

ORDINANCE NO. _____
"Omnibus Revisions"

AN ORDINANCE OF THE CITY OF STANLEY, CUSTER COUNTY, IDAHO:

AMENDING TITLE 5 BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.20 TEMPORARY VENDORS LICENSES AND REGULATIONS, SECTION 5.20.030 EXCEPTIONS; AMENDING THE EXCEPTIONS FOR TEMPORARY VENDORS LICENSES

AMENDING TITLE 8 HEALTH AND SAFETY, CHAPTER 8.14 NON PERMANENT STRUCTURES AND HUMAN WASTE DISPOSAL, SECTION 8.14.020 EXCEPTIONS; AMENDING THE REGULATIONS FOR TENT CAMPING ON PRIVATE AND PUBLIC PROPERTY

AMENDING TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 PARKING, SECTION 10.08.010 GENERALLY; AMENDING THE PARKING PROHIBITION PROVISION

AMENDING TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 PARKING, SECTION 10.08.015 PARKING PROHIBITIONS; FURTHER CLARIFYING THE NO PARKING RESTRICTIONS

AMENDING TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 PARKING, SECTION 10.08.040 OPERATION OF SNOW REMOVAL EQUIPMENT; PARKING; AMENDING THE TYPE OF EQUIPMENT THAT SHALL NOT BE PARKED IN A WAY THAT INTERFERES WITH SNOW PLOWING

AMENDING TITLE 10 VEHICLES AND TRAFFIC, CHAPTER 10.08 PARKING, SECTION 10.08.050 OPERATION OF SNOW REMOVAL EQUIPMENT; POSTING OF NOTICES; AMENDING THE CONDITIONS FOR POSTING OF NOTICES DEFINING PERIODS WHEN NO PARKING WILL BE IN EFFECT

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 16 RESIDENTIAL A DISTRICT, SECTION 010 PERMITTED USES; ADDING SHORT TERM VACATION RENTALS AS A PERMITTED USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 16 RESIDENTIAL A DISTRICT, SECTION 015 CONDITIONAL USES; DELETING SHORT TERM VACATION RENTALS AS A CONDITIONAL USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 20 RESIDENTIAL B DISTRICT, SECTION 010 PERMITTED USES; ADDING SHORT TERM VACATION RENTALS AS A PERMITTED USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 20 RESIDENTIAL B DISTRICT, SECTION 015 CONDITIONAL USES; DELETING SHORT TERM VACATION RENTALS AS A CONDITIONAL USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 27 LIMITED COMMERCIAL DISTRICT, SECTION 010 PERMITTED USES; ADDING SHORT TERM VACATION RENTALS AS A PERMITTED USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 27 LIMITED COMMERCIAL DISTRICT, SECTION 020 CONDITIONAL USES; EXCEPTING SHORT TERM VACATION RENTALS FROM THE CONDITIONAL USE PERMIT REQUIREMENT

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 44 RESIDENTIAL C DISTRICT, SECTION 010 PERMITTED USES; ADDING SHORT TERM VACATION RENTALS AS A PERMITTED USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 44 RESIDENTIAL C DISTRICT, SECTION 015 CONDITIONAL USES; DELETING SHORT TERM VACATION RENTALS AS A CONDITIONAL USE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 44 RESIDENTIAL C DISTRICT, SECTION 17.44.080 RECREATIONAL VEHICLES; DELETING THE RESTRICTIONS ON RECREATIONAL VEHICLES

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 46 RECREATIONAL VEHICLES, SECTION 020 USE BY PERMIT ONLY; DELETING THE REQUIREMENT FOR ISSUANCE OF A SPECIAL USE PERMIT AND REQUIRING ISSUING OF A PERMIT

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.48 SIGNS, SECTION 17.48.010 GENERALLY; CLARIFYING THAT BUILDING PERMITS ARE REQUIRED FOR ALL PERMANENT EXTERIOR SIGNS, NOT FOR TEMPORARY SIGNS

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.60 VARIANCES, SECTION 17.60.010 GRANTING AUTHORITY; AMENDING THE DEFINITION OF A VARIANCE

AMENDING TITLE 17 ZONING REGULATIONS, CHAPTER 17.70 VACATION RENTALS, SECTION 17.70.020 GENERAL PROVISIONS; AMENDING THE REQUIREMENTS FOR VACATION RENTAL HOUSING, AND DELETING THE REQUIREMENT FOR A CONDITIONAL USE PERMIT

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR, AND THE CITY COUNCIL OF THE CITY OF STANLEY, IDAHO, AS FOLLOWS:

Section 1: That Title 5, Chapter 5.20, Section 5.20.030 of the Stanley Municipal Code is hereby amended as follows:

5.20.030: EXCEPTIONS:

The provisions of this chapter shall not apply to:

- A. Any sales under court order;
- B. Traveling salespersons, commercial travelers or the like who exclusively or primarily sell to, or solicit orders for future delivery from, local retailers, local businesses, local governments, local schools, or local wholesale firms;
- C. The sale of non-commercial farm or garden products by the person producing the same;
- D. The sale of a newspaper subscription in which the seller is a person engaged in both the delivery and sale of the newspaper;
- E. The occasional sale of admission by local school students to a function of their school; or fundraising sales by local service clubs or groups such as Elks, Kiwanis, Lions, Boy or Girl Scouts;
- F. Any political group seeking funds or membership;
- G. Garage, yard, or similar sales by individuals at their residence or place of business not exceeding two (2) separate sales in one calendar year, not to exceed three (3) days each, which sales shall not include business inventory or items that have been purchased for the purpose of resale at another garage sale;
- H. Any organization exempt from taxation as provided by 26 USC 501 and meeting all the requirements for the exemptions provided by 26 USC 503. (Ord. 126, 5-7-1997)
- I. Organized events approved by the City of Stanley

Section 2. That Title 08, Chapter 14, Section 08.14.020 of the Stanley Municipal Code is hereby amended as follows:

8.14.020 EXCEPTION:

Nothing in this chapter shall be construed to prohibit ~~use~~ erection of tents or other non-permanent structures for private camping on property which is improved with a permanent structure which is equipped with permanent plumbing and permanent ~~septic or sewer service~~; provided however, such use of tents or non permanent structures shall not exceed five (5) consecutive days or 15 cumulative days in any ~~sixty (60) day~~ four (4) week period. The sixty day period shall commence begin at

with the first day of occupancy for a tent or other non-permanent structure, consecutive day period, even if the consecutive day period is less than five consecutive days. This exception and shall be utilized only in compliance with all other applicable laws and ordinances. The erection of tents or other non-permanent structures for public or private event camping on commercial or public property shall be by written approval issued by the city council or the city clerk under authority delegated by the city council. In the absence of written approval by the city, all camping, including sleeping in vehicles, is prohibited on city property.

Section 3: That Title 10, Chapter 08, Section 010 of the Stanley Municipal Code is hereby amended as follows:

10.08.010: GENERALLY:

No person driving or in charge of a motor vehicle shall park or permit it to stand attended or unattended, other than temporarily for the purpose of and while engaged in loading or unloading property or passengers, on any public street, road, alley, or highway within the city of Stanley, Custer County, Idaho, during times and within areas designated "no parking" by the city of Stanley.

Section 4: That Title 10, Chapter 08, Section 015 of the Stanley Municipal Code is hereby amended as follows:

10.08.015: PARKING PROHIBITIONS:

In addition to parking in designated "no parking" areas, no person driving or charge of a motor vehicle or motor vehicle trailer shall park or permit it to stand attended or unattended on any public street, road, alley, or highway, within the city of Stanley, Custer County, Idaho, as follows:

- A. Within a designated emergency vehicle zone.
- B. So as to block a private driveway.
- C. So as to interfere with snow removal.
- D. So as to impede pedestrian or motor vehicle traffic.
- E. For a continuous period in excess of seventy-two (72) hours for cars and buses, or forty-eight (48) hours for trailers
- F. Between the hours of 12 pm and 6 am with the engine running.

Section 5: That Title 10, Chapter 08, Section 040 of the Stanley Municipal Code is hereby amended as follows:

10.08.040: OPERATION OF SNOW REMOVAL EQUIPMENT; PARKING:

No person driving or in charge of a motor vehicle, or motor vehicle trailer, shall park or permit it to stand unattended within the right of way of any public street, road, or highway within the city during the time that any authorized snow removal

equipment is in operation within the city. "Right of way" within the meaning of this chapter, means the entire width of the street, road, or highway used by the public and/or dedicated as a public right of way, measured from the boundaries of the real property located adjacent to such public right of way.

Section 6: That Title 10, Chapter 08, Section 050 of the Stanley Municipal Code is hereby amended as follows:

10.08.050: OPERATION OF SNOW REMOVAL EQUIPMENT; POSTING OF NOTICES:

During the period of time in which snow removal equipment is operated within the city, the city will cause to be posted, in at least three (3) public places, notices advising the public ~~that of the dates and times in which snow removal equipment will be operating within the city, and further advising the public that motor vehicles, and motor vehicle trailers, may not be parked or left unattended on any public street road, or highway within the city, when new snowfall on the City streets has exceeded four (4) inches or more. as provided in this chapter.~~

Section 7: That Title 17, Chapter 16, Section 010 of the Stanley Municipal Code is hereby amended as follows:

17.16.010: PERMITTED USES: Permitted uses in the residential A district are:

- Churches
- One-family dwellings
- Parks and playgrounds
- Schools
- Short-term vacation rentals of one-family dwellings

Section 8: That Title 17, Chapter 16, Section 015 of the Stanley Municipal Code is hereby deleted as follows:

~~**17.16.015: CONDITIONAL USES:**~~

~~Short term vacation rentals of single-family dwellings.~~

Section 9: That Title 17, Chapter 20, Section 010 of the Stanley Municipal Code is hereby amended as follows:

17.20.010: PERMITTED USES: Permitted uses in the residential B district are:

- Churches
- One-family dwellings
- Parks and playgrounds
- Schools

Short-term vacation rentals of one-family dwellings

Section 10: That Title 17, Chapter 20, Section 015 of the Stanley Municipal Code is hereby deleted as follows:

~~17.20.015: CONDITIONAL USES:~~

~~Short term vacation rentals of single-family dwellings.~~

Section 11: That Title 17, Chapter 27, Section 010 of the Stanley Municipal Code is hereby amended as follows:

17.27.010: PERMITTED USES: Permitted uses in the limited commercial district are:

~~A. Permitted uses in the limited commercial district are:~~

Home occupations

One-family dwellings

~~Single-family residences~~

Short-term vacation rentals of one-family dwellings

Section 12: That Title 17, Chapter 27, Section 020 of the Stanley Municipal Code is hereby amended as follows:

17.27.020 (B) (1): CONDITIONAL USES:

1. Overnight lodging, ~~with the exception of short-term vacation rentals of one-family dwellings~~, providing that it be limited to a maximum total of eight (8) overnight units, and requiring a plan to provide for permanently maintained off-street parking, which shall include the following:

Section 13: That Title 17, Chapter 44, Section 010 of the Stanley Municipal Code is hereby amended as follows:

17.44010: PERMITTED USES:

Accessory buildings

Mobile home spaces

Mobile homes

Multi-family dwellings

Offices

One-family dwellings

Recreational vehicle spaces

Recreation vehicles ~~unless they are otherwise prohibited by this chapter~~

Short-term vacation rental of one-family and multi-family dwellings

Section 14: That Title 17, Chapter 44, Section 015 of the Stanley Municipal Code is hereby deleted as follows:

17.44.015: CONDITIONAL USES:

~~Short term vacation rentals of single family dwellings~~

Section 15: That Title 17, Chapter 44, Section 080 of the Stanley Municipal Code is hereby deleted as follows:

17.44.080: RECREATIONAL VEHICLES:

~~Recreational vehicles are prohibited between June 1 and October 1 unless occupying either a mobile home space or a recreational vehicle space for more than thirty (30) consecutive days which shall be established by execution of a written lease agreement for each recreational vehicle occupying a space on a lot located in the residential C district. The owner of a lot in the residential C district shall maintain copies of all such fully executed lease agreements on file from the date of execution through and including one year following the termination of the tenancy. Said lease shall be available to the city for examination and copying upon written request from the city clerk and/or other authorized officer.~~

Section 16: That Title 17, Chapter 46, Section 020 of the Stanley Municipal Code is hereby amended as follows:

- B. ~~Permit By Council Approval; Temporary Housing: Upon issuance of a special use permit thereof by the city council, the owner of a lot shall be allowed to park upon the lot one recreational vehicle for temporary human occupancy reasonably related to the provision of temporary employee housing for employment by the lot owner or for temporary use during the construction of a permitted structure, provided, however, in no event may said use exceed a total of twelve (12) months.~~
- C. ~~Permit By Council Approval; Temporary Housing Conditions: Upon issuance of a special use permit thereof by the city council, the owner of a lot may be allowed to park upon the lot, for a period exceeding ten (10) days in a calendar year, one recreational vehicle for temporary human occupancy so long as said use, in the council's discretion, is genuinely temporary and transient in nature, does not constitute a health hazard or other nuisance, does not constitute a de facto variance or avoidance of the intent of the applicable zoning regulations, and does not impose an undue burden on other landowners or interested persons. Unless exempted by permit, adequate off street parking for passenger vehicles must be provided on the lot. The area around the recreational vehicle must be kept clear of debris, garbage or the storage of any items. In said permit, the council shall state the~~

permitted duration of the use and may impose additional conditions to ensure the use is compatible with surrounding uses.

Section 17: That Title 17, Chapter 48, Section 010 of the Stanley Municipal Code is hereby amended as follows:

17.48.010: GENERALLY:

No permanent exterior sign shall be constructed, erected, or structurally altered unless a building permit thereof has been issued as set forth herein. All permanent, exterior signs shall be rustic in nature, subdued in appearance and harmonizing in design and color with the surroundings, and shall be constructed of wood or non-reflective metal, or a combination of the two (2), except as set forth in section 17.48.030 of this chapter. Permanent signs composed of reflective metal, vinyl, or with flashing or revolving bulbs, lights, or beacons, or utilizing balloons, flags or other similar attention getting materials, and exterior signs of a brilliant or illuminating nature shall be prohibited. Permanent signs may utilize vinyl lettering that blends with and complements the sign's rustic appearance. Interior signs in the commercial, commercial A, and limited commercial districts may be brilliant or illuminating as set forth in section 17.48.030 of this chapter. No permanent sign may be placed between the front or side street and the building setback line. Freestanding signs and their structures shall not exceed twelve (12) feet in height measured from the finished grade at the base of the structure to the top of the structure.

Section 18: That Title 17, Chapter 60, Section 010 of the Stanley Municipal Code is hereby amended as follows:

17.60.010: GRANTING AUTHORITY:

The city council shall have the authority to vary the application and terms of this title when, by reason of exceptional conditions, strict application of any regulation enacted in this title would result in difficulty or undue or unnecessary hardship and would deprive the owner of reasonable use of land or buildings involved. Such relief may be granted provided only that such action does not substantially impair the intent and purposes of this title, and is consistent with Idaho Code 67-6516.

Section 19: That Title 17, Chapter 70, Section 020 of the Stanley Municipal Code is hereby amended as follows:

17.70.020: GENERAL PROVISIONS :

A. ~~Districts Allowed:~~

- ~~1. Permitted Uses: Short term vacation rentals of one family and multi-family dwellings shall be permitted within the commercial, commercial A zones.~~
 - ~~2. Conditional Uses: Short term vacation rental of single family dwellings shall be permitted within residential A, residential B, and residential C zones, subject to the terms of a conditional use permit, as specified within these provisions.~~
- ~~B. Conditional Use Permits: Conditional use permits shall be applied for according to the provisions set forth in chapter 17.62 of this title, except that subsection 17.62.011F of this title shall not be required for existing single-family dwellings.~~
- ~~A. Conditions: Requirements: In addition to the requirements and limitations set forth in chapter 17.62 of this title, the following conditions shall be placed on all short term vacation rental permits. Other conditions may be imposed on each permit, at the discretion of the city council:~~
- ~~1. A rental agreement shall be required for all short-term vacation rentals. A copy of the proposed rental agreement shall be submitted to the city clerk.~~
 - ~~2. All parking shall be restricted to the lot occupied by the dwelling:~~
 - ~~3. The maximum number of days in one calendar year that the dwelling can be rented shall not exceed one hundred eighty (180).~~
 - ~~4. Short term vacation rentals shall be restricted to not less than three (3) consecutive days.~~
 - ~~5. All fire safety equipment in the home, e.g. sprinkler systems, alarms, and fire extinguishers, must be in proper working order.~~
 - ~~6. Limit the number of cars according to a formula that ties the number of cars to the bed count of the dwelling. The formula may be determined by the property owner, but must be approved by the city council.~~
 - ~~7. Limit noise and other disruptive activities, e.g. quiet hours after ten o'clock (10:00) P.M.~~
 - ~~8. Allow no tent camping on the premises.~~
 - ~~9. Allow no recreational vehicles on the premises for use as part of the short term vacation rental.~~

Section 20. That Title 17, Chapter 70, Section 020 of the Stanley Municipal Code is hereby amended as follows:

~~17.70.030: EXPIRATION AND RENEWAL VIOLATION; PENALTY: Any person violating the requirements of this chapter for a first or second offense within a five (5) year time period shall be deemed guilty of an infraction punishable as provided in section 1.08.020. A third and subsequent convictions within a five (5) year time period shall be deemed a misdemeanor punishable as provided in section 1.08.010. Conditional use permits for short term vacation rentals shall be valid for not more than twelve (12) months, and may be renewed in twelve (12) month increments, at~~

~~the discretion of the city council. The permit holder shall be notified by the council of any violation of the standards listed in section 17.62.012 of this title or any violation of specific permit conditions and shall be allowed thirty (30) days to correct said violations. If said violations are not corrected within the prescribed time, the city council may revoke the conditional use permit before twelve (12) month expiration period.~~

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