**TITLE 9**

**SUBDIVISION REGULATIONS**

General Provisions 9-1

9-1-1: Short Title pg. 3

9-1-2: Authority

9-1-3: Purpose

9-1-4: Jurisdiction

9-1-5: Interpretation

Definitions 9-2

9-2-1: Interpretation Of Terms and Words pg. 5

9-2-2: General Definitions

Plats And Procedures 9-3

9-3-1: Application For Subdivision Approval pg. 14   
 Generally

9-3-2: Preliminary Plat

9-3-3: Final Plat

9-3-4: Record Of Lot; Plat Approval

9-3-5: Sale Of Lot; Plat to Be Recorded

9-3-6: Lot Splits/Minor Subdivisions

9-3-7: Fees

9-3-8: Appeals Process

Design Standards 9-4

9-4-1: Minimum Standards Required pg. 26

9-4-2: Location

9-4-3: Street Widths

9-4-4: Intersections

9-4-5: Street Names

9-4-6: Pedestrian Walkways

9-4-7: Blocks

9-4-8: Lots

9-4-9: Easements

9-4-10: Reserve Strips

9-4-11: Public Sites and Open Spaces

Required Improvements 9-5

9-5-1: Improvements Required pg. 31

9-5-2: Monuments

9-5-3: Streets And Alleys

9-5-4: Curbs And Gutters

9-5-5: Street And Public Safety Signs

9-5-6: Streetlights

9-5-7: Sidewalks And Pedestrian Walkways

9-5-8: Underground Utilities

9-5-9: Water Supply, Sewer Systems and Solid Waste Disposal

9-5-10: Storm Drainage, Flood Controls

9-5-11: Fire Hydrants and Water Mains

9-5-12: Guarantee Of Improvements

9-5-13: Inspections

9-5-14: Inspector On Development Site

9-5-15: Failure To Complete Public Improvement Construction

9-5-16: Warranty Requirement

Administration And Enforcement 9-6

9-5-1: Improvements Required pg. 37

9-5-2: Monuments

9-5-3: Streets And Alleys

9-5-4: Curbs And Gutters

9-5-5: Street And Public Safety Signs

9-5-6: Streetlights

9-5-7: Sidewalks And Pedestrian Walkways

9-5-8: Underground Utilities

9-5-9: Water Supply, Sewer Systems and Solid Waste Disposal

9-5-10: Storm Drainage, Flood Controls

9-5-11: Fire Hydrants and Water Mains

9-5-12: Guarantee Of Improvements

9-5-13: Inspections

9-5-14: Inspector On Development Site

9-5-15: Failure To Complete Public Improvement Construction

9-5-16: Warranty Requirement

CHAPTER 1

**GENERAL PROVISIONS**

SECTION:

9-1-1: Short Title

9-1-2: Authority

9-1-3: Purpose

9-1-4: Jurisdiction

9-1-5: Interpretation

9-1-1: **SHORT TITLE:** This title shall be known and may be cited as the *SUBDIVISION ORDINANCE OF THE CITY OF RIRIE*. (2025 Code)

9-1-2: **AUTHORITY:** These regulations are authorized by Idaho Code title 50, chapter 13; title 67, chapter 65; and the Idaho constitution article 12, section 2, as amended or subsequently codified. (2025 Code)

9-1-3: **PURPOSE:** The purpose of these regulations is to promote public health, safety and general welfare, and to provide for:

A.  The harmonious development of the city and its area of impact.

B.  The coordination of streets and roads within a subdivision with other existing or planned streets and roads.

C.  Adequate open space for travel, light, air and recreation.

D.  Adequate transportation, water drainage and sanitary facilities.

E.  The avoidance of the scattered subdivision of land that would result in either of the following:

1. The lack of water supply, sewer service, drainage, transportation or other public services; or

2. The unnecessary imposition of an excessive expenditure   
 of public funds for the supply of such services;

F.  Requirements as to the extent and the manner in which:

1. Roads shall be created, improved and maintained; and

2. Water and sewer and other utility mains, piping connections, or other facilities shall be installed.

G.  The manner and form of making and filing of any plats; and

H.  The administration of these regulations by defining the powers and duties of approving authorities. (2025 Code)

9-1-4: **JURISDICTION:** These regulations shall apply to the subdivision of land within the corporate limits of the city.(2025 Code)

9-1-5: **INTERPRETATION:** All "subdivisions" as herein defined shall be submitted for approval to the planning and zoning commission and shall comply with the provisions of these regulations. These regulations shall supplement all other regulations, and where at variance with other laws, regulations, ordinances or resolutions, the more restrictive requirements shall apply. (2025 Code)

CHAPTER 2

**DEFINITIONS**

SECTION:

9-2-1: Interpretation Of Terms and Words

9-2-2: General Definitions

9-2-1: **INTERPRETATION OF TERMS AND WORDS:** Terms or words   
 used herein shall be interpreted as follows:

A. The present tense includes the past or future tense, the singular includes the plural, and the plural includes the singular.

B. The word "shall" is mandatory; the word "may" is   
 permissive; and the word "should" is preferred.

C. The masculine shall include the feminine. (2025 Code)

9-2-2: **GENERAL DEFINITIONS:** As used in this title, the following words and terms shall have the meanings ascribed to them in this section:

ADMINISTRATOR: The administrator or official of this title shall be an individual designated by the   
 city council or the city of Ririe Planning   
 and Zoning Commission.

ALLEY: A minor street providing secondary access at the back or side of a property otherwise abutting a street. Minimum alley width to be sixteen feet (16') and maximum to be twenty feet (20') with uniform alleys throughout   
 the subdivision.

ARTERIAL STREET: A street designated for the purpose of carrying fast and/or heavy traffic.   
 Depending on the location, arterial streets   
 will comply with the standards of city of   
 Ririe or Jefferson or Bonneville County.

BLOCK: A group of lots, tracts, or parcels within well defined boundaries, usually streets. Blocks conform to a standard five hundred twenty-five feet by two hundred fifty feet   
 (525' x 250') excluding alleys.

BUILDING: A structure having a roof supported by columns and/or walls designed or used as the living quarters for one or more families, or a structure designed for use as an accessory to a structure used for living quarters or a structure designed for commercial or industrial uses.

BUILDING SETBACK: The shortest distance between the property line and the foundation, wall or frame of a permanent building or accessory structure.

BUILDING SITE: An area proposed or provided and improved by grading, filling, excavation or other means for erecting pads for buildings.

CEMETERY: A lot that has been platted for the selling of sites for the burial of animal or human remains.

CITY: City of Ririe, Idaho.

CITY COUNCIL: The city council of Ririe, Idaho.

COLLECTOR STREET: A street designated for the purpose of carrying traffic from minor streets to other collector streets and/or arterial streets   
 and shall be in accordance with existing   
 streets and specifications of the city of   
 Ririe.

COMPREHENSIVE An adopted document that herein may be PLAN: referred to as a comprehensive plan.

CONDOMINIUM: An estate consisting of an undivided   
 interest in common in real property, 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.

COUNTY RECORDER: The office of the Jefferson and/or   
 Bonneville County recorder.

COVENANT: A written promise or pledge.

CUL-DE-SAC: A street connected to another street at one end only and provided with a turnaround   
 space at its terminus.

CULVERT: A drain that channels water under a bridge, street, road or driveway.

DEAD END STREET: A street connecting to another street at one end only and not having provision for vehicular turn-around at its terminus.

DEDICATION: The setting apart of land or interests in land for use by the public by ordinance, resolution or entry in the official minutes as by the recording of a plat. Dedicated   
 land becomes public upon the acceptance by   
 the city.

DEVELOPER: Authorized agent(s) of a subdivider or the subdivider himself.

DWELLING UNIT: Any building or other structure proposed or built for occupancy by people.

EASEMENT: A grant by a property owner to specific persons or to the public to use land for specific purposes. Also, a right acquired by prescription.

ENGINEER: Any person who is licensed in the state to practice professional engineering.

FLOODPLAIN: The relatively flat area or lowland   
 adjoining the channel of a river, stream,   
 lake or other body of water which has been   
 or may be covered by water of a flood of   
 100-year frequency. The floodplain includes   
 the channel, floodway or floodway fringe, as established pursuant to engineering   
 practices of the U.S. army corps of   
 engineers, as follows:

   Channel: A natural or artificial watercourse of perceptible extent, with definite bends and banks to confine and conduct continuously or periodically flowing water.

   Flood: The temporary inundation of land adjacent to and inundated by overflow from a river, stream, lake or other body of water.

   Flood Of A flood magnitude that has a one percent   
 100-Year (1%) chance of being equaled or exceeded in   
 Frequency: given year.

   Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without   
 cumulatively increasing the water surface   
 elevation more than one foot (1').

   Floodway That part of the floodplain that is beyond

Fringe: the floodway. Such areas include those portions of the floodplain that will be inundated by a flood of 100-year frequency.

FRONTAGE STREET: A minor street, parallel to and adjacent to an arterial street, to provide access to abutting properties and shall be in accordance with existing streets and specifications of the city of Ririe.

GOVERNING BODY: The city council of the city of Ririe,   
 Idaho.

HIGHWAY: The street designated as highway by an appropriate state or federal agency.

IMPROVEMENT: Any alteration to the land or other physical construction associated with subdivision and building site developments.

LARGE SCALE A development consisting of more than twenty DEVELOPMENT: (20) homes or an area larger than five hundred twenty five feet by two hundred   
 fifty feet (525' x 250').

LOT: A parcel, plot, tract or other land area of suitable size as required in these regulations and any existing zoning ordinance; and created by subdivision for sale, transfer or lease. Lot size to conform to seventy-five feet by one hundred twenty-  
 five feet (75' x 125').

LOT AREA: The area of any lot shall be determined exclusive of street, highway, alley, road or rights of way of record.

LOT DEPTH: The horizontal distance between the front   
 and rear lot lines.

LOT TYPES: As used in these regulations, lot types are as follows:

   Corner Lot: A lot located at the intersection of two (2) or more streets.

   Interior Lot: A lot other than a corner lot with frontage on only one street other than a corner lot.

   Through Lot: A lot with frontage on more than one street other than a corner lot.

MAJOR Any subdivision not able to qualify as a SUBDIVISION: minor subdivision including, but not limited to, a subdivision of ten (10) or more lots, or any size subdivision requiring any new street or extension of the local government facilities, or the creation of any public improvements.

MINOR STREET: A street, which has the primary purpose of providing access to abutting properties and shall be in accordance with existing streets and specifications of the city of Ririe.

MINOR Any subdivision containing not more than ten SUBDIVISION: (10) lots fronting on an existing street; not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements; and not adversely affecting the remainder of the parcel or adjoining property; and not in conflict with any provision or portion of   
 any city comprehensive plan, zoning   
 ordinance, or this title.

MOBILE HOME: A manufactured, relocatable dwelling unit, not designed for unrestricted highway use, which may or may not meet the minimum requirements of the international building code.

A. Designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower, bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.

B. Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers, or detached wheels; and

C. Arrived at the site where it is to be occupied as a dwelling unit, prepared for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, a connection to utilities and the like.

MOBILE HOME A tract of land subdivided according to the SUBDIVISION: rules and regulations of this title to provide for the sale, lease or rent of individual lots for the express purpose of placement of mobile homes.

MONUMENT: Any permanent marker either on concrete, galvanized iron pipe or iron or steel rods, used to identify any tract, parcel, lot or street lines, as specified in Idaho Code section 50-1303.

OPEN SPACE: An area open to the sky for outdoor recreation activity exclusive of streets, buildings or other covered structures.

ORIGINAL PARCEL An original lot or tract as recorded on any OF LAND: plat of record on file in the office of the county recorder or any unplatted contiguous parcel of land held in one ownership as of the date of adoption hereof.

OWNER: An individual, firm, association, syndicate, partnership or corporation having any interest, legal or equitable, in the land.

PARTIAL A dedicated right of way providing only a RIGHT OF WAY: portion of the required street width,   
 usually along the edge of a subdivision or   
 tract of land.

PLANNED UNIT: A subdivision designed as a combination of residential, commercial and industrial uses or any combination thereof planned for a tract of land to be developed as a unit   
 under single ownership or control, which is developed for the purpose of selling individual lots or estates, whether fronting on private or dedicated streets, which may include two (2) or more principal buildings.

PLANNING AND A group of individuals appointed by the city ZONING COMMISSION: council to administer planning and zoning ordinances for the city of Ririe and the impact area.

PLAT: The drawing, mapping or planning of a subdivision, cemetery, town site or other tract of land or a replatting of such including certifications, descriptions and approvals including the following:

   Final Plat: The final and formal presentation by drawing of an approved subdivision development, the original and one copy of which is filed with the county clerk and recorder.

   Preliminary The first formal presentation by drawings of

Plat: a proposed subdivision.

PRIVATE STREET: A street that is not accepted for public use or maintenance, which provides vehicular and pedestrian access and shall be in accordance with existing streets and specifications of the city of Ririe.

RESERVE STRIP: A strip of land between a partial street and adjacent property, which is reserved or held in public ownership for future street extension or widening.

RIGHT OF WAY: A strip of land dedicated or reserved for   
 use as a public way, which normally included streets, sidewalks and other public   
 utilities or service areas.

STANDARD The specifications as specified in this SPECIFICATIONS: title or as officially adopted by the city.

STATE: The state of Idaho.

STREET: A right of way which provides access to adjacent properties, the dedication of which has been officially accepted. The term "street" also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, land, place and other such terms. Streets shall conform to established ordinances of the city of Ririe.

SUBDIVIDER: The individual, firm, corporation, partnership, association, syndicate, trust   
 or other legal entity that executes the application and initiates proceedings for   
 the subdivision of land in accordance with   
 the provisions of this title. The subdivider   
 need not be the owner of the property;   
 however, he shall be the agent of the owner   
 or have sufficient proprietary rights in the   
 property to represent the owner.

SUBDIVISION: The result of an act of dividing an original lot, tract or parcel of land into more than two (2) parts for the purpose of transfer of ownership or development, which shall also include the dedication of a public street   
 and the addition to, or creation of, a "cemetery", subdivisions and large scale developments, as those terms are defined in this section. However, this title shall not apply to any of the following:

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;

B. An allocation of land in the settlement   
 of an estate of a decedent or a court decree   
 for the distribution of property;

C. The unwilling sale of land as a result of "legal condemnation" as defined and allowed in the Idaho Code;

D. Widening of existing streets to conform   
 to the comprehensive plan;

E. Acquisition of street rights of way by a public agency in conformance with the comprehensive plan; and

F. The exchange of land for the purpose of straightening property boundaries which does not result in the change of present land usage.

SURVEYOR: Any person who is licensed in the state as a public land surveyor to do professional surveying.

UTILITIES: Installations for conducting water, sewage, gas, electricity, television, storm water   
 and similar facilities providing service to   
 and used by the public.

VARIANCE: A modification of the requirements of this title as to lot size; lot coverage; width; depth; front yard, side yard, or rear yard setbacks; parking spaces; height of buildings; or other ordinance provisions affecting the size or shape of a structure   
 or the placement of the structure upon lots,   
 or the size of lots. A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and the variance is not in conflict with the public interest.

VICINITY MAP: A small-scale map showing the location of a tract of land in relation to a larger area. (2025 Code)

CHAPTER 3

**PLATS AND PROCEDURES**

SECTION:

9-3-1: Application For Subdivision Approval Generally

9-3-2: Preliminary Plat

9-3-3: Final Plat

9-3-4: Record Of Lot; Plat Approval

9-3-5: Sale Of Lot; Plat to Be Recorded

9-3-6: Lot Splits/Minor Subdivisions

9-3-7: Fees

9-3-8: Appeals Process

9-3-1: **APPLICATION FOR SUBDIVISION APPROVAL GENERALLY:** Any person desiring to create a "subdivision" as herein defined shall submit all necessary applications to the city planning and zoning commission. (2025 Code)

9-3-2: **PRELIMINARY PLAT:**

A. Filing Of Preliminary Plat Application and Data: The subdivider shall file with the administrator a complete subdivision application form and preliminary plat data as required in this title.

B. Combining Preliminary and Final Plat In Minor Subdivisions: The applicant may request that the subdivision be processed as both a preliminary and final plat if all the following exist:

1. The proposed subdivision does not exceed four (4) lots;

2. No new street dedication or street widening is involved;

3. No major special development considerations are involved such as, development in a floodplain, hillside development or the like;

4. All required information for both preliminary and final plat is complete and in an acceptable form; and

5. The proposed subdivision is not in conflict with any comprehensive plan or zoning ordinance of the city.

A request to combine both preliminary plat and final plat into one application shall be acted upon by the council upon recommendation of the zoning administrator.

C. Required Information and Data:

1. The contents of the preliminary plat and related information shall be in such form as stipulated by the planning and zoning commission; however, any additional   
 maps or data deemed necessary by the planning and zoning   
 commission may also be required.

2. The subdivider shall submit to the administrator at   
 least the following:

a. One copy of the preliminary plat of the proposed   
 subdivision, drawn in accordance with the requirements hereinafter stated. Each copy of the preliminary plat   
 shall be on good quality paper, shall have the   
 dimensions of not less than twenty-four inches by   
 thirty-six inches (24" x 36"), shall be drawn to a   
 scale of not less than one inch to one hundred feet   
 (1" = 100'), shall show the drafting date, and shall   
 indicate thereon, by arrow, the general northerly   
 direction;

b. One set of preliminary engineering plans (not meant to be cross sections or detailed designs) for streets, water, sewers, sidewalks and other required public improvements; however, such engineering plans shall   
 contain sufficient information and detail to make a   
 determination as to conformance of the proposed   
 improvements to applicable regulations, ordinances and   
 standards;

c. A written application requesting approval of the   
 preliminary plan; and

d. Appropriate information that sufficiently details   
 the proposed development within any special   
 development area such as planned unit development,   
 floodplain, cemetery, mobile home, large scale   
 development, and hazardous and unique areas of   
 development.

3. The following shall be submitted separately:

a. The name of the proposed subdivision;

b. The name, address and telephone numbers of the subdivider or subdividers and the engineer or surveyor   
 who prepared the plat;

c. The name and address of all adjoining owners of   
 property and residents within three hundred feet   
 (300') of the external boundaries of the land being   
 considered, whether or not bisected by a public right   
 of way, as shown on record in the county assessor's   
 office;

d. The legal description of the subdivision;

e. The statement of the intended use of the proposed   
 subdivision, such as residential single-family and   
 multiple housing, commercial, industrial, recreational   
 or agricultural and a designation of any sites   
 proposed for parks, playgrounds, schools, churches or   
 other public uses;

f. A map of the entire area scheduled for development   
 if the proposed subdivision is a portion of a larger   
 holding intended for subsequent development. A map   
 shall be submitted showing the location of existing   
 buildings, water bodies or courses and the location of   
 currently dedicated streets at the point where they   
 adjoin and/or are immediately adjacent; provided, that   
 actual measured distances shall not be required;

g. A vicinity map showing the relationship of the proposed plat to the surrounding area (1/2 mile radius, scale option);

h. The land use and existing zoning of the proposed   
 subdivision and the adjacent land;

i. Streets, street names, rights of way and roadway   
 widths, including adjoining streets or roadways;

j. Lot lines and blocks showing the dimensions and   
 numbers of each;

k. Contour lines, shown at five-foot (5') intervals   
 where land slope is greater than ten percent (10%) and   
 at twenty-foot (20') intervals where land slope is ten   
 percent (10%) or less, referenced to an established   
 bench mark, including location, elevation and   
 topography;

l. A site report as required by the appropriate health district where individual wells or septic tanks are proposed;

m. Any proposed or existing utilities, including, but   
 not limited to, storm and sanitary sewers, irrigation laterals, ditches, drainages, bridges, streetlamps, culverts, water mains, fire hydrants and their   
 respective profiles;

n. Any dedications to the public and/or easements,   
 together with a statement of location, dimensions and purpose of such;

o. A statement as to whether or not a variance will be requested with respect to any provision of this title describing the particular provision, the variance   
 requested and the reasons therefor;

p. Prior to the plat being approved, the following   
 agencies must respond, in writing, about any concerns   
 they have for the proposed development: fire   
 department, police, school board and city council.

4. The final plat shall clearly show the following:

a. Primary control points, approved by the planning   
 and zoning commission, or a description and ties to   
 such control points, to which all dimensions, angles,   
 bearings and similar data on the plat shall be   
 referenced. Such primary control points must include   
 either a section corner, quarter section corner, or   
 meander corner according to government survey.

b. Location and description of monuments.

c. Tract boundary lines, property lines, lot lines,   
 and right of way lines of streets, easements and other   
 rights of way, with accurate dimensions, bearings or   
 deflection angles and radii, arcs and center angles of   
 all curves.

d. Names and locations of adjoining subdivisions.

e. The length of all lot lines dimensioned in feet and decimals thereof, and value of all required true   
 bearings and angles dimensioned in degrees, minutes   
 and seconds.

f. The blocks numbered consecutively throughout the   
 entire subdivision and lots numbers consecutively   
 throughout each block, with areas to be excluded from   
 platting marked "Reserved" or "Not A Part".

g. The outline of any property, other than streets or   
 alleys, by lengths and bearings, with the area marked   
 "Public" and showing the proposed use.

h. A title which shall include the name of the   
 subdivision, name of the city, county and state, and   
 the location and description of the subdivision,   
 referenced to section, township and range.

i. Scale, north arrow and date.

j. Final plat shall be lettered with readable print   
 whether it be CAD (computer aided design) system,   
 Leroy pen set or other similar mechanical lettering   
 set.

D. Procedure For Approval Of Preliminary Plat:

1. Administrative Review:

a. Certification by Administrator; Public Hearing:   
 Upon receipt of the preliminary plat and all other   
 required data as provided for herein, the   
 administrator shall certify the application as   
 complete and shall affix the date of application   
 acceptance thereon. The administrator shall schedule a   
 public hearing, which hearing shall be held within a   
 reasonable time from the date of certification of a   
 complete application.

b. Review by Other Agencies: The administrator shall   
 refer the preliminary plat and application to as many governmental agencies as deemed necessary. Such   
 agencies may include the following:

(1) Other governing bodies having joint jurisdiction;

(2) The appropriate utility companies, irrigation companies or districts and drainage districts;

(3) The school board of the school district; and

(4) Other agencies having an interest in the proposed subdivision.

c. Recommendation by Administrator: The administrator   
 shall provide that any transmittal as provided in   
 subsection D1b of this section will be returned within   
 fifteen (15) days. At the next regular scheduled   
 meeting as time permits, the administrator shall   
 review all responses to the planning and   
 zoning commission.

2. Public Notice: The administrator shall notify all

adjoining property owners whose names and addresses have   
 been provided by the subdivider. Such written notice shall   
 be mailed by first class mail at least fifteen (15) days   
 prior to the planning and zoning board meeting. The   
 planning and zoning commission’s failure to comply with the   
 notice provision shall not invalidate the commission’s   
 action, provided the spirit of the procedure is observed.

3. Action By Planning and Zoning Commission:

a. Planning and Zoning Commission’s Findings: In   
 determining the acceptance of a proposed subdivision,   
 the planning and zoning commission shall consider the   
 objectives of this title and at least the following:

(1) The conformance of the subdivision with the comprehensive development plan;

(2) The availability of public services to accommodate the proposed development;

(3) The continuity of the proposed development with any capital improvement program;

(4) The public financial capability of supporting services for the proposed development; and

(5) The other health, safety and environmental problems that may be brought to the planning and zoning commission’s attention.

b. Action on Preliminary Plat: Upon granting or   
 denying a preliminary plat, the planning and zoning   
 commission shall specify:

(1) The ordinance and standards used in   
 evaluating the application;

(2) The reasons for recommending approval or denial; and

(3) The actions, if any, that the applicant could take to obtain approval of the preliminary plat.

c. Action on Combined Preliminary And Final Plat: If   
 the planning and zoning commission's conclusion is   
 favorable to the subdivider's request for the   
 subdivision to be considered as both a preliminary   
 plat and final plat, then action shall be taken in the   
 same manner as herein specified for the final plat.   
 The planning and zoning commission may approve,   
 approve conditionally or disapprove the combined   
 application.

E. Approval Period:

1. Failure to file with and obtain the certification of the acceptance of the final plat application by the **coordinator** within six (6) months after action by the planning and zoning commission shall cause all approvals of said   
 preliminary plat to be null and void, unless an extension   
 of time is applied for prior to its expiration by the   
 subdivider and granted by the planning and zoning   
 commission.

2. In the event that the development of the preliminary   
 plat is made in successive, contiguous segments in an   
 orderly and reasonable manner, and conforms such segments,   
 if submitted within successive intervals for one-half (1/2)   
 year, it may be considered for final approval without   
 resubmission for preliminary plat approval. (2025 Code)

9-3-3: **FINAL PLAT:**

A. Filing Of Final Plat: After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel or any part thereof to be surveyed and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the coordinator the following:

1. Three (3) copies of the final plat; and

2. Three (3) copies of the final engineering construction drawings for streets, water, sewers, sidewalks and other public improvements.

B. Contents: The final plat shall include and be in compliance with all items required under Idaho Code title 50, chapter 13 and shall be prepared in accordance with the specifications set forth in Idaho Code section 50-1304. The final plat shall include at least the following:

1. A written application for approval of such final plat as stipulated by the planning and zoning commission;

2. Proof of current ownership of the real property included in the proposed final plat;

3. Such other information as the planning and zoning   
 commission may deem necessary to establish whether or not   
 all proper parties have signed and/or approved said final   
 plat;

4. Conformance with the approved preliminary plat and meeting all requirements or conditions thereof;

5. Conformance with all requirements and provisions of this title;

6. Conformance with acceptable engineering practices and local standards; and

7. Building sites on each lot adjusted to setback requirements.

C. Procedure For Approval of Final Plat:

1. Review By Planning and Zoning Commission:

a. Acceptance: Upon receipt of the final plat, and   
 compliance with all other requirements as provided for herein, the administrator shall certify the   
 application as complete and shall affix the date of   
 acceptance thereon.

b. Submission of Final Plat: The planning and zoning   
 commission shall review the final plat for compliance   
 with the approved or conditionally approved   
 preliminary plat. If the planning and zoning   
 commission determines that there is substantial   
 difference in the final plat than that which was   
 approved as a preliminary plat or conditions which   
 have not been met, the planning and zoning commission   
 may require that the final plat be submitted in the   
 same manner as required in the preliminary plat   
 process. Upon the determination that the final plat is   
 in compliance with the preliminary plat and all   
 conditional requirements have been met, the planning   
 and zoning commission shall place the final plat on   
 the planning and zoning commission agenda at the next   
 regular scheduled meeting as time permits.

2. Agency Review: The administrator shall transmit one copy   
 of the final plat, or other documents submitted, for review   
 and recommendation to the departments and agencies, as he   
 deems necessary to ensure compliance with the preliminary   
 approval and/or conditions of preliminary approval. Such   
 agency review should also include the construction   
 standards of improvements, compliance with health   
 standards, the cost estimate for all improvements and the   
 legal review of the performance bond.

3. Planning And Zoning Commission Action: The planning and   
 zoning commission, at its next meeting following receipt of   
 any agency report, shall consider any comments from   
 concerned persons and agencies to arrive at a decision on   
 the final plat. The planning and zoning commission   
 shall approve, conditionally approve, disapprove or table   
 the final plat for additional information within sixty (60)   
 days of the date of the first regular meeting at which the   
 plat is considered. Upon granting or denying the final   
 plat, the planning and zoning commission shall specify:

a. The ordinance and standards used in evaluating the   
 application;

b. The reasons for approval or denial; and

c. The actions, if any, that the applicant could take   
 to obtain a permit.

D. Conditional Approval of Final Plat: With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishment of the following:

1. The construction of improvements required by this title shall be completed by the subdivider and approved by the planning and zoning board; and

2. Surety acceptable to the planning and zoning board shall have been filed with the coordinator in the form of a cash deposit, certified check, negotiable bond, irrevocable bank letter of credit or surety bond.

E. Approval Period: The final plat shall be filed with the county recorder within one hundred eighty (180) days after written approval by the planning and zoning commission.   
 Otherwise such approval shall become null and void unless   
 the subdivider, prior to said expiration date, applies for   
 an extension of time and such extension is granted by the planning and zoning commission.

F. Required Certificates: The following certifications and signatures shall be included on the final plat prior to recording by the county recorder:

1. Certification and signature of the city clerk-treasurer verifying that the subdivision meets the requirements of   
 the city and has been approved by the planning and zoning   
 commission; and

2. Certification of the sanitation restriction on the face of the plat is in accordance with the provisions of Idaho Code section 50-1326.

G. Record Of Final Plat: Upon approval of the final plat by

the planning and zoning commission, the subdivider's   
 prepayment of recording fees, posting of surety bond or   
 other acceptable guarantee and the inclusion of those   
 certifications and signatures on the final plat as set   
 forth in subsection F of this section, the subdivider shall   
 furnish proof to the coordinator that the final plat has   
 been recorded. (2025 Code)

9-3-4: **RECORD OF LOT; PLAT APPROVAL:** No final plat shall be filed with the county recorder or dwelling units constructed on the property until the plat has been approved by the planning and zoning commission. (2025 Code)

9-3-5: **SALE OF LOT; PLAT TO BE RECORDED:** No lots shall be sold until the plat has been recorded in the office of the county recorder. (2025 Code)

9-3-6: **LOT SPLITS/MINOR SUBDIVISIONS:** Any time that an original tract of land, a lot of a recorded plat, or any other parcel of land is divided or partitioned into not more than two (2) lots, parcels, or sites for the purpose of transfer of ownership or development, the following application process and procedures shall be followed:

A. Application: An application for lot split on a form   
 provided by the administrator shall be made and shall   
 contain, at a minimum, the following information:

1. Name, address, telephone number of the applicant.

2. Legal description of property and proof of ownership or agency.

3. Description of existing use.

4. A list of adjoining property owners within one hundred feet (100') of the property line.

5. Description of lots after proposed lot split.

6. Description of proposed use.

7. Documentation of the permission of the owner of the parcel to be split.

B. Procedure: Prior to approving the application under this section of this chapter, the planning and zoning commission   
 shall make the following findings:

1. The minimum requirements under the city code for   
 acreage, density, lot area and setback have been complied   
 with;

2. The proposed lot split is in conformity with the comprehensive plan; and

3. The proposed lot split is in the public interest and   
 will not adversely impact adjoining property interests.

C. Notice: Within ten (10) days after a decision has been rendered, the administrator shall provide the applicant   
 with written notice of the action on the request.

(2025 Code)

9-3-7: **FEES:** Fees shall be paid at the time of submission of an application for a preliminary plat, application for a final plat, lot split, or a minor subdivision. There shall be no fees assessed for initial meetings and consultations to work on these, including Development Agreements, with city staff and/or city officials. Fees shall be assessed for any additional meetings requested by the applicant with city staff and/or city officials. These fees shall be established by resolution of the city council. (2025 Code)

9-3-8: **APPEALS PROCESS:**

A. Notice: Petitioner must notify city clerk-treasurer within fifteen (15) days that they want to appeal the ruling.

B. Council Action: The city council shall have the option to address the appeal as follows:

1. By calling a special meeting for this purpose within sixty (60) days of receiving the appeal; or

2. By placing the appeal on the agenda of the second regularly scheduled council meeting after the appeal has been received.

C. Final Decision: The city council should make a final decision on the ruling at the next regularly scheduled meeting following the petition hearing.

(2025 Code)

CHAPTER 4

**DESIGN STANDARDS**

SECTION:

9-4-1: Minimum Standards Required

9-4-2: Location

9-4-3: Street Widths

9-4-4: Intersections

9-4-5: Street Names

9-4-6: Pedestrian Walkways

9-4-7: Blocks

9-4-8: Lots

9-4-9: Easements

9-4-10: Reserve Strips

9-4-11: Public Sites and Open Spaces

9-4-1: **MINIMUM STANDARDS REQUIRED:** All plats submitted pursuant to the provisions of this title, and all subdivisions, improvements and facilities done, constructed or made in accordance with said provisions shall comply with minimum design standards set forth in this chapter; provided, however, that any higher standards adopted by any highway district, the Idaho transportation department or health agency shall prevail over those set forth herein. (2025 Code)

9-4-2: **LOCATION:** Street and road location shall conform to the following standards:

A. Street Location and Arrangements: When an official street plan or comprehensive development plan has been adopted, subdivision streets shall conform to such plans.

B. Minor Streets: Minor streets shall be so arranged as to discourage their use by through traffic.

C. Stub Streets: Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be such that said streets extend to the boundary line of the tract to make provisions for the future extension of said streets into adjacent areas and shall have a cul-de-sac or temporary cul-de-sac. A reserve street may be required and held in public ownership.

D. Relation To Topography: Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets and acceptable gradients.

E. Alleys: Alleys shall be provided in multiple dwelling or commercial subdivisions unless other provisions are made   
 for service access and off-street loading and parking.   
 Dead end alleys shall be prohibited in all cases.

F. Frontage Roads: Where a subdivision abuts or contains an arterial street, it shall be required that there be   
 frontage roads approximately parallel to and on each side   
 of such arterial street; or such other treatment as is   
 necessary for the adequate protection of residential   
 properties and to separate through traffic from local   
 traffic. Roads in a subdivision shall not come off a main   
 road.

G. Cul-De-Sac Streets: Cul-de-sac streets shall not be more than five hundred feet (500') in length and shall terminate with an adequate turnaround having a minimum radius of one hundred feet (100') for right of way.

H. Half Streets: Half streets shall be prohibited except where unusual circumstances make such necessary to the reasonable development of a tract in conformance with this title and where satisfactory assurance for dedication of the   
 remaining part of the street is provided. Whenever a tract   
 to be subdivided borders on an existing half or partial   
 street, the other part of the street shall be dedicated   
 within such a tract. (2025 Code)

9-4-3: **STREET WIDTHS:**

A. Compliance Required: Street and road right of way widths, grade, alignment, and so forth, shall conform to the   
 adopted major street plan, zoning ordinance and   
 comprehensive plan, and the rules of the Idaho   
 transportation department and/or other agency having   
 jurisdiction.

B. Access From Frontage Road onto Arterial Street: Notwithstanding subsection A of this section, access from a frontage road onto an arterial street shall be limited to one thousand five hundred feet (1,500') between points. (2025 Code)

9-4-4: **INTERSECTIONS:** Intersections shall conform to the following standards:

A. Angle Of Intersection: Streets shall intersect at ninety degrees (90̊) or as closely thereto as possible, and, in no case, shall streets intersect at less than seventy degrees (70̊).

B. Sight Triangles: Minimum clear sight distance at all minor street intersections shall permit a vehicle to be visible   
 to the driver of another vehicle when each is one hundred   
 feet (100') from the center of the intersection.

C. Number Of Streets: No more than two (2) streets shall cross at any one intersection.

D. T Intersections: T intersections may be used wherever such design will not restrict the free movement of traffic.

E. Centerline Offsets: Street centerline shall be offset by a distance of at least one hundred twenty-five feet (125').

F. Vertical Alignment of Intersection: A nearly flat grade   
 with appropriate drainage slopes is desirable within intersections. This flat section shall be extended a   
 minimum of one hundred feet (100') each way from the   
 intersection. An allowance of two percent (2%) maximum   
 intersection grade in rolling terrain, and four percent   
 (4%) in hilly terrain, will be permitted. (2025 Code)

9-4-5: **STREET NAMES:** The naming of streets shall comply with city and/or Jefferson/Bonneville Counties street naming and street numbering system. (2025 Code)

9-4-6: **PEDESTRIAN WALKWAYS:** Right of way for pedestrian walkways in the middle of long blocks may be required where necessary to obtain convenient pedestrian circulation to schools, parks or shopping areas. The pedestrian easement shall be at least ten feet (10') wide. (2025 Code)

9-4-7: **BLOCKS:** Every block shall be designed to provide two (2) tiers of lots, except where lots back onto an arterial street, natural feature or subdivision boundary. Blocks shall not be less than five hundred twenty-five feet by two hundred fifty feet (525' x 250') without alley. (2025 Code)

9-4-8: **LOTS:** Lots shall conform to the following standards:

A. Zoning: Lots within any subdivision shall comply in all respects with the official height of thirty feet (30') to peak as set forth in title 10 of this code.

B. Future Arrangements: Where parcels of land are subdivided   
 in unusually large lots, the parcels shall be divided,   
 where feasible, to allow for future subdividing into smaller parcels. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle   
 of wide blocks. Whenever such future subdividing or lot splitting is contemplated, the plan thereof shall be approved by the planning and zoning commission prior to the taking of such action.

9-4-9: **EASEMENTS:**

A. Utility: Unobstructed utility easements shall be provided along front lot lines, rear lot lines and side lot lines when deemed necessary. Total easement width shall not be less than twelve feet (12').

B. Drainage: Unobstructed drainageway easements shall be provided as required by the planning and zoning commission.

C. Natural Drainage Courses: All natural drainage courses   
 shall be left undisturbed or be improved in a manner that   
 will improve the hydraulics and ease of maintenance of the channel. (2025 Code)

9-4-10: **RESERVE STRIPS:** Reserve strips shall conform to the following standards:

A. Private Reserve Strips: Privately held reserve strips controlling access to streets shall be prohibited.

B. Public Reserve Strips: A one-foot (1') reserve may be required to be placed along half streets which are within the subdivision boundaries and shall be deeded in fee   
 simple to the city for future street widening.

(2025 Code)

9-4-11: **PUBLIC SITES AND OPEN SPACES:** Public sites and open spaces shall conform to the following standards:

A. Natural Features: Existing natural features which add value to residential development and enhance the attractiveness   
 of the community (such as trees, watercourses, historic   
 spots and similar irreplaceable assets) shall be preserved   
 in the design of the subdivision.

B. Special Development: In the case of planned unit developments and large-scale developments, the planning and zoning commission may require sufficient public and/or

private parks or open space facilities of acceptable size,   
 location and site characteristics that may be suitable for   
 the proposed development. (2025 Code)

CHAPTER 5

**REQUIRED IMPROVEMENTS**

SECTION:

9-5--1: Improvements Required

9-5-2: Monuments

9-5-3: Streets And Alleys

9-5-4: Curbs And Gutters

9-5-5: Street And Public Safety Signs

9-5-6: Streetlights

9-5-7: Sidewalks And Pedestrian Walkways

9-5-8: Underground Utilities

9-5-9: Water Supply, Sewer Systems And Solid Waste Disposal

9-5-10: Storm Drainage, Flood Controls

9-5-11: Fire Hydrants and Water Mains

9-5-12: Guarantee Of Improvements

9-5-13: Inspections

9-5-14: Inspector On Development Site

9-5-15: Failure To Complete Public Improvement Construction

9-5-16: Warranty Requirement

9-5-1: **IMPROVEMENTS REQUIRED:** Every subdivider shall be required to install the following public and other improvements in accordance with the following conditions and specifications. (2025 Code)

9-5-2: **MONUMENTS:** Monuments shall be set in accordance with Idaho Code section 50-1303. (2025 Code)

9-5-3: **STREETS AND ALLEYS:** All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the city or other applicable agency. (2025 Code)

9-5-4: **CURBS AND GUTTERS:**

A. Generally:

1. Vertical Curbs and Gutters: Vertical curbs and gutters shall be constructed on collector and arterial streets.

2. Rolled Curbs and Gutters: Rolled curbs and gutters shall be required on minor streets.

3. Construction: All construction shall be in accordance with the standards and specifications adopted by the city   
 or other applicable agency.

B. Driveways; Curb Cuts: All driveway openings and curbs shall be as specified by the city, the Idaho transportation department, or other applicable agency.

C. Exceptions: Curbs and gutters may not be required for lot splits and minor subdivisions upon application and approval of the planning and zoning commission. (2025 Code)

9-5-5: **STREET AND PUBLIC SAFETY SIGNS:** Street name and   
 public safety signs shall be installed by the developer in the appropriate locations at each street intersection in accordance with the local ordinance. (2025 Code)

9-5-6: **STREETLIGHTS:** All subdividers within the city limits and within the area of city impact shall be required to install, at the subdivider's expense, streetlights in accordance with city specifications and standards at locations designated by the council. After installation and acceptance by the city, the city shall have the right to pay the cost of maintenance and power and assume ownership of the streetlights.

(2025 Code)

9-5-7: **SIDEWALKS AND PEDESTRIAN WALKWAYS:**

A. Sidewalks: Sidewalks shall be required on both sides of the street; except where the average width of lots, as measured at the street frontage line or at the building setback line, is under one hundred feet (100'), sidewalks   
 on only one side of the street may be allowed.

B. Pedestrian Walkways: Pedestrian walkways, when required, shall have easements at least ten feet (10') in width and include a paved walk at least five feet (5') in width.

C. Sidewalks And Crosswalks: Sidewalks and crosswalks shall be constructed in accordance with the standards and specifications of the city or other applicable agency.

D. Exceptions: Sidewalks and pedestrian walkways may not be required for lot splits and minor subdivisions upon application and approval of the city council.

(2025 Code)

9-5-8: **UNDERGROUND UTILITIES:** Underground utilities are required. (2025 Code)

9-5-9: **WATER SUPPLY, SEWER SYSTEMS AND SOLID WASTE DISPOSAL:**

A. Construction: All public water supply or sewer systems (serving 2 or more separate premises or households) shall   
 be constructed in accordance with any adopted local plans   
 and specifications. All new public water supply or sewer   
 systems shall be an extension of an existing public system   
 whenever possible. In the event that the proposed public   
 water supply or sewer system is not an extension of an   
 existing public system, there shall be a showing by the   
 subdivider that the extension is not feasible and not in   
 the best interest of the public.

B. Plans Submitted to Department Of Health And Welfare: All water and sewer plans shall be submitted to the Idaho department of health and welfare or its authorized agent   
 for approval in accordance with the provisions of Idaho   
 Code section 50-1326.

C. Installation; Fire Hydrants: All water mains, valves, hydrants and connections to the city water distribution system shall be provided and installed by the subdivider in accordance with the standards and specifications of the   
 city and in conformance with existing laws. Fire hydrants   
 shall be no farther apart than four hundred feet (400') in commercial areas and seven hundred fifty feet (750') in residential areas, unless the international fire code   
 allows less.

D. Irrigation And Distribution Lines: Irrigation lines and distribution lines shall be provided in accordance with standard city specifications.

E. Public Sanitary Sewer System: A public sanitary sewer   
 system (not to be construed as a privately sponsored   
 cooperative, mutual use or other system developed and   
 controlled by private individuals or groups) shall be   
 installed in all subdivisions where they are within the   
 service area of an existing public system. Construction   
 plans, specifications and maintenance programs for sanitary   
 sewer systems shall be approved by the agency controlling   
 the system prior to recording of the final plat and shall   
 comply with the city backflow device ordinance. The council   
 shall review a sanitary system proposed to be developed as   
 a privately sponsored and controlled facility in   
 relationship to proposed or adopted urbanizing or growth   
 area comprehensive plans and sewerage plans or programs and   
 shall base its subdivision approval on treatment   
 capabilities, such as dry lines, density requirements, the   
 need for entirely new systems, and other treatment   
 possibilities that are in harmony with officially   
 recognized practices of the city.

F. Public Water System: A public water system (not to be construed as a privately sponsored cooperative, mutual use or other system developed and controlled by private individuals or groups), shall be installed. Construction   
 plans shall be approved by the agency controlling the   
 system prior to recording of the final plat. The council   
 shall review a water system proposed to be developed as a   
 privately sponsored and controlled facility in relationship   
 to proposed or adopted urbanizing or growth area water   
 plans or programs and shall base its subdivision approval   
 on harmony with the officially recognized practices of the   
 city.

G. Camera Checked Prior To Acceptance by City: Before the city accepts any sewer main lines, same shall be camera checked for correct grade and ensuring there exists no breaks or obstruction in the line at the subdivider's expense.

H. Solid Waste Disposal: Solid waste disposal will comply with all federal, state and local laws and ordinances.

(2025 Code)

9-5-10: **STORM DRAINAGE, FLOOD CONTROLS:** An adequate storm drainage system shall be required in all subdivisions. The city or other applicable agency shall establish the requirements, and construction shall follow the specifications and procedures established by the same.

A. Interceptor Ditches: Interceptor ditches shall be established above all cut/fill slopes, and the intercepted water conveyed to a stable channel or natural drainageway with adequate capacity.

B. Design: Design shall be such that water on roadways is prevented from flowing off the roadway.

C. Natural Drainageways: Natural drainageways shall be rip rapped or otherwise stabilized below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion.

D. Runoff: Runoff from areas of concentrated impervious cover, i.e., roofs, driveways and roads, shall be collected and transported to a natural drainage with sufficient capacity to accept the discharge without undue erosion.

E. Construction Waste Material: Waste material from construction, including soil and other solid materials, shall not be deposited within the 100-year floodplain.

F. Completion Of System: The overall drainage system shall be completed and made operational at the earliest possible   
 time during construction.

G. Alteration Of Major Drainageways: Alteration of major drainageways shall be prohibited except for approved road crossings and drainage structures.

H. Hydrologic Measuring Devices: The city reserves the right   
 to require installation of hydrologic measuring devices in drainageways within any development at public expense.

(2025 Code)

9-5-11: **FIRE HYDRANTS AND WATER MAINS:** Adequate fire protection shall be required in accordance with all state laws. (2025 Code)

9-5-12: **GUARANTEE OF IMPROVEMENTS:**

A. Financial Guarantee: In lieu of the actual installation of required public improvements before filing of the final plat, the city council may permit the subdivider to provide a financial guarantee of performance in one or a   
 combination of the following arrangements for those   
 requirements which are over and beyond the requirements of   
 any other agency responsible for the administration,   
 operation and maintenance of the applicable public   
 improvement.

B. Performance Bond: The bond shall be in an amount equal to one hundred ten percent (110%) of the total estimated cost for completing construction of the specific public improvements, as estimated by the city clerk-treasurer and approved by the city council and shall be with a surety company authorized to do business in the state of Idaho, acceptable to the city council. (2025 Code)

9-5-13: **INSPECTIONS:** Before approving a final plat and construction plans and specifications for public improvements, an agreement between the subdivider and the city council shall be made to provide for checking or inspecting the construction and its conformity to the submitted plans.

(2025 Code)

9-5-14: **INSPECTOR ON DEVELOPMENT SITE:** The city shall have   
 the right to place an inspector of its own choosing on the development site, with all expenses to be borne by the developer. (2025 Code)

9-5-15: **FAILURE TO COMPLETE PUBLIC IMPROVEMENT CONSTRUCTION:**

In the event the subdivider shall, in any case, fail to complete such work within the period of time as required by the conditions of the guarantee for the completion of public improvements, it shall be the responsibility of the city council to proceed to have such work completed. In order to accomplish this, the city council shall reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable bank letter of credit, or negotiable bond which the subdivider may have deposited in lieu of a surety bond or may take such steps as may be necessary to require performance by the bonding or surety company. (2025 Code)

9-5-16: **WARRANTY REQUIREMENT:** Developers and engineers shall warrant workmanship materials and engineering design for one full year from the time of acceptance by the city. Developers or engineers, at their own expense, can be required to correct any defects that may exist, for which they are notified, within one year. Whenever a developer or engineer is required to make corrections or repairs to any defect, the warranty period shall be extended for one full year after said repairs or corrections are completed on the repair work.

(2025 Code)

CHAPTER 6

**ADMINISTRATION AND ENFORCEMENT**

SECTION:

9-6-1: Administration

9-6-2: Vacations And Dedications

9-6-3: Variances

9-6-4: Amendments

9-6-5: Enforcement And Penalties

9-6-1: **ADMINISTRATION:** The council shall appoint an administrator to carry out the provisions as herein specified and to serve at the pleasure of the council. The administrator shall receive and process all subdivision applications. (2025 Code)

9-6-2: **VACATIONS AND DEDICATIONS:**

A. Application For Vacation or Dedication: Any property owner desiring to vacate an existing subdivision, public right of way or easement shall complete and file an application with the administrator. These provisions shall not apply to the widening of any street that is shown in the comprehensive plan, or the dedication of streets, rights of way or easements to be shown on a recorded subdivision.

B. Administrative Action:

1. Action By Council:

a. Vacations: When considering an application for vacation procedures, the city council shall establish   
 a date for a public hearing and give such public   
 notice as required by law. The city council may   
 approve, deny or modify the application. Whenever   
 public rights of way or lands are vacated, the city   
 council shall provide, as law prescribes, adjacent   
 property owners with a quitclaim deed for the vacated   
 rights of way in such proportions as prescribed by   
 law.

b. Dedications: When considering an application for   
 dedication procedures, the city council may approve,   
 deny or modify the application. Within a proposed   
 subdivision, arterial and collector streets, as shown   
 on the comprehensive plan, shall be dedicated to the   
 public in all cases. In general, all other streets   
 also shall be dedicated to public use. When a   
 dedication is approved, the required street   
 improvements shall be constructed or a bond furnished   
 assuring the construction prior to acceptance of the dedication. To complete the acceptance of any   
 dedication of land, the owner shall furnish to the   
 city council a deed describing and conveying such   
 lands to be recorded with the county recorder.

c. Decision: The council shall review the request and   
 all agency responses, and, at the next regularly   
 scheduled meeting as time permits, either approve,   
 conditionally approve or deny the request. (2025 Code)

9-6-3: **VARIANCES:** No variance shall be favorably acted upon by the city council unless there is a finding as a result of a public hearing, that all of the following exist:

A. Special Circumstances: There are such special circumstances or conditions affecting the property that strict   
 application of the provisions of this title would clearly   
 be impracticable or unreasonable. In such cases, the   
 subdivider shall first state his reasons, in writing, as to   
 the specific provision or requirement involved.

B. Extraordinary Hardship: Strict compliance with the requirements of this title would result in extraordinary hardship to the subdivider because of unusual topography or other legal or physical conditions and would result in inhibiting the achievement of the objectives of this title.

C. Detrimental To Public Welfare; Injurious to Other Property: The granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.

D. Violation Of Idaho Code: Such variance will not violate the provisions of the Idaho Code.

E. Interest And Purpose Of Title: Such variance will not have the effect of nullifying the interest and purpose of this title and the comprehensive plan. (2025 Code)

9-6-4: **AMENDMENTS:** The city council may, from time to time, amend, supplement or repeal the regulations and provisions of this title in the following manner:

A. Hearing; Notice: The city council, prior to adopting an amendment, supplement, or repeal of this title, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the proposed plan to be   
 discussed shall be published in the official newspaper or   
 paper of general circulation within the jurisdiction.   
 Notice of intent to amend, supplement or repeal this title   
 shall be sent to all political subdivisions providing   
 services within the planning jurisdiction, including school   
 districts, at least fifteen (15) days prior to the public   
 hearing scheduled by the commission.

B. Council Action: Following the city council hearing, if the city council makes a material change in this ordinance   
 other than that published for the present hearing, further   
 notice and hearing shall be provided before the city   
 council takes action. A record of the hearings, findings   
 made and actions taken shall be maintained. (2025 Code)

9-6-5: **ENFORCEMENT AND PENALTIES:**

A. Enforcement:

1. No subdivision plat required by this title or the Idaho Code shall be admitted to the public land records of Jefferson or Bonneville County or recorded by the county recorder until such subdivision plat has received final approval of the city council.

2. No public board, agency, commission, official or other authority shall proceed with the construction of or authorize the construction of any of the public   
 improvements required by this title until the final plat   
 has received the approval of the city council.

3. No permits for construction of any structure shall be issued on any parcel or lot until it has been determined such parcel or lot meets the requirements of this title.

4. The city attorney shall, in addition to taking whatever criminal action deemed necessary, take steps to civilly enjoin any violation of this title.

B. Violations; Penalties: Violations of any of the provisions of this title or failure to comply with any of its requirements shall constitute a misdemeanor and be punishable as such. Each day such violation continues shall be considered a separate offense. The landowner, tenant, subdivider, builder, public official or any other person   
 who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense. Nothing herein contained shall prevent the city council or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this title or the Idaho Code.

(2025 Code)