

**CITY OF IDAHO CITY, STATE OF IDAHO
ORDINANCE NO. 397**

AN ORDINANCE OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO, ESTABLISHING REVIEW REQUIREMENTS AND DEVELOPMENT STANDARDS FOR FORMULA BUSINESSES AND LARGE-SCALE COMMERCIAL BUSINESSES; DEFINING TERMS; PROVIDING PURPOSE, FINDINGS, APPLICABILITY, REVIEW PROCEDURES, APPROVAL CRITERIA, CONDITIONS, EXEMPTIONS, ENFORCEMENT, SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.

WHEREAS, the City of Idaho City is a unique small-town community with a central historic district, and its existing commercial uses are predominantly locally based and small scale;

WHEREAS, the City's roads, water system, sewer system, and related public infrastructure are in the process of being upgraded, replaced, or evaluated to adequately support current and future uses;

WHEREAS, the City has received substantial public comment from residents and businesses expressing concern that formula businesses and large-scale commercial development may affect community character, the historic downtown, traffic circulation, pedestrian safety, infrastructure capacity, and the scale of existing commercial areas;

WHEREAS, the City Council finds that reasonable land use regulations for formula businesses and large-scale commercial businesses are necessary to protect the public health, safety, and welfare while allowing compatible commercial activity within the City;

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

Section 1. Purpose and Intent

The purpose of this ordinance is to preserve Idaho City's small-town and historic character, promote compatible commercial development, protect public infrastructure and pedestrian safety, and establish clear, express, and land-use-based review standards for formula businesses and large-scale commercial businesses. This ordinance is intended to regulate land use impacts and compatibility, not business ownership, corporate affiliation, market competition, or the economic identity of an applicant.

Section 2. Definitions

Formula business means a retail, service retail, vending service retail, restaurant, fast food, coffee shop, or similar commercial business that is required by contractual, franchise, corporate,

referred to the Planning and Zoning Commission for recommendation and to the City Council for final decision.

Land use review under this ordinance shall be conducted by the Planning and Zoning Commission and City Council, as applicable, for use, scale, traffic, parking, circulation, infrastructure, public services, safety, and other land use impacts. If a regulated business is located within a historic district or otherwise requires historic preservation review, the Historic Preservation Commission shall review only historic design matters within its authority, including exterior design, materials, signage, and other historic preservation standards. Historic preservation review shall not substitute for, expand, or limit the separate land use review required by this ordinance.

Section 6. Approval Criteria

Before approving an application subject to this ordinance, the approving body shall make written findings based on the record and the express standards below. Approval shall be granted if the applicant demonstrates compliance with all applicable standards, or demonstrates that conditions of approval will bring the proposal into compliance. Approval shall not be denied based on ownership structure, corporate affiliation, franchise status alone, market competition, or the applicant's place of origin.

1. The proposed building size, site area, lot coverage, setbacks, height, massing, access points, parking areas, loading areas, outdoor activity areas, lighting, and signage are compatible with the applicable zoning district, surrounding land uses, and the City's adopted development standards;
2. Within or adjacent to a historic district, the proposed exterior design, materials, signage, lighting, and site features have received or are subject to any required historic preservation review, limited to historic design standards within the authority of the Historic Preservation Commission;
3. Will not create traffic, parking, delivery, pedestrian safety, or circulation impacts that exceed the capacity of existing or planned infrastructure;
4. Will not create water, sewer, stormwater, road, public safety, or other public service demands that exceed available capacity;
5. The proposed use, building, and site operations are designed and operated at a scale compatible with surrounding commercial, residential, civic, and public uses, considering measurable factors such as building size, site area, hours of operation, traffic generation, parking demand, loading activity, lighting, noise, utility demand, and public service demand;

Section 10. Severability

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 11. Conflict

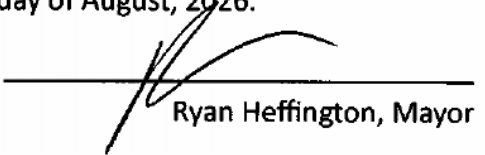
If a conflict exists between this ordinance and any other ordinance, resolution, policy, or order of the City of Idaho City, the more restrictive provision shall control unless otherwise required by law.

Section 12. Effective Date

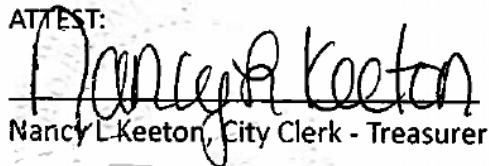
This ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED BY THE COUNCIL of the City of Idaho City this 5th day of August, 2026.

APPROVED BY THE MAYOR of the City of Idaho City this 5th day of August, 2026.


Ryan Heffington, Mayor

ATTEST:


Nancy L. Keeton, City Clerk - Treasurer