CHAPTER 5
OVERLAY ZONES REGULATIONS

11-5-1: PT PLANNED TRANSITION ZONE.

(A) Purpose. The purpose of the PT Planned Transition Zones is designed to maintain land use compatibility and enhance the functioning of arterial streets by requiring conformity to performance standards as set forth in this Section.

(B) Allowed Uses and Structures.

(1) Refer to the underlying zone for allowed residential uses.

(2) See Table 11-2-2 for uses allowed in addition to the uses allowed by the underlying zone. (Ord. 3496, 12-8-22)

(C) General Requirements.

(1) No use shall be made of any property within the PT Zone without prior application and approval as set forth in Chapter 6 Administration of this Code.

(2) All development in the PT Zone shall comply with the requirements of this Code and the City of Idaho Falls Subdivision Ordinance, except where the performance standards established in this Section impose more stringent requirements, then the performance standards shall control.

(D) Dimensional Standards.

(1) Minimum Size. When developing a site for a use not permitted by the underlying zone, the sites shall have a minimum size of at least thirty-thousand square feet (30,000 ft^2). A waiver from the minimum lot size may granted subject to the provisions for review set forth in Section 11-6-5H. (Ord. 3496, 12-8-22)

(2) Maximum Lot Coverage. Maximum lot coverage shall be fifty percent (50%) for multi-unit residential uses and seventy percent (70%) for commercial uses.

(3) Maximum Building Height. Maximum building height shall not be any higher than four feet (4') above the highest point of any building located on any property contiguous to the proposed use.

(4) Exceptions to the dimensional standards may be approved as set forth in Chapter 6 Administration of this Code.

(E) Performance Standards. (Ord. 3210, 8-23-18)

(1) Buffering. All uses shall be effectively buffered to screen adjoining streets or uses from sight, sound, micro climatic or other adverse impacts. Such buffers shall be installed in accordance with the standards set forth below:

(a) Whenever practical, existing trees shall be saved and used in buffers or other landscaping on the site.

(b) All commercial uses shall provide an effective buffer along arterial streets that includes street trees in a ten foot (10') wide planting strip, and an effective landscaping or shrubbery buffer between the sidewalk and parking lots and buildings.

(c) Where high density residential uses border an arterial street, parking shall be used as part of a buffer that includes street trees in a ten foot (10') wide planting strip, the sidewalk, and an effective buffer between sidewalk and the parking area.

(d) All uses shall provide a buffer along non-arterial streets, including street trees at forty foot (40') centers in an eight foot (8') wide planting strip between the sidewalk and parking lots or buildings. The buffer shall cause the non-arterial streets to appear residential in character, even when used for access to commercial uses.

(e) Outdoor storage, loading, and service areas shall be screened from public streets or adjoining properties. Separate screening is not required where required buffers fulfill this standard.

(2) Hours of Operation. A commercial use within the PT Zone shall not be open to the public between the hours of 11:00 p.m. and 6:00 a.m.

11-5-2: WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS.

(A) Purpose. The purposes of this Section include:

(1) Protection of residential areas, land uses, and people from potential adverse impacts of towers and antennas;

(2) Encouraging the location of towers in non-residential areas;

(3) Minimizing the total number of towers throughout the community;

(4) Encouraging the joint use of new and existing tower sites as a primary location rather than construction of additional single-use towers;

(5) Encouraging users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;

(6) Encouraging users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques and sensitivity to the character and aesthetics of neighborhoods and areas (including the Central Business District);

(7) Enhancing the ability of the providers of telecommunications services to provide such services to the community effectively and efficiently;

(8) Consider the public health and safety of communication towers;

(9) Avoiding, where possible, potential damage to contiguous properties from tower failure through engineering and careful siting of tower structures.

(B) Applicability. The provisions of this Section shall apply to the siting, design, and maintenance of all communication towers and antennas in City limits except for the following:

(1) Amateur radio station operators and receive-only antennas under seventy feet (70') in height; and owned and operated by a federally-licensed amateur radio station operator or used exclusively for receive-only antennas.

(2) Towers and antennas existing prior to September 14, 2000, that meet the requirements of State or federal laws and regulations and comply with City Code.

(3) Radio and TV towers and antennas that are accessory uses for radio and television stations where permitted in the Zone, unless modified for collocation as specified in this Section.

(4) Small Wireless Facilities located in the Right-Of-Way, as that term is defined in the Zoning Code. Small Wireless Facilities located in the Right-Of-Way shall be regulated through a Master Lease Agreement, and through Idaho Falls Power Policy, including Design Standards, adopted from time to time by Resolution of the Council.

(C) Local, State or Federal Requirements.

(1) All towers shall comply with current minimum standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas.

(a) If the state, federal, or local tuner or antenna standards and regulations are changed, then the owners of the towers and antennas governed by this Section and this Code shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal regulator.

(b) Failure to bring towers and antennas into compliance with such revised state, federal, or local standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

(2) All towers shall comply with standards contained in this Code, including the International Building Code, and the National Electric Code.

(D) Permitted Antennas and Towers.

(1) Antennas attached to any commercial, industrial, professional, institutional, or multi-family structure of eight (8) or more dwelling units as set forth in Section 11-6-5(D), provided the antenna does not extend more than thirty feet (30') above the highest point of the structure.

(2) Antennas attached to an existing towers.

(3) Cable microcell network through the use of multiple low-powered transmitters/receivers attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

(4) Antennas placed and concealed within structures.

(5) Antennas attached to a light standard, flag pole, or similar structure on a commercial or institutional use, provided the antenna does not extend more than ten feet (10') above the highest point of the standard.

(6) Additional tower units added within the perimeter of an AM array.

(7) Antennas or towers located in the T-1 and T-2 Overlay Zones that comply with the provisions of those zones.

(8) Antennas attached to Small Wireless Facilities, as allowed by this Code.

(E) Colocation. In order to minimize adverse visual impacts associated with the proliferation and clustering of towers and Small Wireless Facilities, collocation of antennas by more than one (1) carrier on existing towers and Small Wireless Facilities shall take precedence over the construction of new

towers or Small Wireless Facilities, provided such collocation is accomplished in a manner consistent with the following:

(1) A tower or Small Wireless Facility which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower or Small Wireless Facility type as the existing tower, unless the Zoning Administrator allows reconstruction as a Monopole.

(2) An existing tower in a T-2 Zone may be modified or rebuilt to a taller height to accommodate the collocation of an additional antenna.

(a) The modified height shall not exceed thirty feet (30') over the tower's existing height. This height change may only occur one (1) time per tower.

(b) The additional height shall not require an additional distance separation as set forth in Table 11-5-4 Separation from Off-Site Uses/Designated Areas. The tower's pre-modification height shall be used to calculate such distance separations.

(3) Onsite Relocation.

(a) A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved onsite within fifty feet (50') of its existing location.

(b) After the tower is rebuilt to accommodate collocation, the old tower must be removed.

(c) A relocated onsite tower shall be measured from the original tower location for purposes of calculating separation distances between towers pursuant Table 11-5-5 Distance Between Towers.

(d) The onsite relocation of a tower shall not come within the separation distances to residential units or residentially zoned lands as established in Table 11-5-4 Separation from Off-Site Uses/Designated Areas.

(F) General Requirements for Small Wireless Facilities

(1) Principal or Current Accessory Use Allowed. Small Wireless Facilities may be considered either principal or accessory uses. A use of an existing structure on the same lot shall not automatically preclude the installation of a Small Wireless Facility on such lot, but shall be subject to the judgment of the Zoning Administrator.

(2) Zoning For Small Wireless Facilities

(a) Small Wireless Facilities shall be a permitted use within a City-owned or -controlled utility easement on City-owned property in a residential zone or a City-owned or –controlled utility easement in a non-Residential Zone subject to Design Standards for Small Wireless Facilities, adopted from time to time by Resolution of the Council.

(b) Small Wireless Facilities shall be approved by the Zoning Administrator as a principal or accessory use in any Zone where the Small Wireless Facility complies with all requirements set forth in this Subsection and this Code, especially state and federal regulations, including all applicable FCC and FAA regulations; and the Uniform Building Code and National Electric Code, as amended.

(3) Pole Construction, Setback, And Fall Zone Standards for Small Wireless Facilities

(a) A Monopole or Replacement Pole located outside of a T-1 or T-2 Zone shall not exceed a height of ten feet (10') above the tallest existing utility structure, unless the taller structure

in the Zone is a utility tower or a Support Structure upon which Small Wireless Facilities are to be attached. A Monopole or Replacement Pole located within the T-1 or T-2 Zone shall comply with the height standard for such Zone.

(b) A Monopole or Replacement Pole that supports a Small Wireless Facility shall be permitted within a City-owned or –controlled utility easement on City-owned property in a residential zone or City-owned or -controlled utility easement in a non-Residential Zone, in accordance with requirements of this Code and pursuant to the following:

i. Before Small Wireless Facility construction commences in a utility easement for a Monopole or Replacement Pole, the Applicant shall provide written evidence of a license agreement, permit, or legal right between the City and the owner of the location and structure.

ii. Small Wireless Facilities located within an utility easement are exempted from setback requirements, unless the location is not in compliance with traffic or transportation requirements of this Code, as determined by the Director of Public Works.

iii. Single carrier Monopoles may be used within an utility easement only in compliance with the height restriction imposed by this Subsection.

iv. Small Wireless Facilities that use the structure of a utility tower or utility Support Structure for support are permitted under this Section and may extend up to a maximum of ten feet (10') above the height of such utility tower or Utility Support Structure.

v. Facilities within a utility easement shall relocate within ninety (90) days of request by the City.

vi. No Small Wireless Facility shall be less than three hundred feet (300') from another Small Wireless Facility, unless by Conditional Use Permit.

(4) Application for Small Wireless Facilities. The application for a Small Wireless Facility shall be made pursuant to the process contained in Title 11, Chapter 6 of this Code.

(5) Decisions Regarding Small Wireless Facilities. Within sixty (60) days of the date upon which an Applicant submits an application deemed complete by the Zoning Administrator, the City shall render a decision on the application for a Small Wireless Facility. Any decision to approve with conditions, or deny an application for a Small Wireless Facility, shall be in writing and supported by competent evidence in a written record. The Applicant shall receive a copy of the decision. The foregoing shall apply only to applications for Small Wireless Facility and shall not apply to a permit for any building, right-of-way, or any other permit required by this Code.

(G) T-1 Overlay Zone Requirements. The purposes of the T-1 Overlay Zone are to permit towers of limited height on publicly owned property or commercial areas near major highways and existing towers. The height of the towers is limited due to the proximity of residences. Antennas or towers, and accessory structures and equipment associated with towers and antennas shall meet the following requirements:

(1) The height shall not exceed ninety feet (90').

(2) The tower shall be constructed to permit another carrier to collocate.

(3) The base of the tower shall be at least one hundred percent (100%) of the height of the tower

from the closest property line of the nearest residence.

(4) Towers shall meet the separation distances in Table 11-5-4 Separation from Off-Site Uses/ Designated Areas and Table 11-5-5 Distance Between Towers.

(5) Towers and accessory structures shall meet the setback requirements of the underlying Zoning Zone.

(6) No equipment shelter shall produce noise levels separate or accumulative above 45dB as measured from the nearest property line on which the tower is located.

(H) T-2 Overlay Zone Requirements. The purpose of the T-2 Overlay Zone is to permit towers on commercially or industrially zoned properties near major highways. These Zones are buffered from residential areas by natural or man-made features such as rivers and railroads or physical distance. Antennas or towers, and accessory structures and equipment associated with towers and antennas shall meet the following requirements:

(1) Height.

(a) For a single user, up to ninety feet (90') in height.

(c) For two (2) users, up to one hundred-twenty feet (120') in height; and

(d) For three (3) or more users, up to one hundred-fifty feet (150') in height.

(2) Setbacks.

(a) Towers must be setback a distance equal to at least seventy-five percent (75%) of the height of the tower from any public street.

(b) Guys and accessory buildings shall meet the setback requirements of the underlying Zone.

(c) No equipment shall produce noise levels separate or accumulative above 45dB as measured from the nearest property line of the closest residence.

(d) Towers shall meet the minimum separation requirements of Table 11-5-4 Separation from Off-Site Uses/Designated Areas and Table 11-5-5 Distance Between Towers.

Table 11-5-4: Separation from Off-Site Uses

Separation From Off-Site Uses	
Residential Zones or residential designations on the comprehensive plan	200' or 300% of tower height whichever is greater
Non-residentially zoned lands or land shown as commercial/industrial on the Comprehensive Plan	Setback as required for main structures in the applicable Zone

Table 11-5-5: Distances Between Towers

Separation Distances Between Towers (In Feet)				
	Lattice	Guyed	Monopole 70' in height or greater	Monopole less than 70' in height
Lattice	2000	2000	1000	500
Guyed	2000	2000	1000	500

Monopole 70’ in height or higher	1000	1000	1000	500
Monopole less than 70’ in height	500	500	500	500

(I) Measurement Interpretations.

(1) In determining the dimensional requirements for the zoning regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.

(2) In determining tower separation from offsite uses/designated areas as set forth in able 11-5-4 Separation from Off-Site Uses/Designated Areas, distance shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas.

(3) In determining tower separation from offsite uses/designated areas as set forth in able 11-5-4 Separation from Off-Site Uses/Designated Areas, tower setbacks and separation distances shall be calculated and applied to facilities located in Idaho Falls irrespective of municipal and country jurisdictional boundaries.

(4) In determining separation distances between towers as set forth in Table 11-5-5 Distance Between Towers, the distance shall be measured between the proposed tower and preexisting tower(s). The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan of the proposed tower.

(5) An AM array, consisting of one (1) or more tower units and supporting ground system which functions as one (1) AM broadcasting antenna, shall be considered one (1) tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array.

(J) Design of Towers and Antennas.

(1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted and maintained a neutral color subject to approval by the City, to reduce visual obtrusiveness unless the tower is a laminated monopole.

(2) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.

(3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure to make the antenna and related equipment as visually unobtrusive as possible.

(4) Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

(5) Signs. No advertising signs shall be allowed on an antenna or tower.

(K) Accessory Structures to Antennas or Towers.

(1) Accessory structures shall not contain more than one hundred-twenty square feet (120 ft^2) of gross floor area or be more than twelve feet (12') in height.

(2) Accessory structures shall comply with all applicable building codes and the zoning Zone setback requirements.

(3) Accessory structures located in a residential zone, shall be screened by an evergreen hedge with a minimum height of forty eight inches (48").

(4) Light standards, utility poles or similar existing structure on which the antenna is placed shall not be required to meet the setback requirements of the zoning Zone or the separation distances in this Section.

(L) Removal of Abandoned Antennas and Towers.

(1) Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within ninety (90) days of receipt of notice from the City notifying the owner of such abandonment.

(2) Failure to remove an abandoned antenna or tower within ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense.

(3) If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

(M) Nonconforming Towers and Antennas.

(1) No Expansion of Nonconforming Use. Towers constructed and antennas installed in accordance with the provisions of this Code shall not be deemed to constitute the expansion of a nonconforming use or structure.

(2) Pre-existing towers. Preexisting towers shall be allowed to continue their usage as they presently exist.

(a) Routine maintenance (including replacement with a tower of like construction and height) shall be permitted on such preexisting towers.

(i) When a tower using guy wires is replaced with a tower without guy wires, the height may be increased by ten feet (10').

(b) Construction other than routine maintenance on a preexisting tower shall comply with the requirements of this Code.

(3) Damaged or Destroyed Nonconforming Towers or Antennas. Notwithstanding requirements on the removal of abandoned antennas and towers, nonconforming towers or antennas damaged or destroyed may be rebuilt without having to meet the separation requirements specified in this Section.

(a) The type, height, and location of the tower onsite shall be of the same type and intensity as the originally approved facility.

(b) Building permits to rebuild the facility shall be obtained within one hundred eighty (180) days from the date the facility is damaged or destroyed. If no permit is obtained or if a permit expires, the tower or antenna shall be deemed abandoned as specified by this

Section.

(Ord. 3263, 7-25-19)

11-5-3: AIRPORT OVERLAY ZONE

(A) Purpose. The City has accepted federal and state grants for projects at its Idaho Falls Regional Airport ("Airport"). As a condition of these grants, the City is required to comply with grant assurances regarding compatible land use and protection of airspace. For compatible land uses these grant assurances require the City to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal Airport operations, including landing and takeoff of aircraft. For the protection of airspace these grant assurances require the City to take appropriate action to assure the airspace required to protect instrument and visual operations for the Airport will be adequately cleared and protected by removing, lowering, relocating, marking, lighting, or otherwise mitigating existing Airport hazards and by preventing the establishment or creation of future Airport hazards.

(B) Compatible Land Use Regulations.

(1) Establishment of Zones. For the purpose of regulating the development of noise-sensitive land uses, to promote compatibility between the Airport and the surrounding land uses, to protect the Airport from the effects of incompatible development, and to promote the health, safety, and general welfare of property users. The controlled area of the Airport is divided into five (5) Airport-Compatible Land Use Overlay Zones known as:

(a) No Development Zone. The No Development Zone generally protects the area lateral and adjacent to the Airport runway. In most cases, only aeronautical -related uses are authorized in this Zone.

(b) Limited Development Approach Surface Zone. The Limited Development Approach Surface Zone provides a sixty (60)-degree sector in which aircraft are conducting their turn and decent to fi final approach or initial turn after take off.

(c) Controlled Development Approach Surface Zone. The Controlled Development Approach Surface Zone protects the area on an extended approach or departure path from the runway end.

(d) Limited Development Zone. The Limited Development Zone is the area in which routine traffic c and touch-and-go maneuvers are conducted. This Zone provides a general environment of safety for aircraft, persons and property.

(e) Controlled Development Zone. The Controlled Development Zone is the area where aircraft are transitioning to or from en route altitude or Airport over-flight altitude to or from the standard traffic pattern altitude of eight hundred (800) to one thousand (1,000) feet above airport elevation. In this Zone, the underlying Zone land use restrictions apply, and a 7460.1 Form from the FAA is required for structures that do not meet the exceptions of Section 11-5-3(D) FAA Form 7460.1, Notice of Proposed Construction or Alteration.

(2) The Airport Compatible Land Use Overlay zoning boundary lines shall be shown on the official Idaho Falls Regional Airport Off Airport Land Use Map, located in the City's Planning Division. Where uncertainty exists regarding the boundaries of the Airport Compatible Land Use Overlay Zones, as shown on the official map, the rules of Chapter 3 shall apply in order to determine Zone boundaries.

(3) Multiple Zones on a Single Parcel. Where a parcel of land lies within more than one (1) Airport Compatible Land Use Overlay Zones, the area of the property within the boundaries of each Zone shall apply individually and respectively to each portion of the property.

(4) If a proposed land use of property is not listed in Table 11-5-6: Compatible Uses in the Airport Overlay, the land use shall be prohibited, unless the Zoning Administrator specifically determines that the proposed use is equivalent to a compatible use or compatible use with conditions required by the Zoning Administrator which make the use compatible. In making the use determination, the Zoning Administrator shall consider each of the following:

(a) Whether the likely impacts on public services and activities associated with the proposed use are substantially similar to those of one or more of the allowed uses listed in the applicable Zone;

(b) Whether the proposed use involves a more intense level of activity or greater density than one or more of the allowed uses listed in the applicable Zone;

(c) Whether the proposed use is consistent with the purpose of the Zone in which the use is proposed to be located; and

(d) Whether the proposed use is in substantial conformance with goals and objectives of the Comprehensive Plan and Airport Master Plan.

(5) Conflicts in Uses. Where there is a conflict in compatible uses set forth in Table 11-5-6: Compatible Uses in the Airport Overlay and any use set forth in Chapter 2 of this Code, the more restrictive shall apply.

(6) The Zoning Administrator shall determine the most appropriate category for mixed uses or for uses that fall into more than one (1) category of land use classifications. The determination shall be permitted based on the more restrictive use.

(7) Existing Uses. No building permit shall be granted that would allow any obstruction of a nonconforming use or structure to become a greater hazard to air navigation than it was on the effective date of this Chapter or on the date of any amendments to this Chapter.

(8) Where specified on Table 11-5-6: Compatible Uses in the Airport Overlay and in order to mitigate the effects of development on the ability of the City to continue to deliver public airport services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision development and to the extent the City does not have a prescriptive easement, the property owner shall dedicate to the City, in advance of receiving a building permit, an avigation easement, as defined by this Zoning Code. Avigation easement dedication is not necessary where or to the extent the City has established a prescriptive right to the airspace.

(9) For property that is within the Idaho Falls Regional Airport Off Airport Land Use Map but outside of the jurisdictional limits of the City, regulations of this Section of Code shall apply

to formulate land use recommendations or responses to land use comment requests from other jurisdictions.

(10) No use shall be made of land, water or structures within any Zone established by this Chapter in such a manner that creates electrical interference with navigational signals or radio communication between the Airport and aircraft; makes it difficult for pilots to distinguish between Airport lights and others or result in glare in the eyes of pilots using the airport; impairs visibility in the vicinity of the Airport; creates bird-strike hazards; or otherwise endangers or interferes with the landing, taking off or flight operations of aircraft utilizing the Airport.

(11) Uses listed as not compatible in Table 11-5-6: Compatible Uses in the Airport Overlay, may be considered compatible when:

(a) The use was approved prior to the approval of this Section.

(b) The FAA Form 7460.1, Notice of Proposed Construction or Alteration determines that there is "no objection" or "no objection with provisions" for the use.

(c) The requirements of the most restrictive Zone are applied.

Table 11-5-6: Compatible Uses in the Airport Overlay

"N" denotes a use that is not compatible and is prohibited.
"Y" denotes a use that is compatible.
"C" denotes a use that is compatible that meets one or more of the following indicated conditions where applicable:

a. Residential densities must be less than nine (9) units per acre for areas of parcels located within the sixty five (65) decibel limit on the IFRA Noise Contours Map (located in the City's Planning Division)
b. Structures shall be shifted away from runway centerline when possible
c. A recorded avigation easement is required
d. A recorded avigation easement is required if within one thousand feet (1000') of the runway.
e. Permitted uses will not create bodies of water, or generate smoke, steam, or other visual obstruction
f. An Airport Disclosure Note is required on plats recorded after the adoption of this Section.

Compatable Land Uses				
Land Use	**No Development**	**Limited Development Approach Surface**	**Controlled Development Approach**	**Limited Development**
Accessory use	N	C[c,f]	Y	Y
Adult Business	N	C[c,f]	Y	Y
Agriculture	N	Y	Y	Y
Agriculture Tourism	N	C[c,f]	Y	Y
Airport	Y	Y	Y	Y
Amusement Center, Indoor	N	N	Y	Y
Amusement Center, Indoor Shooting Range	N	N	Y	Y
Amusement Center, Outdoor	N	C[c,e,f]	C[e]	Y
Animal Care Clinic	N	C[C,F]	Y	Y
Animal Care Facility	N	C[c,f]	Y	Y
Artist Studio	N	C[b,c,e,f]	C[e]	C[e]
Auction, livestock	N	C[c,e,f]	Y	Y
Bed and Breakfast	N	N	C[a,b,f]	C[d,f]
Boarding /Rooming House	N	N	C[a,b,f]	C[d,f]
Building Contractor Shop	N	C[b,c,f]	Y	Y
Building Material, Garden and Farm Supplies	N	C[b,c,f]	Y	Y
Cemetery	N	C[c,e,f]	C[e]	Y
Club	N	N	Y	Y
Communication Facility	N	C[b,c,e,f]	Y	Y
Correctional Facility or Jail	N	C[b,c,e,f]	C[b,e]	Y
Day Care, all Types	N	C[b,c,f]	Y	Y
Drinking Establishment	N	C[b,c,f]	Y	Y
Compatable Land Uses				
Land Use	**No Development**	**Limited Development Approach Surface**	**Controlled Development Approach**	**Limited Development**
Drive-through Establishment	N	C[b,c,f]	Y	Y
Dwelling, accessory unit	N	N	C[a,b,f]	C[d,f]
Dwelling, multi-unit	N	N	C[a,b,f]	C[d,f]

Dwelling, single unit attached	N	N	C[a,b,f]	C[d,f]
Dwelling, single unit detached	N	N	C[a,b,f]	C[d,f]
Dwelling, two unit	N	N	C[a,b,f]	C[d,f]
Eating Establishment	N	C[b,c,f]	Y	Y
Eating Establishment, limited	N	C[b,c,f]	Y	Y
Equipment Assembly	N	C[b,c,e,f]	C[b,e]	C[e]
Entertainment and Cultural Facilities	N	N	Y	C[e]
Equipment Sales, Rental and Services	N	C[b,c,f]	Y	Y
Financial Institutions N	N	C[b,c,f]	Y	Y
Food Processing, small scale	N	C[b,c,e,f]	C[b,e]	C[e]
Food Processing N Cb,c,e,f Cb,e Ce	N	C[b,c,e,f]	C[b,e]	C[e]
Food Store N Cb,c,f Y Y	N	C[b,c,f]	Y	Y
Fuel Station N Cb,c,f Y Y	N	C[b,c,f]	Y	Y
Fuel Station, super N Cb,c,f Y Y	N	C[b,c,f]	Y	Y
Health Care and Social Services N N Y Y	N	N	Y	Y
Higher Education Center N Cb,c,f Y Y	N	C[b,c,f]	Y	Y
Home Occupation N N Y Y	N	N	Y	Y
Hospital N Cb,c,f Y Y	N	C[b,c,f]	Y	Y
Industry, Craftsman N Cb,c,e,f Cb,e Ce	N	C[b,c,e,f]	C[b,e]	C[e]
Industry, Heavy N Cb,c,e,f Cb,e Ce	N	C[b,c,e,f]	C[b,e]	C[e]
Industry, Light N Cb,c,e,f Cb,e Ce	N	C[b,c,e,f]	C[b,e]	C[e]
Information Technology N Cb,c,f Y Y	N	C[b,c,f]	Y	Y
Laundry and Dry Cleaning N Cb,c,f Y Y	N	C[b,c,f]	Y	Y
Live-Work	N	N	C[a,b,f]	C[d,f]
Lodging Facility	N	N	C[a,b,f]	C[d,f]
Manufactured Home	N	N	C[a,b,f]	C[d,f]
Medical Support Facility	N	C[b,c,f]	Y	Y
Mobile Home Park	N	N	C[a,b]	C[d,f]
Mortuary	N	N	Y	Y
Park and Recreation Facility	N	N	Y	Y
Parking Facility	C[b,c,e,f]	C[b,c,f]	Y	Y
Pawn Shop	N	C[b,c,f]	Y	Y
Personal Service	N	C[b,c,f]	Y	Y
Planned Unit Development	N	N	C[a,d,f]	C[d,f]
Professional Service	N	C[b,c,f]	Y	Y
Public Service Facility	C[b,c,e,f]	C[b,c,e,f]	C[b,e]	C[e]
Compatable Land Uses				
Land Use	**No Development**	**Limited Development Approach Surface**	**Controlled Development Approach**	**Limited Development**
Public Service Facility, limited	C[b,c,e,f]	C[b,c,e,f]	C[b,e]	C[e]
Public Service Use	C[b,c,e,f]	C[b,c,e,f]	C[b,e]	C[e]
Railroad Freight Terminal and Station	C[b,c,e,f]	C[b,c,f]	Y	Y
Recreational Vehicle Park	N	N	C[a,b,f]	C[d,f]

Religious Institution	N	N	Y	Y
Research and Development	N	C[b,c,e,f]	C[b,e]	C[e]
Residential Care Facility	N	N	C[a,b,f]	C[d,f]
Retail	N	C[b,c,f]	Y	Y
School	N	C[b,c,f]	Y	Y
Short Term Rental	N	N	C[a,b,f]	C[d,f]
Storage Facility, Indoor	N	C[b,c,f]	Y	Y
Storage Facility, self serve	N	C[b,c,f]	Y	Y
Storage Yard	N	C[b,c,f]	Y	Y
Terminal Yard, trucking and bus	C[b,c,e,f]	C[b,c,f]	Y	Y
Transit Station	C[b,c,e,f]	C[b,c,f]	Y	Y
Vehicle Body Shop	N	C[b,c,f]	Y	Y
Vehicle Repair and Service	N	C[b,c,f]	Y	Y
Vehicle Sales and Rentals	N	C[b,c,f]	Y	Y
Vehicle Washing Facility	N	C[b,c,f]	Y	Y
Warehouse	N	C[b,c,f]	Y	Y
Warehouse, Wholesale with flammable materials	N	N	C[b]	Y

(C) Airport Overlay Height Zone Limitations. In order to support the provisions of this Chapter, there are hereby created and established certain Height Zones, which Zones include all of the land and airspace above the surface of the land. Such Height Zones shall be known respectively as the Approach Surface Height Zone, Transitional Surface Height Zone, Horizontal Surface Height Zone and Conical Surface Height Zone. Such Height Zones are shown on the Idaho Falls Regional Airport Height Limitations Map, located in the City's Planning Division.

(1) Establishment of Airport Height Zones: Each portion of a parcel located in more than one (1) of the following Height Zones shall be evaluated independently. The various zones are hereby established and defined as follows:

(a) Approach Surface Height Zone. The inner edge of this Zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The Approach Surface Height Zone expands outward uniformly from the edge of the runway to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand (50,000) feet. Its centerline is the continuation of the centerline of the runway.

(b) Transitional Surface Height Zone. The Transitional Surface Height Zone is the areas beneath the transitional surfaces.

(c) Horizontal Surface Height Zone. The Horizontal Surface Height Zone is established by swinging arcs of five thousand (5,000) or ten thousand (10,000) feet radii from the center of each end of the primary surface of the primary runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The Horizontal Surface Height Zone does not include the Approach Surface Height Zone or the Transitional Surface Height Zone. The Horizontal Surface Height Zone is constructed with ten thousand (10,000) feet radii.

(d) Conical Surface Height Zone. The Conical Surface Height Zone is established as the area that commences at the periphery of the Horizontal Surface Height Zone and extends

outward from a horizontal distance of four thousand (4,000) feet.

(2) Airport Height Zone Limitations. Except as otherwise provided in this Section, no structure shall be erected, altered or maintained in any Height Zone created by this Section to a height in excess of the applicable height limit herein established for such height Zone. Such applicable height limitations are hereby established for each of the Height Zones as follows:

(a) Approach Surface Height Zone. Slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface of the Airport and extending to a horizontal distance of ten thousand (10,000) feet along the extended runway centerline. The surface then slopes forty (40) feet outward for each foot upward beginning at the end of and at the same elevation as the first ten thousand (10,000) feet and extending to a horizontal distance of forty thousand (40,000) feet along the extended runway centerline.

(b) Transitional Surface Height Zone. Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface of the Airport and the Approach Surface Height Zone and extending to a height of one hundred fifty (150) feet above the Airport elevation. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the Approach Surface Height Zone and extending to where it intersects the Conical Surface Height Zone. Where the Approach Surface Height Zone projects beyond the Conical Surface Height Zone, there are height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the Approach Surface Height Zone and extending a horizontal distance of five thousand (5,000) feet, measured at ninety (90) degree angles to the extended runway centerline.

(c) Horizontal Surface Height Zone. One hundred fifty (150) feet above the Airport elevation.

(d) Conical Surface Height Zone. Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the Horizontal Surface Height Zone and at one hundred fifty (150) feet above the Airport elevation and extending to a height of three hundred fifty (350) feet above the Airport elevation.

(D) FAA Form 7460.1, Notice of Proposed Construction or Alteration.

(1) Future Uses. No change shall be made in the use of land and/or structure established in any Height Zone defined in this Chapter unless a Form 7460.1 from the FAA has been applied for and received a letter of determination that has “no objection” or “no objection with provisions”. Each application for a Form 7460.1 shall indicate the purpose for which the building permit or development project is desired, with sufficient particularity to be determined whether the use or structure would conform to the regulations of this Chapter. An FAA Form 7460-1, Notice of Proposed Construction or Alteration, shall accompany each application for a building permit, plat, or site plan. The building permit or development project shall be granted where compliance with this Chapter and this Zoning Code is demonstrated and determined by the Zoning Administrator. No building permit or development project shall be granted for any use inconsistent with the provisions of this Chapter.

(a) In the area lying within the limits of the established Height Zones, no FAA Form 7460.1, Notice of Proposed Construction or Alteration shall be required by this Chapter for any structure where:

(i) The structure is less than two hundred (200) feet above ground level, and

(ii) The structure is lower than an imaginary surface extending outward and upward at a slope of one hundred (100) feet horizontal for each one foot (1') vertical beginning at the closest point of the closest runway to the structure.

(E) The Zoning Administrator may waive dimensional standards or design and development regulations required by this Code when the building is an aviation facility on land owned by the City at the Airport. (Ord. 3310, 6-18-20)

(F) Variances. Any person desiring to erect or increase the height of any structure or use of a property, not in accordance with the regulations prescribed in this Chapter, may apply to the Board of Adjustment for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration regarding the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Variances shall be allowed where it is found that a literal application or enforcement of the applicable regulations will result in unnecessary hardship and when the relief granted will not be contrary to the public interest; not create a hazard to air navigation; do substantial justice; and is consistent with the purpose of this Chapter.

(G) Enforcement. It shall be the duty of Zoning Administrator to administer and to enforce this Chapter. Applications for permits and variances shall be made to the City. Applications required by this Chapter shall be promptly considered and granted or denied. Application for action by the Board of Adjustment shall be transmitted to it promptly by the City.

(Ord. 3248, 5-9-19)(Ord. 3310, 6-18-20)