

**City of Swan Valley**  
**SPECIAL MEETING**  
**City Council Meeting**  
**December 14, 2019**  
9:00 AM

**Mayor** Janice Duncan  
Council Members:  
Mike Allen - Council President  
Dusty Jacobson  
Laura Baarda

**City Staff:**  
Stephanie Bonney            City Attorney  
DaNiel Jose            City Planner/City Clerk

Mayor Janice Duncan called the meeting to order at 9:00 a.m. This meeting is being held due to the fact that the three reading of the ordinance was not suspended.

**Council Members Present:** Mayor Janice Duncan, Dusty Jacobson, Mike Allen and Laura Baarda. **Staff Present:** DaNiel Jose

Laura Baarda made the motion to suspend the three readings of the ordinance Dusty Jacobson seconded the motion. The vote was unanimous.

The council discussed the proposed changes to the ordinance.

Laura Baarda made the motion to approve section 1 of the ordinance as written. Mike Allen seconded the motion. The vote was unanimous.

Laura Baarda made the motion to approve section 2 of the ordinance as written. Mike Allen seconded the motion. The vote was unanimous.

Laura Baarda made the motion to approve section 3 of the ordinance with the change to number 3 of section 3 regarding the set back to 50 feet and any other items needed at the discretion of the council.

The vote was; Mike Allen in favor of the motion. Dusty Jacobson in favor of the motion. Laura Baarda in favor of the motion. The ordinance changes passed.

**The meeting was adjourned.**

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Janice Duncan, Mayor

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Mike Allen, Council President

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DaNiel Jose, City Clerk

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY OF SWAN VALLEY, IDAHO, AMENDING ORDINANCE NUMBER 50, ZONING ORDINANCE, SECTION 5, DEFINITIONS, TO ADD THE DEFINITION OF A TOWING AND IMPOUND YARD AND AMEND THE DEFINITION OF SALVAGE YARD, AMENDING SECTION 6, ALLOWED USES, TO SPECIFY “TOWING AND IMPOUND YARD” AS A CONDITIONAL USE IN A COMMERCIAL ZONE, AND AMENDING SECTION 9, SUPPLEMENTARY REGULATIONS, TO PROVIDE CONDITIONS AND PERFORMANCE STANDARDS FOR CONDITIONAL USE PERMITS FOR TOWING AND IMPOUND YARDS WITHIN THE CORPORATE LIMITS OF SWAN VALLEY; AND PROVIDING AN EFFECTIVE DATE**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SWAN VALLEY, BONNEVILLE COUNTY, IDAHO, as follows:**

**SECTION 1:** That Section 5, Definitions, of Ordinance No. 50, the Zoning Code of Swan Valley, Idaho be, and the same hereby is, amended as follows:

TOWING AND IMPOUND YARD: Any lot or portion of a lot controlled, maintained, used, or operated by a towing company in conformance with the Idaho State Police Procedures, as promulgated by the State of Idaho. A Towing and Impound Yard holds, for a limited duration, outdoors, vehicles and vessels or associated equipment that are impounded, damaged or wrecked until such time as the they are claimed and returned to the owner(s), or processed by the impounding agency to obtain salvage title, at which time they are sold to individuals, businesses, recyclers, salvage yards, or otherwise put back in to service by towing company and removed from the premises. In contrast with a Salvage (Junk) Yard, a Towing and Impound Yard shall only be used for limited duration storage of vehicles which are ultimately removed from the premises.

SALVAGE (JUNK) YARD Any location, other than a Towing and Impound Yard, which is maintained, used or operated for dismantling, storing, keeping, buying or selling discarded, scrapped or ruined vehicles, machinery, appliances, metal products, paper, synthetic petrochemical products or any other scrap or waste materials.

**SECTION 2:** That the Land Use Table in Section 6, Allowed Uses, of Ordinance No. 50, the Zoning Code of Swan Valley, Idaho be, and the same hereby is, amended as follows:

<b>USES</b>	<b>Agricultural</b>	<b>Residential</b>	<b>Commercial</b>
<u>Towing and Impound Yard</u>			<u>C</u>
Salvage Yards			
Sexually Oriented Business			
Temporary Bldgs. (1 year)	P	P	P
Temporary construction work bldg	P	P	P
Temporary Dwellings	C	C	C
Theaters and indoor entertainment			P
Truck & tractor repair			C

**SECTION 3:** That Section 9, Supplementary Regulations, of Ordinance No. 50, the Zoning Code of Swan Valley, Idaho be, and the same hereby is, amended as follows:

M. Towing and Impound Yards. Towing and Impound Yard uses shall only be permitted if the following conditions are met and continuously maintained throughout such use. Towing and Impound Yards must:

1. Be fully screened by screening fences not less than six (6) feet in height, and sufficiently opaque to prevent visibility of the interior of the Yard and its contents from the exterior of the lot. Any screening fences shall be designed to blend with and not detract from the appearance of the surrounding area.
2. Occupy no more than 35% of the total square footage of the lot upon which the Yard is located.
3. Be set back from any street frontage no less than 100 feet, as measured from the required screening fence to the closest public street or streets adjoining the lot.
4. Meet all requirements for Towing and Impound Yards as set forth by the Idaho State Police and rules promulgated by that agency.
5. Prevent any installed lighting from projecting glare upon or interfering with any neighboring uses.
6. Not create a nuisance.
7. Any other items deemed necessary by the City Council.

**SECTION 4.0: PUBLICATION:** This Ordinance, or summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.