

SUMMARY OF FREMONT COUNTY ORDINANCE NO. 2010-04

Fremont County Ordinance No. 2010-04, APPENDIX K, DETAILED PERFORMANCE STANDARDS FOR YARDS AND BUFFERING (APPLICABLE IN ALL ZONES), which was adopted by the Board of County Commissioners of Fremont County, Idaho on the 1st day of March, 2010, may be summarized for publication as follows:

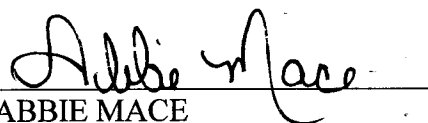
AN ORDINANCE AMENDING THE FREMONT COUNTY DEVELOPMENT CODE TO ADD APPENDIX K, DETAILED PERFORMANCE STANDARDS FOR YARDS AND BUFFERING (APPLICABLE IN ALL ZONES); LISTING THE PURPOSE; STATING MINIMUM BUFFER REQUIREMENTS; SETTING FORTH HEIGHT ADJUSTMENT; DISCUSSING BUFFER WIDTH REDUCTION, BERM; STATING BUFFER WIDTH REDUCTION: ADDITIONAL PLANTINGS; LISTING MINIMUM BUFFER WIDTH; SETTING FORTH BUFFER CROSSINGS/INCLUSIONS; STATING PLANT MATERIALS SPECIFICATIONS; DETAILING MAINTENANCE; AND PROVIDING THE EFFECTIVE DATE.

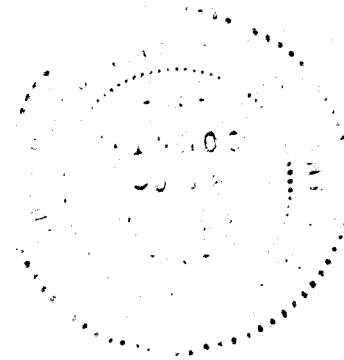
A copy of the full text of this ordinance may be obtained or reviewed at the office of the Fremont County Clerk, which is located at 151 West 1st North, Room 12, St. Anthony, Idaho 83445, or at the Planning & Building Department, 125 North Bridge, St. Anthony, Idaho 83445, between 8:00 a.m. and 5:00 p.m.

CLERK'S STATEMENT

I, ABBIE MACE, the County Clerk of Fremont County, Idaho hereby state that I have read the foregoing Summary of Fremont County Ordinance No. 2010-04, which summary is true and complete and provides adequate notice to the public.

Dated this 9th day of March, 2010.


ABBIE MACE
COUNTY CLERK



Microfilm No. 527352
16 Day March 2010
At 12:28 O'Clock PM
ABBIE MACE
FREMONT CO RECORDER
Fee \$0 CP Deputy
Recorded at Request of
Clerk Abbie Mace

ORDINANCE NO. 2010- 04

AN ORDINANCE AMENDING THE FREMONT COUNTY DEVELOPMENT CODE TO ADD APPENDIX K, DETAILED PERFORMANCE STANDARDS FOR YARDS AND BUFFERING (APPLICABLE IN ALL ZONES); LISTING THE PURPOSE; STATING MINIMUM BUFFER REQUIREMENTS; SETTING FORTH HEIGHT ADJUSTMENT; DISCUSSING BUFFER WIDTH REDUCTION, BERM; STATING BUFFER WIDTH REDUCTION: ADDITIONAL PLANTINGS; LISTING MINIMUM BUFFER WIDTH; SETTING FORTH BUFFER CROSSINGS/INCLUSIONS; STATING PLANT MATERIALS SPECIFICATIONS; DETAILING MAINTENANCE; AND PROVIDING THE EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FREMONT COUNTY, IDAHO, AS FOLLOWS:

The following performance standards shall apply for yards and buffering, in all zones, within the boundaries of Fremont County:

1. PURPOSE.

Landscaping requirements are an essential element in mitigating potential land use conflicts and enhancing the visual appeal of the county. The purpose of this appendix is to ensure that landscaped buffers required by these regulations effectively accomplish those goals.

2. MINIMUM BUFFER REQUIREMENTS.

The width of required buffers shall vary with the nature of the uses being separated, the height of the buildings being separated, and the construction of the buffer, as shown in Table K.1. The basic buffer width given in that table is the width required where the buffer consists of a level or gently sloping area (3:1 slope or flatter) of sod or ground cover and at least four major trees per hundred lineal feet of buffer. That table also shows where a security fence and/or solid fence, wall, or berm is required as part of a buffer.

3. HEIGHT ADJUSTMENT.

The basic buffer width shall be increased by the height adjustment factor, where one is established by Table K.1. The height adjustment factor is a ratio expressing the number of feet that must be added to the basic buffer width for each foot in height over twenty-five feet (25') of the principal structure being buffered.

4. BUFFER WIDTH REDUCTION: BERM.

The basic buffer width requirements may be reduced where a berm is included in the buffer. The width reduction shall be twice the height of the berm, but the maximum permitted reduction shall be ten feet (10'). No berm shall have a slope steeper than 3:1, except where a retaining wall is incorporated into the berm on the side opposite the use or public way being buffered.

5. BUFFER WIDTH REDUCTION: ADDITIONAL PLANTINGS.

The basic width requirements may be reduced where a greater density and diversity of plantings is included in the buffer. The buffer width reductions permitted by this section are cumulative and may result in a total reduction of up to 30%. The buffer width reduction permitted by K.4. is cumulative with those permitted here.

5.1. Major Trees. The required buffer width shall be reduced by 10% where five (5) or more major trees per hundred lineal feet are planted or retained.

5.2. Understory Trees. The required buffer width shall be reduced by 10% where five (5) or more shrubs per hundred lineal feet are planted or retained.

5.3. Shrubs. The required buffer width shall be reduced by 10% where twenty (20) or more shrubs per hundred lineal feet are planted or retained.

6. MINIMUM BUFFER WIDTH.

No required buffer width shall be less than half the basic buffer width or less than ten (10) feet in width, regardless of any reductions permitted by K.4. or K.5.

7. BUFFER CROSSINGS/INCLUSIONS.

Buffers may be crossed by access driveways, utility lines, sidewalks, and pedestrian trails. A sidewalk or pedestrian trail may also run along the length of a buffer, with its width, up to a maximum five feet (5'), being included in the required buffer width. Buffers may also include permitted signs.

8. PLANT MATERIALS SPECIFICATIONS.

Plant materials installed in required buffers shall be warranted for one (1) year and meet the following specifications:

8.1. All trees, major and understory, shall be containerized or bagged and burlapped stock in good condition with a caliper of at least 2.0 inch, measured six inches (6") above grade, for deciduous tree, and a height of at least six feet (6') for coniferous trees; and

8.2. All shrubs shall be minimum five (5) gallon containerized stock in good condition.

9. MAINTENANCE.

Perpetual maintenance of required buffers is required.

10. EFFECTIVE DATE:

This ordinance shall be in full force and effect upon publication.

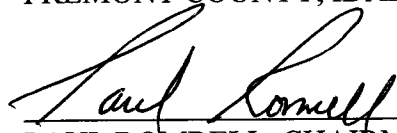
TABLE K.1. – BUFFERING REQUIREMENTS

Proposed Use	Adjacent Use	Buffer Width (Feet)	Height Adjustment	Headlight Buffer Required?	Sound Reflective Wall Required?	Sight Obscuring Security Fence Required?
Industrial	Residential, platted residential lots	100	1:1	For parking areas	Yes	Yes
Industrial	Any public way	50	None	No	No	Yes
Commercial	Residential, platted residential lots	20	.75:1	For parking areas	Yes	No
Commercial outdoor storage or sales areas >10,000 sq ft	Residential, platted residential lots	50	None	Yes	No	Yes
Commercial outdoor storage or sales areas	Frontage along any public or private road right of way	50	None	No	No	Yes
Higher density residential	Lower density residential platted residential lots	20	.80:1	For parking areas	No	Yes

- A **Sight Obscuring Security Fence** is defined as a fence a minimum of six (6) feet tall but a maximum of ten (10) feet high that completely secures an area from casual trespass and provides a complete view blocking screen.
- A **Sound Reflective Wall** is applicable on all sides of commercial and industrial property bordering residentially platted lots where a Sight Obscuring fence is otherwise required. A **Sound Reflective Wall** is defined as a masonry, block, stone, or precast cement wall of at least six feet (6') tall but a maximum of ten feet (10') high.
- **Headlight Buffer** is defined as a sight and/or light obscuring fence, wall, building, landscaping or other light trespass blocking design. Usually associated with commercial access and parking lot design.
- SF= square feet. Where requirements overlap the strictest applies.
- No buffer is required between like uses and therefore these are absent from the table.

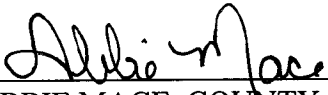
PASSED THIS 1st DAY OF March, 2010, BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO.

BOARD OF COUNTY COMMISSIONERS
FREMONT COUNTY, IDAHO



PAUL ROMRELL, CHAIRMAN

ATTEST:



ABBIE MACE, COUNTY CLERK