

ORDINANCE NO 971

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, ADDING NEW SECTIONS 17.08.061; 17.08.321; 17.08.231; 17.08.232; AND 17.08.161 TO THE PAYETTE MUNICIPAL CODE; AMENDING SECTIONS 17.12.020; 17.24.020; 17.24.030, SUBSECTION D: 17.24.040, SUBSECTIONS B AND E; 17.28.020; 17.28.040; 17.32.020; AND 17.32.040 OF THE PAYETTE MUNICIPAL CODE; ESTABLISHING AN EFFECTIVE DATE; REPEALER; SEVERABILITY.

BE IT ORDAINED AND RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

SECTION 1: That a new Section 17.08.061 is hereby added to the Payette Municipal Code and shall read as follows:

17.08.061 Condominium. A "Condominium" is a structure containing separate living units, and is owned by a person having separate interests in said structure, excluding the real property upon which it is situated.

SECTION 2: That a new Section 17.08.321 is hereby added to the Payette Municipal Code and shall read as follows:

17.08.321 Townhouses. A "Townhouse" is a structure containing separate living units, requiring no setback side lines between contiguous units, having separate utility connections, and is owned by a person or persons having divided interests in said structure including the real property upon which it is situated.

SECTION 3: That a new Section 17.08.231 shall be added to the Payette Municipal Code and shall read as follows:

17.08.231 Mobile Home. A detached single-family dwelling, designed to be transported after fabrication on its own wheels, flatbed, or detached wheels, arriving at the site where it is to be occupied as a dwelling complete, after location on permanent foundation support on its chassis

frame, and hooked to all utilities as any built-on site house would be, as set out in 5.28.070, Sec. F of the Uniform Building Code.

SECTION 4: That a new Section 17.08.232 shall be added to the Payette Municipal Code and shall read as follows:

17.08.232 Modular Home. A detached single-family dwelling, designed to be transported after fabrication on detached wheels, arriving at the site where it is to be occupied as a dwelling unit complete, after location on permanent foundations, and hooked to all utilities as any built-on site house would be, as set out in 5.28.070, Sec. F of the Uniform Building Code.

SECTION 5: That a new Section 17.08.161 shall be added to the Payette Municipal Code and shall read as follows:

17.08.161 Household Pets: Household pets are limited to dogs, cats, fish, small animals and caged birds. Requests to maintain any other pet shall be taken to the Board of Appeals before being maintained within the city.

SECTION 6: That Section 17.12.020 of the Payette Municipal Code shall be amended to read as follows:

17.12.020 Buildings and land--Yard size and families per building restrictions. Except as provided in this title, no building, structure or premises shall be erected, altered or used so as to produce smaller yards or less unoccupied acres than prescribed by the setback restrictions of the zone in which built, and no building shall be occupied by more families than prescribed for such building, structure or premises for the zone in which it is located.

SECTION 7: That Section 17.24.020 of the Payette Municipal Code shall be amended to read as follows:

17.24.020 Permitted uses. The following are permitted in A residential districts:
A. One-family dwellings;
B. Two-family dwellings;
C. Townhouses

D. The following uses may be permitted by the board of appeals after public notice has been given by certified mail to all property owners within two hundred (200) feet of the property in question at the expense of the applicant and public hearing, under appropriate safeguards and special conditions as said board deems necessary, such uses and buildings must be appropriately located and designed and meet a community need without adversely affecting the neighborhood:

1. School (public and parochial),
2. Churches,
3. Libraries,
4. Fire stations,
5. Parks and buildings for same,
6. Playgrounds and buildings for same,
7. Condominiums
8. Day Care

SECTION 8: That Section 17.24.030, subsection D, of the Payette Municipal Code shall be amended to read as follows:

D. Storage buildings shall be at least eight feet from the property line, shall not exceed 400 square feet in area, shall not exceed 12 feet in height at its highest point and they shall be compatible with the surrounding structures.

SECTION 9: That Section 17.24.040, subsections B and E, of the Payette Municipal Code shall be amended to read as follows:

B. If garages open on side streets, they shall be at least ten feet from the side property line, and, if the opening is on an alley, the set back shall be eight feet from the property line.

E. Single family dwellings shall provide at least two off-street parking areas, and multiple dwellings shall provide at least two off-street parking areas for each dwelling unit. Other buildings permitted shall provide parking facilities required by the board of appeals.

SECTION 10: That Section 17.28.020 of the Payette Municipal Code shall be amended to read as follows:

17.28.020 Permitted uses. A. Permitted uses

in the B residential districts are as follows:

1. Multiple-family dwellings;
2. Boardinghouses;
3. Lodginghouses;
4. Baby homes;
5. Convalescent homes;
6. Sanitariums;
7. Old peoples' homes;
8. Hospitals;
9. Home offices;
10. Dancing schools;
11. All other uses permitted and as regulated in an A residential district.

SECTION 11: That Section 17:28.040 of the Payette Municipal Code shall be amended to read as follows:

17.28.040 Building area and use restrictions.

- A. Single family dwellings shall provide at least two off-street parking areas, and multiple dwellings shall provide at least two off-street parking areas for each dwelling unit. Other buildings permitted shall provide parking facilities required by the board of appeals
- B. Signboards of not more than eight square feet may be permitted.
- C. Animals may be maintained on the lot, if more than fifteen thousand square feet in area, when approved by the board of appeals or appropriate health officers and when they do not cause offensive odors or disturbance to the people of the neighborhood.
- D. Except as otherwise stated in this section, buildings and use restrictions applicable in A residential districts shall be applicable in B residential districts.

SECTION 12: That Section 17.32.020 of the Payette Municipal Code shall be amended to read as follows:

17.32.020 Permitted uses. A. Permitted uses in the C commercial district are as follows:

1. Hotels;
2. Theaters;
3. Recreation halls;
4. Office buildings;
5. Studios;
6. Dancing academies;
7. Newspaper printing plants;

8. Printing and bookbinding establishments;
9. Photograph galleries;
10. Restaurants and tea rooms;
11. Undertaking parlors;
12. Telephone exchanges;
13. Stores, retail and wholesale;
14. Garages, private and public;
15. Assembly halls;
16. Lodge halls;
17. Stage depots;
18. Automobile sales rooms;
19. Service stations;
20. Repair shops;
21. Dry-cleaning and laundry establishments;
22. Carpenter shops;
23. Motels;
24. Mobile home parks;
25. Uses permitted in A residential districts and in B residential districts.

B. The following uses may be permitted by the Board of Appeals, after public notice and hearing, under appropriate safeguards and such special conditions as said board deems necessary:

1. Light manufacturing, which is not dangerous or offensive on account of dust, gas or smoke and noise.
2. Warehouses used for storage of merchandise that is sold at retail on the premises to the ultimate consumer, excluding mail-order warehouses.
3. Warehouses used for storage of personal property not intended for sale.

SECTION 12: That Section 17.32.040 of the Payette Municipal Code shall be amended to read as follows:

17.32.040 Buildings and use restrictions generally.

A. No window or door while in an open position or during opening shall project into any street or alley.

B. For each five thousand square feet of floor space, one off-street loading zone of at least three hundred square feet shall be provided on the property.

C. For all business or commercial use permitted in "C" Commercial District built after the effective date of this ordinance, the number of off-street parking areas shall be determined by both the planning commission and the city council.

SECTION 13: Any portions of any existing Ordinances which

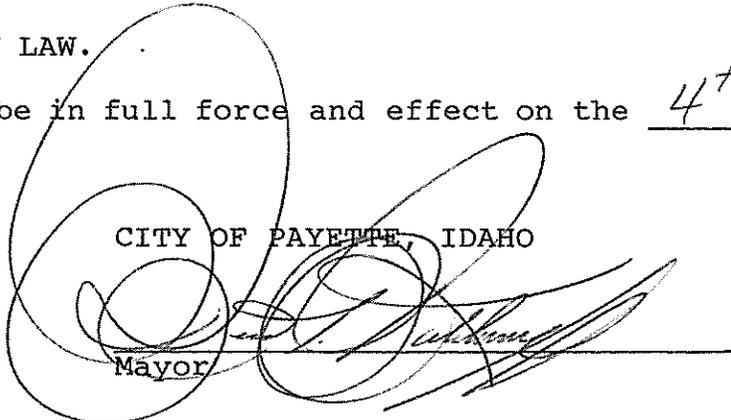
are in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

SECTION 14: If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

BE IT ORDAINED AND RESOLVED THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS APPROVAL, PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

This Ordinance shall be in full force and effect on the 4th day of May, 1987.

CITY OF PAYETTE, IDAHO



Mayor

ATTEST:

John P. Frankel
City Clerk