

# CITY OF KIMBERLY

PLANNING & ZONING COMMISSION  
MEETING AGENDA

NOVEMBER 5, 2013  
6:00PM

Planning & Zoning Commission meetings are televised, videotaped and/or recorded

Location: 242 Highway 30, Kimberly, Idaho 83341

## CALL TO ORDER

**WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU.**

## ROLL CALL OF COMMISSION MEMBERS

### 1. APPROVE -

- a. Minutes from October 1, 2013 Regular Meeting and October 16, 2013 Special P&Z Meeting.

### 2. PUBLIC HEARINGS –

- a. Public Hearing and Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment being to Section 17.09.10H and pertaining section, including 17.09.020, to provide for electronic message center animated and flashing signs within specified zoning districts and pertaining regulations.

### 3. NEW BUSINESS

- a. Consideration of Kimberly School District Agricultural Science Building Addition height and spacing requirements as a determination by the Commission is necessary.
- b. Consideration and approval of Findings of Fact for Kimberly School District football complex bleacher and concession stand setbacks (Findings will be provided at the meeting for approval).

### 6. DECEMBER MEETING: –

- a. December 3, 2013

### 7. ADJOURNMENT

**Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 242 Highway 30, Kimberly, Idaho 83341 or call 208-423-4151.**

Ted Wasko	Leland Belin	Perry Dangerfield	Candy Weth	VACANT	Cindy Schmidt	Dan Shewmaker
		<i>Co-Chair</i>	<i>Chairperson</i>		<i>Area of Impact</i>	<i>Area of Impact</i>

Posted Aug. 3, 2013

**KIMBERLY PLANNING AND ZONING**  
**October 1, 2013**

**Call to Order:**

The meeting was called to order at 6:08pm.

**Roll Call of Commission Members:**

Members present were Ted Wasko, Leland Belin, Perry Dangerfield, and Candy Weth. Impact area representative Cindy Schmidt was also present.

**1. Approve:**

The minutes of the September 2013 meeting were approved with one spelling error corrected.

**2. Public Hearings:**

a. A Public hearing and Consideration of an ordinance for a City of Kimberly initiated text amendment to the Kimberly City Code, amending the code by adding under Chapter 17.17 Administration and Enforcement Section 17.17.060 Procedures for Noticing Planning and Zoning Actions. The public hearing was continued from August 6th and from September 3rd P&Z meetings. The Commission discussed the importance and need for time standard for all actions involving Planning and Zoning so that interested parties have a clear understanding of the requirements. Ted Wasko moved that the Commission approve a motion to recommend to the City Council the proposed amendments to Kimberly City Code, Development Regulations, adding under Chapter 17.17 Administration and Enforcement: Section 17.17.060 Procedures and Noticing Planning and Zoning Actions, finding that the amendments are in accordance with the Comprehensive Plan, and that the proposed amendment will promote the public health, safety and general welfare. The motion was seconded by Cindy Schmidt. The motion was carried unanimously.

**3. New Business:**

a. Discussion and consideration pertaining to setbacks between an internal lot line at Kimberly High School football facility and concession stand and bleachers. Zoning Ordinance Table 17.04.130 Official Height and Area Regulations: establishes that school

zone setbacks are "as determined by the Planning and Zoning Commission." The Commission discussed the location of the lot lines and concluded that since all land involved belonged to the school district that it would be allowed to change the setback. With no further discussion Leland Belin moved that Planning and Zoning approve the application with the bleachers, press box and concession stand extending over lot line as needed. The motion was carried with Ted Wasko abstaining.

b. Discussion of City of Kimberly Sign Ordinance especially flashing and animated signs. The Commission discussed the need to amend the sign ordinance because new technology has created flashing and animated signs that were not included in the sign ordinance. The Commission will continue this discussion as more research from other cities becomes available.

#### **4. Adjournment**

The meeting was adjourned at 7:00pm.

Respectfully submitted,

Perry C. Dangerfield

**KIMBERLY PLANNING AND ZONING**  
**October 16, 2013**  
**Special Meeting**

**Call to Order:**

The meeting was called to order at 6:05pm.

**Roll Call of Commission Members:**

Commission members present were Perry Dangerfield, Ted Wasko and Leland Belin. Impact Area representative Cindy Schmidt was present also.

**1. Approve:**

Minutes from October 1, 2013 meeting will be presented at the November 2013 meeting,

**2. Public Hearings:**

a. None at this time.

**3. New Business:**

a. Discussion regarding possible amendments to Kimberly City Code Section 17.09.010 General Sign Provisions, pertaining to animated or flashing signs which are presently prohibited within the city under the section. Possible amendments could allow for animated or flashing signs within the city. The Commission discussed the need for amending the sign code. The signs at the schools and First Federal are contrary to the present sign code. Commissioner Belin noted that signs in the Commercial Gateway should probably be different than signs in the downtown area because of the nature of each area. Reader boards can now be electronic with flashing messages instead of the older static reader boards. The Commission discussed whether these were considered "flashing signs" and are they distracting to drivers. We also discussed the need for different size regulations for different areas of the city. The Commercial Gateway has a four-lane road with turn lane while downtown is just two lane with parking. Also discussed was only having Monument signs instead of signs on poles, limiting maximum size, and height limits. The Commission was interested in what requirements were in place in Twin Falls and other cities. Colors were also discussed,

but many times restrictin colors interferes with First Amendment rights. The Commission believes that any development with more than one business should only have one sign for that development. The brightness of signs also can be an issue and may have to be regulated also. 9 topics of discussion were enumerated:

1. Animated signs in the Gateway.
2. Distance between signs animated and otherwise.
3. Height and size requirements.
4. One sign per development.
5. Brighness regulation.
6. Allowing flashing signs in the Gateway and nowhere else.
7. Placement of signs or distance from highway/roadways.
8. Engineered/Structure blueprints to insure safety.
9. Color of pole or structure of monument bases.

The Zoning Administrator will research these areas and give the Commission members information as it becomes available.

#### **4. Adjournment:**

The meeting was adjourned at 6:57pm.

Respectfully submitted,

Perry C. Dangerfield

## STAFF REPORT

**TO:** Kimberly City Council

**FROM:** Bart Bingham, Community Development Director

**RE:** **Kimberly City Code, Development Regulations Text Amendment-** The City of Kimberly initiated text amendment to Title 17, proposed to amend Section 17.09.10H and pertaining section to provide for electronic message center signs within specified zoning districts and pertaining regulations.

**HEARING:** November 5, 2013

---

### **Proposal**

The proposed amendment is to the Kimberly City Code as noted.

### **Background**

The proposed amendment is for Electronic Message Centers (EMC) and would allow for them to display the date, time, temperature, weather, messages of interest to the traveling public, and/or commercial messages relating to the use of the property upon which the center is located. More specific information can be found in the attached proposed Ordinance 603.

### **Department Comments**

The City Attorney's office has reviewed the proposed ordinance. Staff believes the ordinance enables business enhance possibilities. EMCs would also provide another avenue to distribute community information.

### **Procedural History**

The text amendment will be considered by the Kimberly Planning and Zoning Commission on November 5, 2013.

### **Notice**

Notice for the public hearing was published in the Times News on October 22, 2013 and mailed to public agencies and area media on October 22, 2013.

### **Standards of Evaluation**

**Note:** Staff analysis is in lighter type,

**When evaluating any proposed amendment, the Commission and Council shall make findings of fact on the following criteria:**

- a. The proposed amendment is in accordance with the Comprehensive Plan; The Commission should consider how the proposed amendment relates to the various goals of the Comprehensive Plan.**
- **Economic and Community Development Goals**
    - **Promote and develop new and improved employment opportunities**

The proposed amendment would likely make it attractive for new employment opportunities to locate to Kimberly and enhance existing employment opportunities within the City.

- **Support retention and expansion of efforts of businesses**

As noted, the proposed amendment would likely provide existing businesses opportunities for additional exposure and community interminglement possibilities. EMCs would likely also assist businesses to more optimally advertise the uses of their property.

- **Promote economic growth in the City as opportunities arise that are fitting with its goals and objectives**

Allowing EMC's may be a tool to attract new business.

**b. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;**

Not applicable. Future applicants for EMCs would utilize power either purchased from or generated by a party separate from the City.

**c. The proposed uses are compatible with the surrounding area; and**

Several nearby cities allow EMCs. The uses allowed within the Commercial Gateway (CG) zone span from Bank, savings and loan to Drive-in restaurant- food stand, to Nursery for flowers and plants, to Prescription Pharmacy. While the area itself is still underdeveloped, the uses seem to be those that would seek EMCs.

**d. The proposed amendment will promote the public health, safety and general welfare.**

The amendment would likely promote the public health, safety and general welfare by furthering the Comprehensive Plan goals addressed, and by promoting additional private and community opportunities.

**Summary**

The Commission shall evaluate the request to determine the extent and nature of the amendment requested. The Commission shall hold a public hearing and make recommendations on the proposed zoning amendments. If the request is in accordance with the Comprehensive Plan, the Commission may recommend and the Council may adopt or reject the Ordinance Amendment under the notice and hearing procedures.



**Motion Language**

Approval:

P&Z

Motion to recommend the Council approve the application with the ordinance to amendment Kimberly City Code Title 17, amending Section 17.09.10H and pertaining section to provide for electronic message center signs within specified zoning districts and pertaining regulations, finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, and that the proposed amendment will promote the public health, safety and general welfare.

Denial:

P&Z

Motion to deny the proposed the amendments to Kimberly City Code Title 17, Section 17.09H and pertaining section providing for electronic message center signs with the specified zoning district, finding that \_\_\_\_\_ [the Commission should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:

Motion to continue the public hearing upon the proposed amendments to Kimberly City Code, the application with the ordinance to amendment Kimberly City Code Title 17, amending Section 17.09.10H and pertaining section to provide for electronic message center signs within specified zoning districts and pertaining regulations, to \_\_\_\_\_ [the Commission should specify a date].



Table:

Motion to table the proposed amendments to Kimberly City Code, Development Regulations, the application with the ordinance to amend Kimberly City Code Title 17, amending Section 17.09.10H and pertaining section to provide for electronic message center signs within specified zoning districts and pertaining regulations to a later date: \_\_\_\_\_.

Motion Seconded: \_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Candy Weth, Commission Chair, City of Kimberly

Attest:

\_\_\_\_\_  
Bart Bingham, Community Development Director, City of Kimberly



KIMBERLY ORDINANCE NO. 603

Electronic Message Center Signs

AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING KIMBERLY'S CITY CODE, BY AMENDING TITLE 17, AND SPECIFICALLY 17.09.010H AND PERTAINING SECTION TO PROVIDE FOR ELECTRONIC MESSAGE CENTER ANIMATED AND FLASHING SIGNS WITHIN SPECIFIED ZONING DISTRICTS AND PERTAINING REGULATIONS.

THIS ORDINANCE PROVIDES FOR A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; AND FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR AMENDMENT OF TITLE 17: ZONING REGULATIONS UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Kimberly City Council has found that the following amendments to the Kimberly City Zoning Regulations generally conform to the Kimberly Comprehensive Plan;

WHEREAS, the proposed amendments are in accordance with the safety and welfare of the general public facilities and services; and

WHEREAS the amendments are compatible with the surrounding area.

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

**Ordinance amendments are shown below in bold text**, language deleted is delineated by a single-line strikethrough, and regular text is neither amended nor deleted, but is shown to provide context and placing of the amendments in the ordinance.

**17.09.010: GENERAL SIGN PROVISIONS:**

H. No sign shall be animated, flashing or rotating. **Electronic Message Centers displaying date, time, temperature, weather, messages of interest to the traveling public, and/or commercial messages relating to the use of the property upon which the center is located, when in compliance with the conditions in sub-section 17.09.020R, are however permissible to be animated and flashing.** ~~Message centers and signs depicting time and/or temperature shall not be considered as flashing or animated.~~



~~17.09.020 R. RELIGIOUS and educational institutional sign:~~ Note: all succeeding subsections, following 17.09.020 R in the section shall have their sub-section letter become the next respective letter in the alphabet then what they are presently assigned to accommodate for the Electronic Message Center text amendment. As an example, 17.09.020S. is below.

**17.09.020 S. Religious and educational institutional sign:**

**17.09.020 R. Electronic message center sign:**

- 1. Definition: An electronic message center is an electronic sign which can be changed by electronic, electrical, and/or computerized process and may display date, time, temperature, weather, messages of interest to the traveling public, and/or commercial messages relating to the use of the property upon which the electronic message center is located. An electronics message center may be combined with a non-electronic sign pertaining to the use or products located on the same property which may be illuminated( collectively “EMC”). The EMC may not be mounted on a building.**
- 2. Maximum number: Each premises may have one EMC. The one EMC shall be substituted as the freestanding sign(s) otherwise permissible for the premises.**
- 3. Maximum size:**
  - a. The electronic sign portion of an EMC may be up to eight (8) feet in width and four (4) feet in height and may be two sided.**
  - b. The non-electronic sign portion of an EMC may be up to ten (10) feet in width and four (4) feet in height in total, and shall be mounted on the same base as the EMC.**
- 4. Projection: No EMC shall project closer than twenty- two (22’) to a vertical line projected from the face of a curb, or if no curb exists, the face of the future curb as determined by the city engineer based on the master street plan. No EMC shall project closer than twenty-two feet (22’) to a vertical line projected from any property line. Both distances will be measured at the portion of the EMC closest to the property line or curb.**



5. **Height:** An EMC shall not exceed twenty (20) feet in height as measured from un-elevated finished grade directly below the EMC at ground level.
6. **Location:** An EMC is permissible only in Commercial Gateway (CG) and School zoning districts.
7. **Other Requirements:**
  - a. Each application for an EMC electronic sign must be accompanied by a site plan of the premises which includes colored side and front elevations of the proposed sign. The site plan must be approved by a registered engineer.
  - b. A sign permit for an EMC shall not be issued until a building permit for a building on the premises has been issued.
  - c. The location of an EMC shall not endanger pedestrians or motorists and shall not cause undue distraction to traffic on adjacent streets or impede views at street or railroad crossings/intersections.
  - d. The luminance level of an EMC shall not exceed 5,000 cd/m<sup>2</sup> or Nits, and all EMCs shall be equipped with automatic dimming capabilities, and in no event shall an EMC be arranged, directed or of such intensity that it creates a hazard, nuisance or other adverse effect on adjacent property, motor vehicles or approved traffic control devices.
  - e. An EMC may flash the same frame one time in repetition. However, flashing the same frame on and off more than once in repetition is prohibited.
  - f. An EMC shall not have a minimum display time of less than 4 seconds per frame
  - g. An EMC shall be mounted on an enclosed above ground base covered by or by a combination of stucco, decorative metal, rock, simulated rock, and/or brick.



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

SECTION 1. The above described and shown text amendments are the subject of text amendments to the Kimberly City Code.

SECTION 2. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3. All City of Kimberly ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after the approval, and publication according to law.

PASSED AND ADOPTED BY THE KIMBERLY CITY COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Tracy Armstrong, Mayor, City of Kimberly

Attest:

\_\_\_\_\_  
Shoshonie Heitmann, City Clerk

Publish: Times News \_\_\_\_\_, 2013





City of Kimberly, Idaho  
242 Highway 30., PO Box Z  
Kimberly, ID. 83341

Community Development Department  
email: [bbingham@cityofkimberly.org](mailto:bbingham@cityofkimberly.org)  
ph: (208) 423-4151 x. 17 fax: (208) 423-4297

October 22, 2013

Dear Public Agency:

The Kimberly Planning and Zoning Commission will hold a public hearing at Kimberly City Hall at 242 Highway 30 on the item(s) listed below on **November 5, 2013**, at 6:00 p.m.:

- Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment to add under Section 17.11.50 B Curb, Gutter And Sidewalk: "New curbs, gutters and sidewalks shall be constructed at the expense of the property owner with, and at the same time as, all new construction or modification of existing buildings when the new construction or modification is for 500 or more square feet of floor area. The curbs, gutters, and sidewalks shall be constructed in accordance with city standards on all streets, within and adjacent to the development, and in all zoning districts except the agricultural district.
- Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment being to Section 17.09.010 H to allow for animated and flashing signs within the Commercial Gateway Zoning District. Additionally, the section would include appropriate regulations for animated sign dimensions, placements, and other specifications.

This Notice is issued pursuant to Idaho State Code (Local Land Use Planning Act), Section 67-6509, whereby notice must be provided to all political subdivisions providing services within the planning jurisdiction at least 15 days prior to public hearings regarding proposed amendments to the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, or any other land use ordinance.

You are invited to attend this public hearing or submit written comments to the Community Development Director at PO Box Z, Kimberly, Idaho, 83341, or by email at [bbingham@cityofkimberly.org](mailto:bbingham@cityofkimberly.org).

Any person needing special accommodations to participate in the above noticed meeting should contact the City Clerk or the Community Development Department as soon as possible. For further information, the Community Development Director may be reached at (208) 423-4151 ext. 17.



City of Kimberly, Idaho  
242 Highway 30., PO Box Z  
Kimberly, ID 83341

Community Development Department  
email: [bbingham@cityofkimberly.org](mailto:bbingham@cityofkimberly.org)  
ph: (208) 423-4151 x. 17 fax: (208) 423-4297

October 22, 2013

Dear Public Agency:

The Kimberly Planning and Zoning Commission will hold a public hearing at Kimberly City Hall at 242 Highway 30 on the item(s) listed below on **November 5, 2013**, at 6:00 p.m.:

- Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment to add under Section 17.11.50 B Curb, Gutter And Sidewalk: "New curbs, gutters and sidewalks shall be constructed at the expense of the property owner with, and at the same time as, all new construction or modification of existing buildings when the new construction or modification is for 500 or more square feet of floor area. The curbs, gutters, and sidewalks shall be constructed in accordance with city standards on all streets, within and adjacent to the development, and in all zoning districts except the agricultural district.
- Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment being to Section 17.09.010 H to allow for animated and flashing signs within the Commercial Gateway Zoning District. Additionally, the section would include appropriate regulations for animated sign dimensions, placements, and other specifications.

This Notice is issued pursuant to Idaho State Code (Local Land Use Planning Act), Section 67-6509, whereby notice must be provided to all political subdivisions providing services within the planning jurisdiction at least 15 days prior to public hearings regarding proposed amendments to the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, or any other land use ordinance.

You are invited to attend this public hearing or submit written comments to the Community Development Director at PO Box Z, Kimberly, Idaho, 83341, or by email at [bbingham@cityofkimberly.org](mailto:bbingham@cityofkimberly.org).

Any person needing special accommodations to participate in the above noticed meeting should contact the City Clerk or the Community Development Department as soon as possible. For further information, the Community Development Director may be reached at (208) 423-4151 ext. 17.

Public Subdivisions Providing Services w/in Planning District	Attn	Address	City	State	Zip
Dept of Water Resources	Allen Merritt	1341 Fillmore St. Ste 200	Twin Falls	ID	83301
South Central District Health	Craig Paul	1020 Washington North	Twin Falls	ID	83301
Idaho Power	Daniel Olmstead/Rod Lancaster	133 Fairfield St. N.	Twin Falls	ID	83301
Dept of Agriculture		2270 Old Penitentiary Rd	Boise	ID	83712
Idaho State Dept. of Lands	So Central Supervisory Area/MaryBeth	324 South 417 East #2	Jerome	ID	83338
State of Idaho Transportation Department	Dave Jensen	216 S. Date St.	Shoshone	ID	83352
Twin Falls County Weed Bureau	Kali Van Leeuwen	450 6th Ave. West	Twin Falls	ID	83301
Twin Falls Highway District	Karen Dalton	2620 Kimberly Road	Twin Falls	ID	83301
Dept of Environmental Quality	Bill Allred	1363 Fillmore Street	Twin Falls	ID	83301
Twin Falls Canal Company	Jay Barlogi	PO Box 326	Twin Falls	ID	83303
Kimberly School District	Luke Schroeder	141 Center West	Kimberly	ID	83341
Rock Creek Fire Dept	Jason Keller	PO Box 365	Kimberly	ID	83341
Idaho Fish & Game District Office		319 South 417 East	Jerome	ID	83338
City of Kimberly	Community Development Dept.	PO Box Z	Kimberly	ID	83341
Intermountain Gas		687 Blue Lakes Blvd N.	Twin Falls	ID	83301
Times News	Twin Falls County Reporter	PO Box 548	Twin Falls	ID	83301
Idaho Dept of Lands	Julianne Shaw - Strategic Business Pla	PO Box 83720	Boise	ID	83720

## Bart Bingham

---

**From:** Ruby Aufderheide  
**Sent:** Monday, October 21, 2013 9:26 AM  
**To:** 'Bart Bingham'  
**Subject:** RE: Oct 22 Legal- Please reply to confirm receipt

Bart  
Your hearing notice is scheduled to publish 10/22 as requested.  
Thank You

Ruby Aufderheide  
Legal Clerk for Times-News  
PO Box 548  
Twin Falls, ID 83303  
208-735-3324  
Fax 208-734-5538  
email [legals@magicvalley.com](mailto:legals@magicvalley.com)

---

**From:** Bart Bingham [<mailto:bbingham@cityofkimberly.org>]  
**Sent:** Saturday, October 19, 2013 8:26 PM  
**To:** Ruby Aufderheide  
**Subject:** Oct 22 Legal- Please reply to confirm receipt

**NOTICE OF PUBLIC HEARING  
KIMBERLY PLANNING AND ZONING COMMISSION  
Tuesday, November 5, 2013**

PUBLIC NOTICE IS HEREBY GIVEN that the Kimberly Planning and Zoning Commission will hold a Public Meeting at 6 p.m. on Tuesday November 5, 2013, to be held at Kimberly City Hall at 242 Highway 30, Kimberly, Idaho, and will hold a Public Hearing on the following item(s):

- Consideration of an application for preliminary plat approval of Kimberly Meadows Subdivision Phase No. 4 by Kimberly Meadows LLC, proposed as a 7.74 (+ or -) acre phase with 22-23 buildable lots. The proposed phase would be located east of 3400 East Road and north of 3700 North Road within the City of Kimberly, and is legally described as shown on the plat. Other matters to be considered include water modeling for domestic and fire protection, and sewer service and treatment for the subdivision phase and other considerations.
- Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment to add under Section 17.11.50 B Curb, Gutter And Sidewalk: "New curbs, gutters and sidewalks shall be constructed at the expense of the property owner with, and at the same time as, all new construction or modification of existing buildings when the new construction or modification is for 500 or more square feet of floor area. The curbs, gutters, and sidewalks shall be constructed in accordance with city standards on all streets, within and adjacent to the development, and in all zoning districts except the agricultural district.
- Consideration of a City of Kimberly initiated text amendment to the Kimberly City Code and an ordinance for the amendment, the amendment being to Section 17.09.010 H to allow for animated and

flashing signs within the Commercial Gateway Zoning District. Additionally, the section would include appropriate regulations for animated sign dimensions, placements, and other specifications.

Any and all interested persons are invited to attend this public hearing or to submit written comments to the Community Development Director at PO Box Z, Kimberly, ID 83341 or at [bbingham@cityofkimberly.org](mailto:bbingham@cityofkimberly.org). Supporting documents for this item can be viewed at Kimberly City Hall or on the City of Kimberly website at <http://www.cityofkimberly.org/> the Friday prior to the meeting.

For further information regarding this notice, or for special accommodations to participate in the noticed meeting, please contact the email address above or (208) 423-4151 x. 17.

Publish:           The Times News  
                          date of publication October 22, 2013.

Thank you.

## STAFF REPORT

**TO:** Kimberly Planning and Zoning Commission

**FROM:** Bart Bingham, Community Development Director

**RE:** Applicant Kimberly School District, 141 Center Street W, Kimberly ID 83341, requests a determination as to whether proposed Agricultural Science Building Addition building height and spacing distances (from other onsite buildings) are adequate. This is a determination to be made by the Commission based upon the “as to be determined by the Planning and Zoning Commission” requirement.

**HEARING:** November 5, 2013

---

On November 5, 2013, the Kimberly Planning and Zoning Commission considered an application by Kimberly School District to determine whether proposed Agricultural Science Building Addition height and spacing from existing onsite structures/buildings is sufficient as shown on the submitted site and elevations for the building addition.

### **Background**

Building Permit approval for the proposed Ag Science Building, is contingent upon consideration and determination from the Planning and Zoning Commission.

### **Department Comments**

The proposed addition appears to have spacing of at least 30’ in all directions from other onsite buildings. From a department standpoint, these spaces are as far or further than building spacing distances of buildings in similar situations and locations also required to have spacing. Submitted elevations also show attic/storage/service space above what is shown to only be a one story addition. This indicates the proposed building would be below the 35’ maximum height allowed for buildings in several zoning districts.

### **Standards of Evaluation:**

**Note:** Standards are in darker type, staff analysis is in lighter type

**17.04.100 SCHOOL(S):** The purpose of this zoning subdistrict is to foster and promote the creation of educational institutions for the benefit of the community.

The proposed building addition is for Agricultural Science.

### **17.04.130: OFFICIAL HEIGHT AND AREA REGULATIONS:**

#### MINIMUM YARD REQUIREMENTS

District	Maximum Height	Front	Rear	Interior Side	Street Side	Minimum Lot	Minimum Lot
----------	----------------	-------	------	---------------	-------------	-------------	-------------

						<b>Area Per DU</b>	<b>Width</b>
R1	25'	25'	10'	7'	25'	4 x floor area of the principal building, but not less than 1 acre	100'
R2	25'	25'	10'	7'	25'	4 x floor area of the principal building, but not less than 8,000 sq. ft.	80'
R3	25'	25'	10'	7'	5'	4 x floor area of the principal building, but not less than 6,500 sq. ft.	65'
AG	35'	30'	30'	7'	30'	1 acre	80'
AR	35'	30'	30'	7'	30'	1 acre	60'
CB	35'	None	None	None	None	None	None
CG	35'	50'	None	None	None	None	None
RP	60'	25'	10'	5'	25'	4 x floor area of the principal building, but not less than 5,000 sq. ft.	50'



LI	60'	30'	10'	15'	30'	None	None
MH	25'	15'	10'	15' between units	15'	None	None
<b>S</b>	<b>As determined by the planning and zoning commission</b>						
P	As determined by the planning and zoning commission						

**The Planning and Zoning Commission shall determine the height and setback requirements for proposed buildings to built upon School Zoning District property.**

The Commission and applicant is hereby notified and advised of requirement.

**Summary**

The Commission is required to determine whether height and spacing for the proposed Agricultural Science building, as shown on the site plans and elevations dated August 30, 2013, is sufficient as shown.

**DECISION**

Based upon the above Requirements, the Commission makes the following Determination:

1. Upon compliance with the conditions as noted above, the application substantially meets the standards of the Kimberly Development Code.



**Motion Language**

Approval

Motion to approve the spacing distances from other buildings on the property as shown on the site plan.

Motion to approve the height of the proposed Ag Science Building as shown on the elevations cut sheet.

Denial

Motion to deny the spacing distances from other buildings on the property as shown on the site plan.

Motion to deny the height of the proposed Ag Science Building as shown on the elevations cut sheet.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Candy Weth, Commission Chair City of Kimberly

Attest:

\_\_\_\_\_  
Bart Bingham, Community Development Director, City of Kimberly



# AGRICULTURAL SCIENCE BUILDING ADDITION KIMBERLY, ID

08/30/2013



## OWNER

SUPERINTENDENT OF SCHOOLS  
KIMBERLY SCHOOL DISTRICT  
141 CENTER STREET WEST  
KIMBERLY, IDAHO 83341  
PHONE: (208) 423-4179  
FAX: (208) 423-6155

## ARCHITECT

CTA ARCHITECTS ENGINEERS  
1185 GROVE STREET  
BOISE, ID 83702  
CONTACT: BROCK MARTINSON  
PHONE: (208) 577-5639  
FAX: (208) 343-3531

## STRUCTURAL

CTA ARCHITECTS ENGINEERS  
1185 GROVE STREET  
BOISE, ID 83702  
CONTACT: TOM POREMBA  
PHONE: (208) 577-5622  
FAX: (208) 343-3531

## PLUMBING/MECHANICAL

CTA ARCHITECTS ENGINEERS  
1185 GROVE STREET  
BOISE, ID 83702  
CONTACT: SPENCER SHEPARD  
PHONE: (208) 577-5616  
FAX: (208) 343-3531

## ELECTRICAL

CTA ARCHITECTS ENGINEERS  
1185 GROVE STREET  
BOISE, ID 83702  
CONTACT: DAVE BURFEIND  
PHONE: (208) 577-5616  
FAX: (208) 343-3531

## DESIGN/BUILD CONTRACTOR

STARR CORPORATION  
2995 E 3600 N.  
TWIN FALLS, ID 83301  
PHONE: (208) 733-5695  
FAX: (208) 734-9537

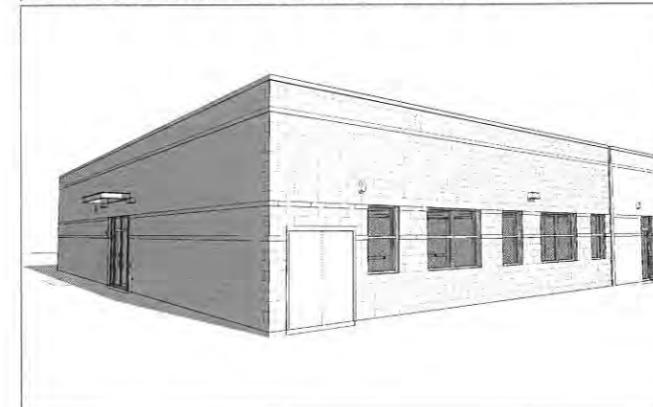
OWNER ACCEPTANCE  
KIMBERLY SCHOOL DISTRICT

DATE

GENERAL		FIRE PROTECTION	
G101	COVER SHEET	FP101	FIRE PROTECTION PLAN
G102	CODE PLAN		
ARCHITECTURAL		PLUMBING	
A100	SITE PLAN	P001	PLUMBING LEGEND AND SCHEDULES
A101	FLOOR PLAN	P101	FOUNDATION PLUMBING PLAN
A110	ROOF PLAN AND DETAILS	P102	PLUMBING PLAN
A201	EXTERIOR ELEVATIONS		
A301	BUILDING AND WALL SECTIONS	MECHANICAL	
A501	FINISH PLAN, ENLARGED PLAN AND INTERIOR ELEVATIONS	M001	MECHANICAL LEGEND AND SCHEDULES
A601	DOOR AND WINDOW SCHEDULES AND DETAILS	M101	HVAC PLAN
A901	REFLECTED CEILING PLAN	M201	HVAC DETAILS
		M301	MECHANICAL SPECIFICATIONS
STRUCTURAL		ELECTRICAL	
S001	GENERAL NOTES	E001	ELECTRICAL LEGENDS & SCHEDULES
S101	FOUNDATION AND ROOF FRAMING PLAN	E002	ONE-LINE DIAGRAM
S201	DETAILS	E003	PANEL SCHEDULES
		E004	LIGHTING COMPLIANCE FORMS
		E201	LIGHTING PLAN
		E301	POWER PLAN MAIN FLOOR
		E302	POWER PLAN ROOF
		E401	SPECIAL SYSTEMS PLAN

## EXTERIOR PERSPECTIVE

(SHOWN FOR VISUALIZATION PURPOSES ONLY)



## VICINITY MAP



PROJECT LOCATION

REVISIONS

AGRICULTURAL SCIENCE  
BUILDING ADDITION

KIMBERLY, ID

CONSTRUCTION  
DOCUMENTS

COPYRIGHT 2013  
CTA, INC.  
ALL RIGHTS RESERVED.  
DRAWN BY: SB  
CHECKED BY: BM  
DATE: 08/30/2013  
CTA # KIMB13\_AG

LICENSED  
ARCHITECT  
AR 984755  
Scott D. Roberts  
STATE OF IDAHO



COVER SHEET

SHEET  
G101

PLUMBING FIXTURE COUNT - AGRICULTURAL SCIENCE BUILDING ADDITION

OCCUPANCY	NET AREA SERVED	OCCUPANT LOAD FACTOR	PLUMBING OCCUPANT LOAD	WATER CLOSETS				LAVATORIES			
				MALE		FEMALE		MALE		FEMALE	
				REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED		
E	4,375	LAVS & WCs: 1 PER 50	120	2	1*	2	0*	2	1*	2	0*
TOTAL NUMBER OF FIXTURES PROVIDED				2	1*	2	0*	2	1*	2	0*
UNISEX TOILET (PER IBC 1109.2.1)				REQUIRED	NO	OCCUPANCY IS DETERMINED BASED ON 2009 INTERNATIONAL BUILDING CODE EQUALLY DIVIDE THE PLUMBING OCCUPANT LOAD BETWEEN MALE AND FEMALE FOR DETERMINING THE NUMBER OF REQUIRED PLUMBING FIXTURES.					
				PROVIDED	NO						
NUMBER OF DRINKING FOUNTAINS BASED ON E OCCUPANCY				REQUIRED	2						

\* EXISTING PLUMBING FIXTURES IN HIGH SCHOOL ARE UTILIZED FOR THE REQUIRED PLUMBING FIXTURE COUNTS IN THE AGRICULTURAL SCIENCE BUILDING ADDITION

PLUMBING FIXTURE COUNT - EXISTING AGRICULTURAL SCIENCE

OCCUPANCY	NET AREA SERVED	OCCUPANT LOAD FACTOR	PLUMBING OCCUPANT LOAD	WATER CLOSETS				LAVATORIES			
				MALE		FEMALE		MALE		FEMALE	
				REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED		
E	4,375	LAVS & WCs: 1 PER 50	120	2	1*	2	0*	2	1*	2	0*
TOTAL NUMBER OF FIXTURES PROVIDED				2	1*	2	0*	2	1*	2	0*
UNISEX TOILET (PER IBC 1109.2.1)				REQUIRED	NO	OCCUPANCY IS DETERMINED BASED ON 2009 INTERNATIONAL BUILDING CODE EQUALLY DIVIDE THE PLUMBING OCCUPANT LOAD BETWEEN MALE AND FEMALE FOR DETERMINING THE NUMBER OF REQUIRED PLUMBING FIXTURES.					
				PROVIDED	NO						
NUMBER OF DRINKING FOUNTAINS BASED ON E OCCUPANCY				REQUIRED	2						

PLUMBING FIXTURE COUNT - EXISTING HIGH SCHOOL

OCCUPANCY	NET AREA SERVED	OCCUPANT LOAD FACTOR	PLUMBING OCCUPANT LOAD	WATER CLOSETS				LAVATORIES			
				MALE		FEMALE		MALE		FEMALE	
				REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED	REQUIRED / PROVIDED		
E	4,375	LAVS & WCs: 1 PER 50	120	2	1*	2	0*	2	1*	2	0*
TOTAL NUMBER OF FIXTURES PROVIDED				2	1*	2	0*	2	1*	2	0*
UNISEX TOILET (PER IBC 1109.2.1)				REQUIRED	NO	OCCUPANCY IS DETERMINED BASED ON 2009 INTERNATIONAL BUILDING CODE EQUALLY DIVIDE THE PLUMBING OCCUPANT LOAD BETWEEN MALE AND FEMALE FOR DETERMINING THE NUMBER OF REQUIRED PLUMBING FIXTURES.					
				PROVIDED	NO						
NUMBER OF DRINKING FOUNTAINS BASED ON E OCCUPANCY				REQUIRED	2						

**AGRICULTURAL SCIENCES BUILDING - ADDITION**

OCCUPANCY: EF-1 | STORIES: 1 | CONSTRUCTION TYPE: V-B | FULLY SPRINKLERED

PER IBC SECTION 503 - GENERAL HEIGHT AND AREA LIMITATIONS  
 BASE ALLOWABLE BUILDING HEIGHT: 40'-0"  
 BASE ALLOWABLE BUILDING STORIES: 1  
 BASE ALLOWABLE AREA: 8,500 SF  
 (BASE ALLOWABLE HEIGHT/AREA CALCULATIONS BASED ON F-1 OCCUPANCY)

PER SECTION 504.2 - HEIGHT MODIFICATIONS  
 ALLOWABLE BUILDING HEIGHT: 60'-0"  
 (17'-0" T.O. PARAPET) OK

ALLOWABLE BUILDING STORIES: 2  
 (1 STORY) OK

PER SECTION 506 - AREA MODIFICATIONS  
 ALLOWABLE AREA PER FLOOR "F-1": 40,375 SF  
 (12,767 SF ACTUAL) OK  
 12,767 SF = 7,972 SF EXISTING + 4,375 SF NEW

506.1 - AREA INCREASE (EQUATION 5.1)  
 F-1 OCCUPANCY ALLOWABLE AREA = A + [A X F] - [A X S]  
 40,375 SF = 8,500 + [8,500 X .75] - [8,500 X .3]

PER SECTION 508.3 - NONSEPARATED OCCUPANCIES  
 NO SEPARATION REQUIRED

PER SECTION 602 - CONSTRUCTION CLASSIFICATION  
 TABLE 601 - TYPE V-B

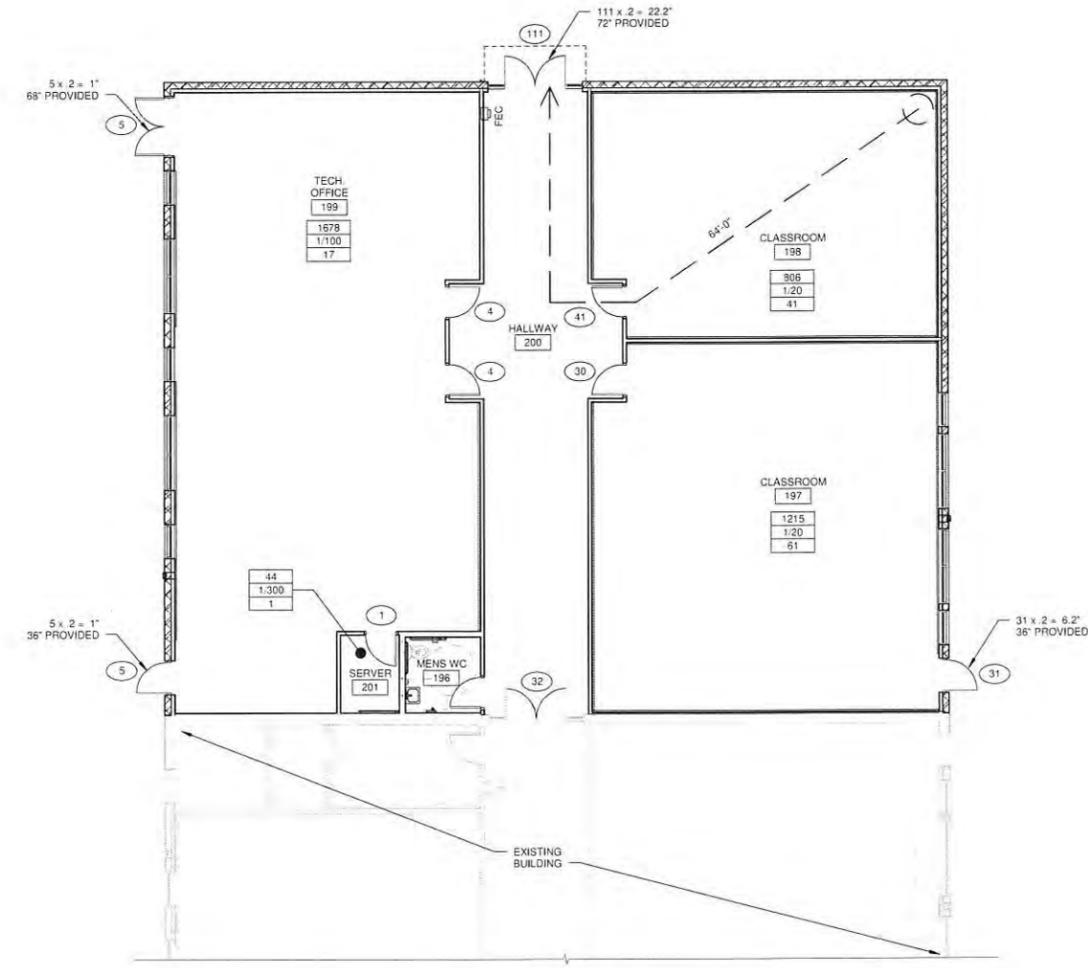
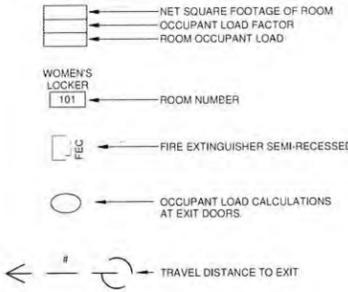
BUILDING ELEMENT	HOURS
PRIMARY STRUCTURAL FRAME	0
BEARING WALLS (INT. EXT.)	0
NON-BEARING INT. WALLS	0
FLOOR CONSTRUCTION	0
ROOF CONSTRUCTION	0

PER SECTION 1505  
 TABLE 1505.1  
 ROOF COVERING CLASSIFICATION: C

GENERAL NOTES

- A. CODES OF RECORD INCLUDE (BUT ARE NOT LIMITED TO):  
 -2009 INTERNATIONAL BUILDING CODE  
 -2003 INTERNATIONAL MECHANICAL CODE  
 -2003 UNIFORM PLUMBING CODE  
 -2008 NATIONAL ELECTRICAL CODE  
 -2009 INTERNATIONAL ENERGY CONSERVATION CODE  
 -2006 INTERNATIONAL FIRE CODE  
 -2009 ICC/ANSI A117.1 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES
- B. COORDINATE WITH STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL FOR ADDITIONAL CODE REQUIREMENTS.

PLAN LEGEND



1 CODE PLAN  
 G102 1/8" = 1'-0"

REVISIONS

AGRICULTURAL SCIENCE BUILDING ADDITION  
 KIMBERLY, ID

CONSTRUCTION DOCUMENTS

COPYRIGHT 2013  
 CTA, INC.  
 ALL RIGHTS RESERVED  
 DRAWN BY: BTM  
 CHECKED BY: BTM  
 DATE: 08/30/2013  
 CTA# KIMB13\_AG

LICENSED ARCHITECT  
 AR 984755  
 Scott D. Roberts  
 STATE OF IDAHO



CODE PLAN

SHEET  
 G102

GENERAL NOTES

- A. NOT ALL SITE CONDITIONS AFFECTED BY BUILDING ADDITION ARE INDICATED. FIELD VERIFY.
- B. RELOCATE EXISTING IRRIGATION LINE AND CONTROL WIRING AS REQUIRED TO AVOID ADDITION.

REVISIONS

AGRICULTURAL SCIENCE  
BUILDING ADDITION

KIMBERLY, ID

CONSTRUCTION  
DOCUMENTS

COPYRIGHT 2013  
CTA, INC.  
ALL RIGHTS RESERVED.

DRAWN BY: BTM  
 CHECKED BY: BTM  
 DATE: 08/30/2013  
 CTA # KIMB13\_AG

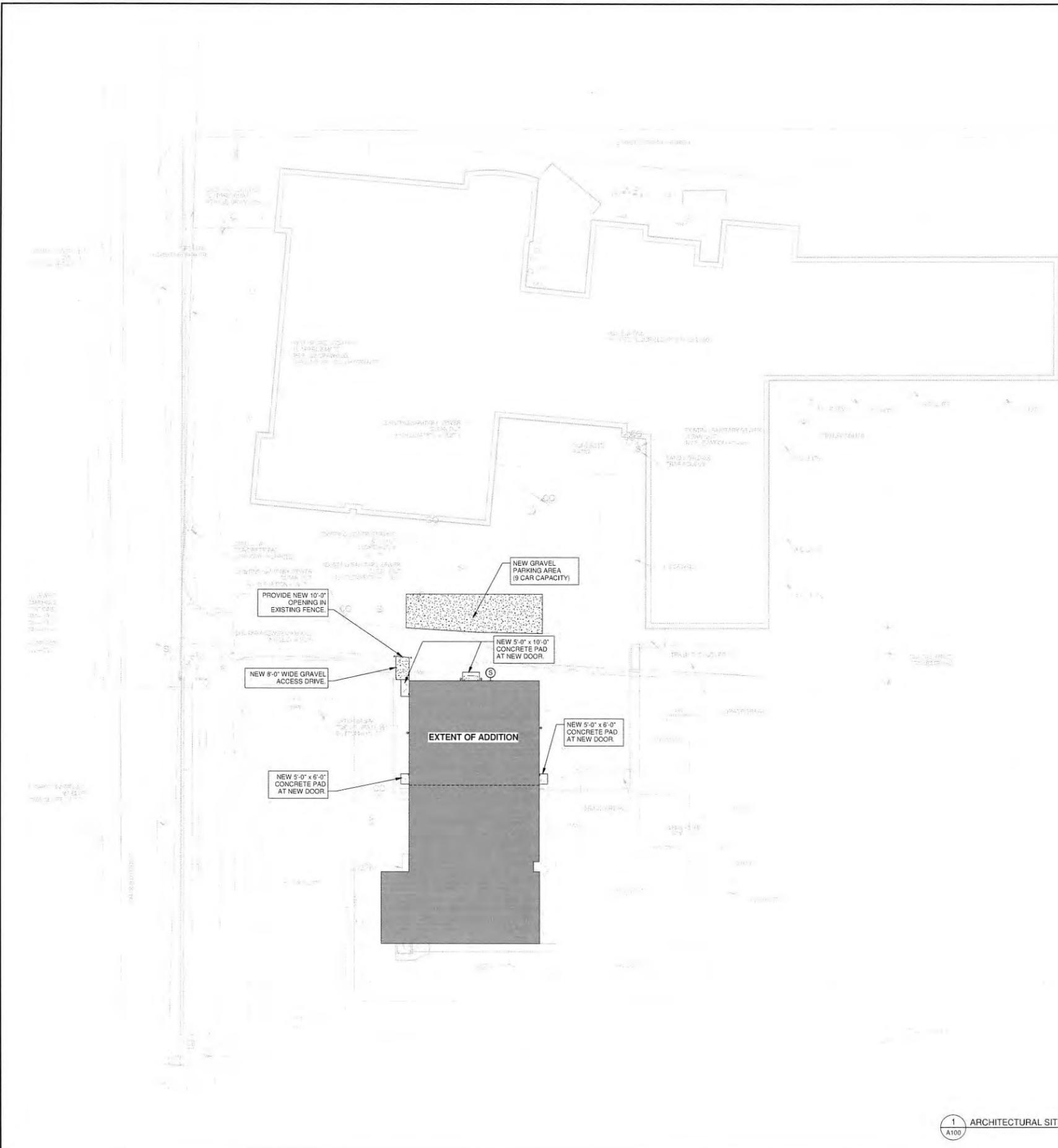
LICENSED  
 ARCHITECT  
 AR 584755  
  
 Scott D. Roberts  
 STATE OF IDAHO



SITE PLAN

SHEET

A100



\\p0101\shared\Documents\Drawings\13\1308\A100.dwg