **OFF-STREET PARKING REQUIREMENTS.** Off-street parking shall comply with the provisions of Chapter 12 of this Title.

(Ord. 170-01-13, 1/15/13).

11-6-9: **LANDSCAPING/BUFFERING REQUIRED.** Landscaping shall cover at least five percent (5%) of the parking lot areas of any commercial development. Landscaping will be placed in such a manner as to buffer adjacent incompatible uses. This requirement shall apply to all new commercial developments commenced after the effective date of the original Ordinance adopting this section, and to any remodel of a commercial facility should it be determined that more than fifty percent (50%) of the facility is being remodeled or expanded. If the commercial development abuts a residential area, a buffer of landscaping or fencing shall divide the commercial development from the residential area. No buffer shall exceed 6 feet in height, provided however that the Council may approve certain landscaping or trees that exceed 6 feet in height. The Council shall review and approve all landscaping plans.

(Ord. 170-01-13, 1/15/13); (Ord. 238-07-20, 7/21/20).