

THE CITY OF SHELLEY REZONE APPLICATION

Rezone Fee: \$500.00 plus the actual publication and notification costs.

Combined Annexation/Rezone Fee: \$600.00 plus the actual publication and notification costs.

The fees are to be paid to City Hall prior to the Public Hearing.

THIS APPLICATION MUST BE SUBMITTED TO CITY HALL AT LEAST A WEEK PRIOR TO THE CALL FOR A PUBLIC HEARING.

APPLICANT MUST FILL IN THIS APPLICATION ENTIRELY. APPLICANT MUST PROVIDE THE LEGAL DESCRIPTION(S) OF PROPERTY OR PROPERTIES LISTED ON THE APPLICATION. SUCH LEGAL DESCRIPTIONS MAY BE OBTAINED AT THE BINGHAM COUNTY COURTHOUSE OR WITH AN ENGINEER.

NAME: _____ DATE: _____

ADDRESS: _____

PHONE: _____ PRESENT ZONING

DISTRICT: _____

LEGAL DESCRIPTION OF PROPERTY: PLEASE PROVIDE ATTACHMENT

PHYSICAL ADDRESS OF PROPERTY: _____

PRESENT LAND USE: _____

PROPOSED AMENDMENT: _____

PLEASE WRITE A STATEMENT OF WHY THE PROPOSED AMENDMENT IS REQUESTED AND HOW THE PROPOSED AMENDMENT RELATES TO THE PLAN AND HOW THE PROPOSED AMENDMENT FITS THE CRITERIA OF ORDINANCE 10-9-2. (A COPY OF THIS ORDINANCE IS ATTACHED FOR YOUR REFERENCE.)

REZONE REQUESTS FOR SMALL TRACTS AND/OR SINGLE OWNERSHIP TRACTS
MUST BE ACCOMPANIED BY FINDINGS OF PUBLIC OR COMMUNITY INTEREST

DATED THIS _____ DAY OF _____, 20____.

APPLICANT'S SIGNATURE: _____

PLANNING AND ZONING COMMISSION

APPROVED _____ DENIED _____

DATED THIS _____ DAY OF _____, 20____.

BY: _____

TITLE: _____

MAYOR AND CITY COUNCIL

APPROVED _____ DENIED _____

DATED THIS _____ DAY OF _____, 20____.

BY: _____

TITLE: _____

**UPON APPROVAL OF THIS APPLICATION NOTIFICATION WILL BE MAILED TO
YOU WITH ANY CONDITIONS SPECIFIED DURING THE PUBLIC HEARING.**

PETITION

Please obtain the signatures from the property owners within 300 feet of the property that may be affected by the Rezone request.

I, _____, residing at _____,

am unable to meet certain requirements as specified in the City of Shelley ordinances. I would

like to request to rezone a parcel of property for the purpose of _____

A Planning and Zoning meeting will be held to consider this matter on _____

at 7:30 p.m. at the Shelley City Hall, 101 S. Emerson Ave., Shelley, Idaho. The Mayor and

Council will consider this matter at the City Council Meeting scheduled for _____

_____. Please sign below if you have no objections to our request for the above-stated

rezone.

Printed Name

Signature

Physical Address

CHAPTER 9

PERFORMANCE STANDARDS

<i>10-9-1</i>	<i>General</i>
<i>10-9-2</i>	<i>Criteria for Siting and/or Re-Zoning</i>
<i>10-9-3</i>	<i>Provisions for Commercial and Industrial Use</i>
<i>10-9-4</i>	<i>Supplemental Land Use Provisions</i>
<i>10-9-5</i>	<i>Provisions for Parking and Loading</i>
<i>10-9-6</i>	<i>Subdividing Requirements</i>
<i>10-9-7</i>	<i>Requirements for Signs</i>

10-9-1: GENERAL: The purpose of this Chapter is to establish criteria for the application of this Ordinance and to set specific conditions for various uses, classifications of uses or areas where problems are frequently encountered.

10-9-2: CRITERIA FOR SITING AND/OR RE-ZONING: All siting and uses shall be as designated on the Official Schedule except as otherwise provided in this Ordinance. When a siting or use is sought under a Special Use Permit or through an application for a zone change, Commission action shall be based on the following criteria in addition to the standards and requirements contained in Chapters 10 and 17:

(A) Residential/Agriculture District (R/A)--

- (1) Suitability of parcel for residential/agricultural purposes;
- (2) Proximity to existing urban areas of similar population density;
- (3) Lot size or sizes compatible with existing lot sizes in area;
- (4) Protection from incompatible uses; and
- (5) Compatibility with existing uses.

(B) Single Family Residence District (R1)--

- (1) Close proximity to existing City boundaries or subdivisions which are zoned R1;

- (2) Lot size or sizes compatible with existing lot sizes in immediate vicinity;
 - (3) Accessibility to City services or possibility of extension of services in foreseeable future;
 - (4) Protection from incompatible uses; and
 - (5) Compatibility with existing uses.
- (C) Two-family Dwelling District (R2)--
- (1) Close proximity to existing residential areas with similar population density;
 - (2) Close proximity to existing R2 districts;
 - (3) Protection from incompatible uses; and
 - (4) Compatibility with existing uses.
- (D) Multiple Residence District (RM)--
- (1) Close proximity to existing districts with similar population density;
 - (2) Close proximity to existing RM districts;
 - (3) Proximity to central business district services;
 - (4) Accessibility to major arteries; and
 - (5) Compatibility with existing uses.
- (E) Residential/Office District (RO)--
- (1) Close proximity to central business district;
 - (2) Suitability of area as a transition area; and
 - (3) Compatibility with existing uses.
- (F) Central Business District (CB)--

- (1) Close proximity to existing central business district;
- (2) Serviceable by major arteries;
- (3) Compatibility with existing uses.

(G) Heavy Commercial District (HC)--

- (1) Location which minimizes potential traffic problems;
- (2) Lot size or sizes sufficient for intended use;
- (3) Compatibility with existing uses; and
- (4) Adequate buffering for adjacent incompatible uses.

(H) Manufacturing District (M)--

- (1) A tract of land adequate for present and anticipated growth;
- (2) Topographic and soil characteristics adequate for good drainage and structural support;
- (3) Convenient access to major transportation system;
- (4) Adequate utility services, either public or private;
- (5) Location of tract sufficiently removed from urban areas to minimize environmental effects on neighboring nonindustrial uses; and
- (6) Location of tract sufficiently removed from urban areas to minimize encroachment by residential or commercial development.

(I) Residential Estate District (RE)

- (1) Lot sizes of at least one-half acre, and at least one hundred fifteen (115) feet wide;
- (2) Street width consisting of a sixty-two (62) foot right of way comprised of thirty-two (32) feet of three (3) inch compacted asphalt with subgrade to City specifications, with minimum three (3) inch rolled curb, two and one-half (2 ½) feet of ribbon on each side, seven (7) foot planter strips on each side, five (5)

foot wide sidewalks on each side, with one-half (1/2) foot extra space on the property owner's side of the sidewalks.

- (3) As early as possible and no later than prior to approval of any final plat, the City Engineer must review all streets included within or providing access to any RE parcel to determine whether a traffic study is necessary or advisable, and then what, if any, changes should be made or street improvements must be done.
- (4) Stormwater catch basins and retention ponds to City specifications, with the expectation that the City will maintain said areas after the owner or developer installs a sprinkler system and plants grass;
- (5) Front setbacks shall be no less than forty-five (45) feet and no more than sixty-five (65) feet from the right of way; side setbacks shall be no less than twenty (20) feet from the property line and 35' from the garage side, , with side setbacks along a street no less than twenty five (25) feet from the right of way; and rear setbacks shall be no less than twenty-five (25) feet from the property line; (Ordinance 631 03/08/22) (Ordinance 642)
- (6) Each lot must connect to City water and sewer services;
- (7) Street lights to be installed at intersections and then at least every 600 feet;
- (8) Fire hydrants shall be installed every 300 feet and comply with the International Fire Code, as the City may adopt from time to time;
- (9) Each dwelling unit to have its own water meter pit;
- (10) Each lot to be irrigated by a pressurized secondary irrigation system if the property is located in the boundaries of an irrigation district or canal company in accordance with applicable state and local laws and regulations; the City shall have no responsibility to maintain or manage this irrigation system; and
- (11) Compliance with the purposes, procedures, and design standards set forth in Title 10, Chapter 16 of the City Code of the City of Shelley, but in the event of any conflict between that Chapter and this Section 10-9-2, this Section shall prevail.

10-9-3: PROVISIONS FOR COMMERCIAL AND INDUSTRIAL USES:
No land or building in any district shall be used or occupied in any manner creating

Title 10-9-4