

OMNIBUS CODE REVISION ORDINANCE COMPARISON TABLE

11/07/10

Black font italics = current wording from Stanley Municipal Code

Red font italics = proposed new or changed wording in omnibus ordinance

Red font italics strikeout = wording in current Stanley Municipal Code deleted in omnibus ordinance

Original Wording	Proposed Change	Reason For Change
<p>No current provision.</p>	<p>TITLE 1: GENERAL PROVISIONS. Insert 1.01.010 : ADOPTION: Pursuant to the provisions of Idaho Code Sections 50-901 through 50-906 inclusive, there is adopted the "Stanley Municipal Code". Insert 1.01.020: TITLE-CITATION-REFERENCE: This code shall be known as the "Stanley Municipal Code" and it shall be sufficient to refer to such code as the "Stanley Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to refer to any ordinance adding to, amending, correcting, or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "Stanley Municipal Code". Further reference may be made to these titles, chapters, sections, and subsections of the "Stanley Municipal Code" and such reference shall apply to that numbered title, chapter, section and subsection as it appears in the code. Insert 1.01.030: CODIFICATION AUTHORITY: This code consists of all of the regulatory, administrative and penal</p>	<p>The general provisions do not contain a section on adoption of ordinances, e.g. regulations about the presentation, reading, recording, signing, timing and publication of ordinances. Most communities have included such language in their ordinances, reflecting the requirements of Idaho Code 50-901 through 906.</p>

<p>TITLE 2: ADMINISTRATION AND PERSONNEL; COMMUNITY BUILDING COMMITTEE; 2.28.010</p>	<p>ordinances , pursuant to the provisions of Idaho Code Sections 50-901 through 50-906, inclusive.</p> <p>Insert 1.01.040: CODE REFERENCE: Whenever reference is made to this code as the “Stanley Municipal Code”, or any portion thereof, or to any ordinances of the City of Stanley Idaho, the reference shall apply to all amendments, corrections, additions, heretofore, now and hereafter made.</p> <p>Insert 1.01.050: TITLE, CHAPTER, AND SECTION HEADINGS: Title, chapter, and sections headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter, or section hereof.</p> <p>Insert 1.01.060: REFERENCE TO SPECIFIC ORDINANCES: The provisions of this code shall not in any manner affect matters of record that refer to or are otherwise connected with, ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.</p>	<p>Permanent Building Committee established in 1977 to plan permanent community building. Community building has been</p>
<p>REPEAL: Chapter 2.28</p>	<p>REPEAL: Chapter 2.28</p>	<p>Permanent Building Committee established in 1977 to plan permanent community building. Community building has been</p>

<p>TITLE 5 BUSINESS LICENSES AND REGULATIONS. CHAPTER 5.24 BUSINESS LICENSES. Section 5.24.100. No current provision.</p>	<p>Add new Section 5.24.100 into Title 5. TITLE 5: BUSINESS LICENSES AND REGULATIONS; CHAPTER 5.24 BUSINESS LICENSES: SECTION 5.2.100. GRANTING AUTHORITY: <i>The City Council shall have the authority to vary the application and terms of this title, including allowing a business to operate without a license when such business is of a temporary nature such as vendors associated with a event, provided that such action does not substantially impair the intent and purposes of this title.</i></p>	<p>constructed therefore there is no longer a need for this committee.</p> <p>Currently, there is no provision for granting a variance from the business license requirement, although the city has been doing this for temporary vendors at certain events. If the city wants to continue this practice, it should establish clear authority for it and define the appropriate circumstances.</p>
<p>TITLE 6: ANIMALS; SMALL ANIMALS: 6.04.010: SMALL ANIMAL DEFINITION: <i>Small animals shall be defined as dogs, cats, pigs, fowl, snakes, pigeons, ducks, rabbits, geese, turkeys, raccoons, skunks, mice, rats, goats, chickens and other birds or exotic animals raised and/ or maintained in confinement.</i></p>	<p>Remove goats from the definition of small animals. This Section to read: <i>Small animals shall be defined as dogs, cats, pigs, fowl, snakes, pigeons, ducks, rabbits, geese, turkeys, raccoons, skunks, mice, rats, goats, chickens and other birds or exotic animals raised and/ or maintained in confinement.</i></p>	<p>Goats are already included in the definition of large animals in Section 6.08.020, and this is a more appropriate place to include them. Removing them from the definition of small animals will avoid redundancy.</p>
<p>TITLE 6: ANIMALS; LARGE ANIMALS; 6.08.030 (A)(2): <i>The first large animal is maintained within an area of not less than one acre for the first animal, with a maximum number of three (3) large animals allowed per acre.</i></p>	<p><i>The first large animal is maintained within an area of not less than one acre for the first animal, with a maximum number of three (3) large animals allowed per acre. All animals shall have continuous access to the entire area maintained for each and every one.</i></p>	<p>The current provision allows up to three large animals per acre within a fenced area, but does not specify that each animal have access to the entire area. An owner with three animals would be able to fence each within a 1/3 acre area. This provision should be clarified to state that large animals should have full access to the entire required area at all times.</p>

<p>TITLE 12: STREETS ROADS AND PUBLIC PLACES: CHAPTER 12.12; CITY DUMP.</p>	<p>REPEAL: Chapter 12:12 City Dump.</p>	<p>The City does not operate the dump; therefore this provision is not needed.</p>
<p>TITLE 14: RESERVED</p>	<p>TITLE 14: STANDING BOARDS AND COMMISSIONS. Move Historic Preservation Code, 15.04-010 through 15.04.060 under this title.</p>	<p>It will be less confusing to move the provisions for establishing an Historic Preservation Commission under a more general Title for Standing Boards and Commissions, and use the existing Title 15 BUILDINGS AND CONSTRUCTION for the existing building permit provisions. Residents are more likely to look under BUILDINGS AND CONSTRUCTION for building permit regulations than under ZONING REGULATIONS, which is where those provisions currently reside.</p>
<p>TITLE 15: BUILDINGS AND CONSTRUCTION; CHAPTER 15.04 HISTORIC PRESERVATION CODE. (Current title description to be deleted).</p> <p>TITLE 17 ZONING REGULATIONS. CHAPTER 17.56 BUILDING PERMITS. (to be moved to TITLE 15). First sentence: <i>No building shall be constructed, erected, or altered structurally, nor shall any lot be excavated for sidewalks, sewer, water, septic tanks, roads or cleared, or fenced unless a building permit therefore has been issued by the city council or its authorized representative.</i></p> <p>Section 020:APPLICATION: Applications</p>	<p>TITLE 15: BUILDING PERMITS. Insert the provisions for building permits currently found in TITLE 17, CHAPTER 17.56, Sections 010 through 050. In addition, Section 010 is amended to replace the first sentence with the following sentence: <i>No building shall be constructed, erected, or altered structurally, nor shall any lot be excavated for sidewalks, sewer, water, septic tanks, roads or any other purpose, nor shall fill be placed on any lot, nor shall any lot be cleared, or fenced unless a building permit therefore has been issued by the city council or its authorized representative. The issuance of a building permit by the city does not imply or guarantee the suitability or structural</i></p>	<p>Residents are more likely to look under BUILDINGS AND CONSTRUCTION for building permit regulations than under ZONING REGULATIONS, which is where those provisions currently reside.</p> <p>Building permits should be required for any type of excavation or fill on a lot as a preliminary step toward construction or for other purposes. Currently some lots have been excavated or filled without permits and without approval of a plan for future development. The Stanley Municipal Code currently does not establish engineering requirements for fill not associated with subdivision development, City currently does not regulate fill or even require a</p>

<p>for building permits shall be submitted in the form specified by resolution of the city council and shall be accompanied by the application fee, a scale drawing showing the location of the proposed project on the applicants property and the location of property in the city, building plans and specifications, and proof of approval of the proposed project by the appropriate fire department and the appropriate sewer district or state health department. Applications which do not contain all of the foregoing shall not be considered complete.</p>	<p>adequacy of building pads, retaining walls, fill, or natural terrain for meeting structural support requirements for buildings. Permittee shall follow good engineering practices relating to fill compaction for structural support and for preventing collapse and/or erosion of fill not used for structural support.</p> <p>Section 020: APPLICATION: Applications for building permits shall be submitted in the form specified by resolution of the city council and shall be accompanied by the application fee, a scale drawing showing the location of the proposed project on the applicants property and the location of the property in the city, building plans and specifications, and proof of approval of the proposed project by the appropriate fire department and the appropriate sewer district or state health department. Applications which do not contain all of the foregoing shall not be considered complete. Development and construction drawings and technical support material shall be to scale or otherwise in sufficient detail to allow a technical or engineering review to determine whether the proposed development complies with all zoning requirements including but not limited to setbacks, building height restrictions, construction materials, building size restrictions, and all zoning requirements for</p>	<p>building permit for placing it if the fill is not associated with a hillside or a subdivision. City does not have compaction requirements for fill to ensure suitability for structural support except for subdivisions. Therefore the code should include a statement that it does not guarantee the structural suitability of fill in such areas.</p> <p>The sentence on drawings and technical support material is added to ensure that the council or its representative can determine whether a development is in compliance with all construction requirements of the Stanley Municipal Code. Currently, some drawings and material is inaccurate or vague, making it difficult to understand whether a proposal meets all requirements.</p> <p>The provisions for multi-family dwellings in Subsection A and B are added to clarify that the building permit application should provide information on the parking requirements already in force for the Limited Commercial District. It is anticipated that the Stanley Municipal Code will be changed to allow multi-family dwellings in the Commercial and Commercial A District, making it even more important that this information be provided on building permits.</p>
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<p>TITLE 16: SUBDIVISION REGULATIONS; CHAPTER 16.08 DEFINITIONS: Section 16.08.290.</p> <p>SUBDIVISION: “Subdivision” means the result of an act of dividing an original lot,</p>	<p><i>hillsides, flood hazard, wetlands and areas of critical concern.</i></p> <p>Section 020 is further amended to add the following provision under Subsection “A”: <i>Multi-family dwellings shall require a plan for permanently maintained off street parking. This plan shall provide for a minimum of one parking space for each living unit, and will use a formula that will allow for seventy percent (70%) of the parking lot to be used for parking and circulation, and the remaining thirty percent (30%) of the parking lot space to be used for snow storage.</i></p> <p>Section 020 is further amended to add the following provision under Subsection “B”: <i>Multi-family dwelling shall require a site plan showing all existing and proposed buildings and outbuildings, as well as the proposed number of parking spaces to be constructed, showing snow storage areas, and showing entrances and exits to public streets.</i></p>	
	<p>TITLE 16: SUBDIVISION REGULATIONS; DEFINITIONS; 16.08.290. Substitute the following language for the definition at right: <i>Subdivision of a parcel of land into two (2) or more tracts, lots or parcels for transfer of</i></p>	<p>The current definition of a subdivision does not address dividing a parcel into two parts. In theory, a large parcel could be divided into two parcels without being subject to subdivision regulations. Then each of those parcels could be divided into two parcels,</p>

<p><i>tract, or parcel of land into more than three (3) parts for the purpose of transfer of ownership or development; which also includes the dedication of a public street and the addition to, or creation of a cemetery. However, this title shall not apply to any of the following:</i></p> <p><i>A. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth, or building setback lines of each building site below the minimum zoning requirements, and does not change the original number of lots in any block of the recorded plat.</i></p>	<p><i>ownership, building development, leasing or encumbering with mortgage or deed of trust; which also includes the dedication of a public street and the addition to, or creation of a cemetery. However, this title shall not apply to any of the following:</i></p> <p><i>A. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth, or building setback lines of each lot below the minimum zoning requirements of the district in which the lots or parcels are located, and which does not create additional lots in any block of the recorded plat.</i></p> <p>Provisions 16.08.290 (B), (C), (D), and (E) should remain the same.</p>	<p>still exempt from subdivision regulations. And so on. The proposed definition of a subdivision is a standard one found in most ordinances from other cities.</p> <p>The change in the language in Subsection A clarifies that the adjustment of lot lines applies to lots, not building sites (not a legal term used elsewhere or defined in the Stanley Municipal Code), also clarifies that setbacks, etc. apply to the requirements in each zone, and adopts the definition of a lot line shift contained in 16.08.205. The definition in 16.08.290 (A) is confusing because it refers to any “change in the original number of lots”, not just an increase in the number of lots.</p>
<p>TITLE 17 ZONING REGULATIONS. CHAPTER 17.08 DEFINITIONS</p>	<p>ZONING REGULATIONS; CHAPTER 17.08 DEFINITIONS. Add a definition of “One-family dwelling”: <i>One-family dwelling” means a dwelling constructed without physically independent living units within a single structure. A physically independent living unit has independent kitchen and bath facilities and independent exterior access.</i></p> <p>Add a definition of “Apartment” to this section. <i>A multiple-family dwelling containing two (2) or more dwelling units in which all units, exclusive of a unit which may be occupied by the owner or caretaker, are rented or leased for thirty (30) days or</i></p>	<p>The Zoning regulations use the terms “residence” and “single family residence”, but neither is defined in 17.08. The term “multi-family dwelling” is defined and used in the code. In the interest of consistency, the term “one-family dwelling” is proposed and defined relative to the term “multi-family dwelling”.</p> <p>Definitions of apartment and condominium are needed when dealing with applications for such structures within the zoning code. A definition of condominium already exists within the subdivision regulations. The definition of apartment is taken from a standard definition found in the municipal</p>

<p>TITLE 17 ZONING REGULATIONS CHAPTER 17.12 DISTRICTS ESTABLISHED; ZONING MAP; Section 17.12.020. ZONING MAP: <i>The boundaries of the zones designated in this chapter shall be established and clearly marked upon that certain map identified by the approving signatures of the city council, marked and designated as the “zoning map”, which map is now on file in the office of the city clerk. The map has been heretofore examined in detail by the city council and is adopted as part of the ordinance codified in this title, but this title and the map shall be subject to change, from time to time, as may be determined by the city council, following procedures provided by law.</i></p>	<p><i>more.</i></p> <p>Add definition of “Condominium” from Ordinance 52: 16.08.080 to Zoning definitions: <i>An estate consisting of an undivided interest in common in real estate, in an interest or interests in real property, or in any combination thereof; together with a separate interest in real property, in an interest or interests in real property, or in any combination thereof.</i></p> <p><i>The boundaries of the zones designated in this chapter shall be established and clearly marked upon that certain map identified by the approving signatures of the city council, marked and designated as the “zoning map”, which map is now on file in the office of the city clerk. The map has been heretofore examined in detail by the city council and is adopted as part of the ordinance codified in this title, but this title and the map shall be subject to change, from time to time, as may be determined by the city council, following procedures provided by law. The current map and each subsequent update shall be signed and dated by the city council. Unless otherwise designated on the zoning district map, district boundary lines are lot lines; the centerlines of streets, alleys, railroad rights of way, or such lines as extended section lines; municipal corporate lines; centerlines of streambeds; or other lines drawn to scale</i></p>	<p>code from other cities.</p> <p>The current wording of this provision could lead to confusion about which map is current and about the exact location of zoning district lines drawn on the zoning map.</p>
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	<i>on the zoning district map”</i>	
TITLE 17 ZONING REGULATIONS. CHAPTER 17.16 RESIDENTIAL A DISTRICT.	TITLE 17 ZONING REGULATIONS. CHAPTER 17.16 RESIDENTIAL A DISTRICT. Add new section 17.16.050 LONG-TERM LEASE AGREEMENTS: Dwellings may be rented for more than 30 days at one time with a lease or rental agreement, and without a conditional use permit.	This provision is necessary to codify the long-standing policy of the city allowing long-term rental of dwellings in residential A zone without a conditional use permit, which is required for short-term vacation rentals under ordinance 178 .
TITLE 17 ZONING REGULATIONS. CHAPTER 17.20 RESIDENTIAL B DISTRICT.	TITLE 17 ZONING REGULATIONS. CHAPTER 17.20 RESIDENTIAL B DISTRICT. Add new section 17.16.070 LONG-TERM LEASE AGREEMENTS. Dwellings may be rented for more than 30 days at one time with a lease or rental agreement, and without a conditional use permit.	This provision is necessary to codify the long-standing policy of the city allowing long-term rental of dwellings in residential B zone without a conditional use permit, which is required for short-term vacation rentals under ordinance 178 .
TITLE 17 ZONING REGULATIONS. CHAPTER 17.24 COMMERCIAL DISTRICT. Section 17.24.010 PERMITTED USES: Permitted uses in the commercial district are: Banks. Beauty shops and barbershops. Doctor or dentist offices. Gas stations. Grocery stores. Hobby, gift and craft shops. Hotels, motels, lodges and apartments. Medical clinics. Restaurants, bars, and other eating and drinking establishments. Retail and general mercantile stores.	<i>Permitted uses in the commercial district are: Banks. Beauty shops and barbershops. Doctor or dentist offices. Gas stations. Grocery stores. Hobby, gift and craft shops. Hotels, motels, lodges and apartments. Medical clinics. One-family dwellings. Restaurants, bars, and other eating and drinking establishments. Retail and general mercantile stores. Multi-family dwellings. Municipal library. Municipal government. Emergency services. Day care centers.</i>	These types of uses already exist or have existed in the commercial district and should be added to the list of permitted uses to avoid any possible conflict or problems in the future.
TITLE 17 ZONING REGULATIONS CHAPTER 17.26 COMMERCIAL A	<i>Permitted uses in the commercial A district: Banks. Beauty shops and barbershops.</i>	Establish consistency in terminology .

<p>DISTRICT, Section 010 (A). PERMITTED USES: Permitted uses in the commercial A district are: Banks. Beauty shops and barbershops. Doctor or dentist offices. Gas stations. Grocery stores. Hobby, gift and craft shops. Hotels, motels, lodges, and apartments. Medical clinics. Residences. Restaurants, bars, and other eating and drinking establishments. Retail and general mercantile stores.</p>	<p>Doctor or dentist offices. Gas stations. Grocery stores. Hobby, gift and craft shops. Hotels, motels, lodges, and apartments. Medical clinics. Residences. <i>One family dwellings. Multi-family dwellings.</i> Restaurants, bars, and other eating and drinking establishments. Retail and general mercantile stores.</p>	
<p>TITLE 17 ZONING REGULATIONS CHAPTER 17.27 LIMITED COMMERCIAL DISTRICT, Section 010 (A). PERMITTED USES: Permitted uses in the limited commercial district are: Home occupations. Single-family residences.</p>	<p>Permitted uses in the limited commercial district are: Home occupations. <i>Single family-residences: One family dwellings.</i></p>	<p>Establish consistency in terminology.</p>
<p>TITLE 17 ZONING REGULATIONS. CHAPTER 17.28 MUNICIPAL DISTRICT. Section 17.28.010 PERMITTED USES: Permitted uses in the municipal district are: Churches. Municipal government. Parks and playgrounds. Schools. <i>Municipal library. Municipal housing for city or government employees.</i></p>	<p>Permitted uses in the municipal district are: Churches. Municipal government. Parks and playgrounds. Schools. <i>Municipal library. Municipal housing for city or government employees.</i></p>	<p>The city plans to lease a parcel in the municipal district to the library district for construction of a new library. This change will allow that to occur as a permitted use. The provision for municipal housing would provide an option to use city property for this purpose, which has been discussed as one method to help alleviate the need for affordable housing within Stanley.</p> <p>The city is receiving building permit requests for new types of concrete fabrication not currently permitted by ordinance. The change in the definition of “rustic nature” to include these types of fabrication is appropriate since they meet the intent of the code.</p>
<p>TITLE 17 ZONING REGULATIONS. CHAPTER 17.40 GENERAL USE REGULATIONS. Section 17.40.020 BUILDING APPEARANCE AND MATERIALS. All buildings or structures shall be erected, constructed, reconstructed or altered to be of a rustic nature. The</p>	<p>All buildings or structures shall be erected, constructed, reconstructed or altered to be of a rustic nature. The specifications contained herein are intended to assist in defining the term “rustic nature” with respect to the specific subject matter of this section. Exterior wall surfaces, including</p>	

<p>specifications contained herein are intended to assist in defining the term “rustic nature” with respect to the specific subject matter of this section. Exterior wall surfaces, including siding, of all permitted building projects shall be of wood or native stone. Roof materials may include nonreflective metal in colors as set forth herein.</p>	<p>siding, of all permitted building projects shall be of logs, shakes, rough lumber, rough wood, board and batten, shingles, wood lap siding, native stone, or concrete fabrication that truly resembles wood. wood or native stone. Materials not approved include metal, stucco, plaster, brick, and vinyl. Rustic roofing materials include shakes or wooden shingles, earth tone composite shingle, concrete fabrication that truly resembles wood and non-reflective metal in colors as set forth herein. Roof materials may include nonreflective metal in colors as set forth herein. Provided, however, that accessory buildings, whether permanent or non-permanent structures, used as greenhouses, can have clear or translucent rigid or non-rigid exterior wall and roof surfaces not meeting the criteria listed above, or if wall or roof surfaces are colored then they shall conform to the approved color chart.</p>	<p>The city is receiving applications for greenhouses and is issuing variances from the zoning regulations because the material used on the exterior walls of the greenhouses does not meet the requirements. It would be better to provide for greenhouses without the need for variances.</p>
<p>TITLE 17 ZONING REGULATIONS, CHAPTER 17.44 RESIDENTIAL C DISTRICT; Section 17.44.010 PERMITTED USES. Accessory buildings. Dwellings. Mobile home spaces. Mobile homes. Multi-family dwellings. Offices. Recreational vehicle spaces.</p>	<p>Accessory buildings. Dwellings. <i>One-family dwellings. Mobile home spaces. Mobile homes. Multi-family dwellings. Offices. Recreational vehicle spaces.</i></p>	

