

ORDINANCE NO. 1128

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING SECTION 17.28.040 OF THE PAYETTE MUNICIPAL CODE ESTABLISHING STANDARDS FOR OFF-STREET PARKING FOR SINGLE AND MULTIPLE FAMILY DWELLINGS; REQUIRING DRIVING ISLES TO REMAIN OPEN; REQUIRING OPEN SPACES PROVIDING FOR KEEPING OF ANIMALS; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ALLOWING FOR PUBLICATION BY SUMMARY; ESTABLISHING A REPEALER.

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

Section 1. Section 17.28.040 of Title 17 of the Payette Municipal Code, is hereby repealed.

Section 2. There is hereby created a new Section 17.28.040 of Title 17 of the Payette Municipal Code, which section shall read as follows:

17.28.040 Building area and use restrictions.

A. Single family dwellings with one or two bedrooms shall provide at least two (2) off-street parking areas.

B. Multiple dwellings, including but not limited to town-houses and multi-family dwellings which have two bedrooms shall provide two (2) off-street parking areas for each dwelling unit.

C. Multi-family units, including but not limited to town-houses and multi-family dwellings, with three bedrooms shall provide two and one-half (2½) parking spaces for each three bedroom unit.

D. Any single or multi-family dwelling with four bedrooms or more shall provide at least three (3) parking units per living unit, unless otherwise authorized by the Planning and Zoning Commission.

E. A multi-family development shall provide a minimum of 3000 square feet of a usable lot for each living unit. Usable lot shall be defined as and synonymous with a lot upon which a building could be constructed on a single plane and shall exclude hillsides, draws, ravines or flood plains.

F. In a multi-family development, buildings shall be constructed so that no point of any building is closer than twenty feet from any other building. This shall include roof lines, eaves, architectural projections, porches and cupolas.

G. In a multi-family development, there shall be reserved in each parking area or driving aisle a turn-around with a minimum of ninety feet in diameter and in which parking shall be prohibited and which will be reserved exclusively for emergency

equipment turn-around and traffic flow.

H. In a multi-family development, any lot which has a depth in excess of four hundred feet shall have access from both front and rear.

I. In a multi-family development, parking spaces shall be at least nine feet by twenty feet.

J. In a multi-family development, driving aisles which are pertinent to, bordering upon, or lying between parking areas or running between buildings shall have a minimum of twenty-four feet in width.

K. In a multi-family development, all parking areas, parking spaces, turn-arounds and driving aisles shall be paved with two inch asphalt.

L. In a multi-family development, no building shall be higher than two stories and in no event to exceed twenty-five feet.

M. In a multi-family development, open areas, including but not limited to children's playgrounds, green belts and green areas, shall be provided.

N. In a multi-family development, a landscaping plan shall be developed and complied with.

O. Street rights-of-way, including but not limited to internal street, connector streets, feeder streets and main thoroughfares will be provided for.

P. All public utilities will be provided for as well.

Q. Signboards of not more than eight (8) square feet may be permitted.

R. One (1) horse, or three (3) sheep or one (1) cow with calf may be maintained on the lot, provided there is at least twenty one thousand eight hundred (21,800) square feet of fenced area for the animals and the landowner obtains a permit from the City Council and only so long as the animals do not cause offensive odors or create a disturbance to the people of the neighborhood. After notice and hearing, the City may further limit or expand the number of animals which may be kept. Swine and goats are prohibited.

S. Where other use restrictions are not provided for in this section, all building and use restrictions applicable to A Residential districts shall be applicable in B Residential districts.

Section 3. Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 4. If any portion of this ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the ordinance shall constitute ordinance number 1128.

Section 5. This ordinance may be published by summary in accordance with the statutes of the state of Idaho.

Section 6. This ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Passed and approved by the Mayor and City Council this 20th day of May, 1996.

CITY OF PAYETTE

By James E. McQuinn  
Mayor

ATTEST: John P. Franks  
City Clerk