

**CITY OF EMMETT, IDAHO**  
**ZONING COMMISSION**  
[www.cityofemmett.org/zoningmeeting](http://www.cityofemmett.org/zoningmeeting)

**AGENDA**

Monday, June 2<sup>nd</sup>, 2025, 6:00 P.M.  
Emmett City Hall, 501 E. Main St.

**REGULAR MEETING**

1. Call to Order:
2. Roll Call:
3. Pledge of Allegiance:
4. Review Agenda:
5. Approval of Minutes: May 5, 2025 Action Item

**Public Hearing: Sign Ordinance revisions (Continued)**

- Zoning Administrator's Presentation
- Applicant Presentation
- Public input
- Rebuttal
- Decision of Public Hearing: **ACTION ITEM**

**Public Hearing: Accessory Dwelling Unit (ADU) (Continued)**

- Zoning Administrator's Presentation
- Applicant Presentation
- Public input
- Rebuttal
- Decision of Public Hearing: **ACTION ITEM**

6. New Business: Action Items
7. Unfinished Business: Action Items
8. Items from the Commission:
9. Items from the Building Official/Zoning Administrator:
10. Upcoming Meeting(s): Monday, July 7th, 2025
11. Adjournment:

*This institution is an equal opportunity provider. Any person needing special accommodations to participate in the above noticed meeting should contact City Hall prior to the meeting at 501 East Main Street, Emmett, Idaho (208-365-6050)*

Posted, May 30, 2025, at \_\_\_\_\_ am/pm by: \_\_\_\_\_

## EMMETT CITY ZONING COMMISSION

May 5, 2025

The Emmett City Zoning Commission held a Regular Meeting at 501 E. Main Street, Emmett, Idaho.

**Chairman Earls called the meeting to order at 6:00 p.m.**

**Chairman Earls led the Pledge of Allegiance.**

**Commissioners Present:** Tracy Howard, Gwen Earls, Kim Butler

**Commissioners Online:** none

**Commissioners Absent:** Brian Gregory, Larry Jenkins

**Staff Present:** Zoning Administrator, Brian Sullivan; City Attorney, Jake Sweeten; Recording Clerk, Shannon Ferraro

**Staff Online:** none

**Public Present:** none

**Review of Agenda:** Chairman Earls calls for a review of the agenda.

**Approval of Minutes:** Chairman Earls calls for a motion to approve the minutes from March 3, 2025 All in favor say aye. None opposed. Minutes approved.

**Action Item.**

**Public Hearing:**

### **#1 Public Hearing for the Sign Ordinance:**

**Official Sullivan** states that tonight is the public hearing for the Sign Ordinance. He would like to have a discussion and then keep the public hearings open until the next meeting.

**Attorney Sweeten** states that he apologizes, but he has not had a chance to go over the ordinances yet, but will have them ready for the next meeting.

**Chairman Earls** opens the public hearing.

**Official Sullivan** brings to attention page two where it talks about the definition of "canopy signs". Having them going under the canopy, not just affixed to the canopy.

**Official Sullivan** then turns to page five of the ordinance. Under application review, there is a change "design review board" is taken out.

**Official Sullivan** then turns to page eight of the sign ordinance. He has added a couple types of signs. He brings up "way finding" signs which are installed by a public entity. A way finding sign is basically a kiosk in downtown, that will point to different businesses, and their locations.

**Official Sullivan** brings up "bench signs", and it has been put in the ordinance as outdoor signs, which are benches with signs on them.

**Official Sullivan** on page nine has struck out "prohibited signs" as to make "bench signs" allowed.

He moves to page eleven, and wants freestanding signs to move up from 3.5 inches for address numbers, up to 6 inches. Also, in letter "I" it states that "subdivisions with more than twenty lots",

**Official Sullivan** wants to drop it down to "ten" lots, can put a sign out identifying it. Also "residential subdivisions" has been replaced with just "subdivisions" to include commercial subdivisions. Down in "hanging signs" the clearance above the sidewalk use to be 8 feet. That is dropped down to 7 feet. Also sign size for hanging signs a maximum of 6 sq ft. On page twelve, projection of signs previously could only project out 3 feet from a building.

**Official Sullivan** would like that to be 2/3 of the way out. The matrix chart on page fifteen where "subdivision signs" were not permitted in mixed-urban, residential, industrial or commercial, to now be "permitted". Also on page seventeen, number two, "design review board" is struck out. Those are all of the changes he has.

**Chairman Earls** calls for a motion to leave this public hearing open. There is also no public in the audience.

**Commissioner Howard** makes a motion to keep this public hearing open until the next time they meet. **All in favor, motion approved.**

**#2 Public Hearing for Accessory Dwelling Units and Short-term Rentals:**

**Official Sullivan** states that he went through the minutes from the last meeting and made any changes that were noted. He also states that this is a brand-new ordinance.

**Chairman Earls** asks the commission if they have any questions about this ordinance.

**Commissioner Butler** has no comments.

**Chairman Earls** asks for a motion to keep this hearing open until next meeting.

**Commissioner Butler** motions to keep this hearing open until the next meeting June 2, 2025. **All in favor, none opposed. The public hearing remains open.**

**New Business:** none

**Unfinished Business:** none

**Items from the Commission:** Questions are asked about the number of Commissioners, and if Commissioner Jenkins is still part of the commission.

**Items from the Building Official/ Zoning Administrator:** none

Next Regular Meeting – **June 2, 2025**

**Commissioner Howard** makes a motion to adjourn.

**Commissioner Butler** seconds. **All in favor, none opposed.**

**Meeting adjourned at 6:23 pm**

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Chairman Gwen Earls

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Acting Secretary

ORDINANCE NO. O2025-\_\_

AN ORDINANCE OF THE CITY OF EMMETT, IDAHO; AMENDING TITLE 9, CHAPTER 12: SIGNS; BY REMOVING REFERENCES TO THE DESIGN REVIEW BOARD, BY ADJUSTING CERTAIN SIGN SIZES, BY ADJUSTING THE DISTANCE CERTAIN SIGNS MUST BE UP OFF THE GROUND OR CAN BE PLACED ON THE SIDEWALK, ALLOWING ALL TYPES OF SUBDIVISIONS OF TEN LOTS OR MORE TO HAVE FREESTANDING SIGNS, AND PROVIDING AN EFFECTIVE DATE.

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

Section I. That Title 9, Chapter 12, Emmett City Code, is amended by interlineations and additions to read as follows:

“Chapter 12 – SIGNS

Sec. 9-12-1. - Title. This chapter shall be known as the "Emmett Sign Ordinance."

Sec. 9-12-2. - Purpose. The purpose of this chapter is to establish standards for the fabrication, erection, and use of signs, symbols, markings, and advertising devices within the city. These standards are enacted to protect the public health, safety, and welfare of persons within the community. They are intended to aid in the development and promotion of business and industry by providing sign regulations which encourage aesthetic creativity, effectiveness and flexibility in the design of such devices without creating detriment to the general public.

Sec. 9-12-3. - Definitions. Words and phrases used in this chapter shall have the meanings set forth in this section and in chapter 1 of this title. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

*Abandoned sign* means a sign which no longer advertises a bona fide business, lessor, owner, product or activity.

*Alterations* means the change or alteration of a sign structure or design, whether by extension, enlargement, or in moving from one location or position to another.

*Animated sign* means any sign that uses movement or change of lighting to depict action or create a special effect or scene, except LED reader boards as defined herein.

*Area of sign/sign area* means the entire area within a single face of a sign within a contiguous perimeter which forms the outside shape of the copy area, excluding any necessary supports, ornamental trim, column covers and other such incidental objects attached thereto upon which the sign may be placed.

*Art* means that which has form or beauty and which is not intended to display a commercial message, including paintings, photography, sculpture, murals or drawing.

*Awning sign* means a sign displayed on or attached flat against the surface or surfaces of an awning.

*Banner sign* means a type of temporary sign usually made of lightweight fabric, plastic, or similar material. Governmental flags or emblems shall not be considered banner signs.

*Building frontage* means the width of a building facing the street to which the building or business is oriented. In the case of corner lots the frontage shall be one of the streets to which the building is oriented, to be determined by the administrator.

*Canopy sign* means a sign affixed to the surface(s) ~~of~~ or under a canopy that is visible from a public right-of-way.

*Center sign* means a freestanding sign associated with multi-tenant developments designed to advertise two or more businesses or tenants and approved through a master sign plan. See section 9-12-11-3 of this chapter.

*Changeable copy sign* means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face of the sign. A sign on which the message changes more than one time per day shall be considered an animated sign, except LED reader boards, as defined herein.

*City* means the City of Emmett, Idaho.

*City entry sign* means a permanent sign identifying the City of Emmett or the central business district. No advertising is permitted on city entry signage.

*Clear vision triangle* means the area formed by a line measured from the corner of the property back 40 feet along each right-of-way, and connected by a line drawn between them to form a triangle. The triangle also includes the area formed by a line measured ten feet along the edge of driveway and 20 feet along the right-of-way, connected by a line drawn between them to form a triangle.

*Construction sign* means an informational sign which identifies the architect, engineer, contractor, or other individual or firms involved with the construction of a building, or announcing the character of the building or enterprise.

*Copy* means Any graphic, letter, numeral, symbol, insignia, text, sample, model, device, or combination thereof which is intended to advertise, identify, or notify.

*Dark sky lighting* means lighting designed in a manner where the light source is shielded and/or downcast to prevent any spillover of direct rays onto abutting properties or upwards to the sky.

*Directional sign* means a sign that foremost contains words such as "entrance", "enter", "exit", "in", "out", or characters indicating traffic or pedestrian traffic directions and used either in conjunction with such words or separately.

*Flag* means any fabric banner or bunting containing distinctive colors, patterns or symbols used as a symbol of a government or political subdivision.

*Flashing sign* means any sign which contains a light source which changes color, position or can be turned on and off more frequently than one time every five seconds. Excluded from the definition are public service message center signs, such as those indicating time and temperature and LED reader boards, as defined herein.

*Freestanding sign* means any sign erected on a freestanding frame, platform, base, mast, or pole and not structurally attached to any building.

*Height of sign* means the vertical distance measured from the adjacent street grade as measured from the top of curb (or edge of pavement where no curb exists) to the highest point of the sign or visual appurtenances. The height of any landscape berm or other structure erected to support or ornament the sign shall be measured as part of the sign height. For residential subdivision identification signs, architectural elements primarily related to the entry feature are not regulated as part of the sign height.

*Home occupation sign* means a wall mounted sign located on a residential property that has received a home occupation permit. See additional standards in section 9-12-11-7 of this chapter.

*Led reader board* means a sign or portion of a sign that is constructed of monochrome light emitting diodes (LED) and can be electronically changed, programmed or rearranged without altering the sign face or surface. It may also be called a digital display board, electronic sign, electronic reader board or similar term. See additional standards in section 9-12-11 of this chapter.

*Monument sign* means a freestanding sign with a solid base, including rock signs, or with supports that are designed to be structurally similar to the sign construction, and which incorporate architectural features which complement the sign construction.

*Neon sign* means any sign or portion of a building illuminated or outlined by tubes using electrically stimulated neon or other gas.

*Nonconforming sign* means any advertising structure or sign which was lawfully erected and maintained prior to the effective date of this chapter, and which fails to comply to any applicable regulations and restrictions herein.

*Overlay district* means a special geographic area, the boundaries of which are defined by this chapter, that is subject to unique sign standards that are in addition to the sign regulations that would normally apply. See section 9-12-12 of this chapter.

*Pennant* means any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

*Permanent sign* means a sign constructed and intended to exist for the duration of time that the use or occupant is located on the premises.

*Personal sale sign* means a type of temporary sign posted for the purpose of advertising a yard sale, garage sale, estate sale, moving sale, auction, flea market, swap meet and all other temporary private sales.

*Pole sign* means a freestanding sign that is supported by one or more poles.

*Principal building* means the building in which is conducted the primary use on the property.

*Projecting sign* means any sign affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of a building or wall.

*Roof sign* means a sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall or the top of an eave of a building and which is wholly or partially supported by such a building.

*Sandwich board sign* means a type of temporary sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing, as regulated under section 9-12-11-10.H of this chapter.

*Sign* means any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, to communicate information of any kind to the public. Noncommercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

*Temporary sign* means a sign intended for use during a specified, limited time, and removed from display following that specified time.

*Vehicle sign* means a sign mounted on a vehicle that is operated solely or primarily for the purpose of displaying the sign within the public right-of-way.

*Wall sign* means any sign attached parallel to, but within 12 inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

*Window sign* means any sign installed upon or within two feet of a window for the purpose of viewing from outside the premises. This term does not include displayed merchandise.

Sec. 9-12-4. - Applications and permits.

Sec. 9-12-4-1. - Permit required. No sign contractor and/or person contracted to design, construct, shall erect, alter, or relocate any permanent or temporary sign greater than four square feet in sign area within the city without first obtaining a sign permit from the city, unless the sign is exempt under section 9-12-9 of this chapter. Any person who hangs, posts, or installs a sign which requires a permit under this chapter and who fails to obtain a permit before installing the sign, shall be in violation of this chapter.

Sec. 9-12-4-2. - Application contents. Applications for sign permits must include the following:

A. A site plan drawn to scale which specifies the building frontage, the location of the sign structure(s), and drawings which show the scale of the sign in context with the scale of the building if the sign is to be mounted on the building.

B. Colored rendering including dimensions of all sign faces, descriptions of materials to be used, manner of construction and method of attachment, and, if requested, color samples.

C. A copy of a State of Idaho electrical installation permit for any internally lighted or neon sign.

D. A sign permit application on the form provided by the city.

E. The application shall be accompanied by the written consent of the owner or the owner's authorized agent of the premises upon which the sign is to be erected.

F. The building permit fee for signs as approved by resolution of the Emmett City Council.

Sec. 9-12-4-3. - Application review. Except for signs in the historic central business district, complete sign permit applications will be reviewed by the building department staff, within ten days of the receipt of the complete application and the application fee and either approved, denied, or returned with requested modifications. Any applicant who feels a denial is not justified has the right to appeal the decision to the Emmett Zoning Commission, and to appear on the next regularly scheduled meeting for which proper notice can be given and for which agenda space is available. Applications to appeal to the commission shall be filed with the Emmett City Clerk in writing within ten days following the date of the denial of the permit.

Signs for properties located within the historic central business district are required to file a separate design review application ~~and must be approved by the design review board~~ prior to filing a sign permit application. See the "Design Manual For City of Emmett and Gem County" for additional information.

Sec. 9-12-4-4. - Computations of dimensions for sign area. The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the sign display, not including the supporting structure. Any color or material that forms an integral part of the sign shall also be factored in when calculating sign area.

Sec. 9-12-4-5. - Violations. Any person violating this chapter shall be guilty of a misdemeanor and may be punished by fine or incarceration. The maximum penalty for any offense shall be by fine of not more than \$300.00, but at least equal to the amount of the required permit, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

Sec. 9-12-5. - Removal of illegal or unsafe signs.

A. *Time frame for repair or removal.* Any sign which has been determined to be unsafe by the Emmett Building Official, or which has been constructed, erected or maintained in violation of this chapter, must be repaired, made safe, made in conformance with this chapter, or removed within ten working days after receipt of certified notice from the city. Failure to respond to remedy the violation is unlawful, and the person having charge or control over the sign will be guilty of a misdemeanor.

B. *Obsolete sign copy.* Any sign copy that no longer advertises or identifies a use conducted on the property on which said sign is erected must have the sign copy covered or removed within 15 days after written notification from the city.

Sec. 9-12-6. - Nonconforming signs. Nonconforming signs shall not be enlarged, extended, structurally reconstructed or altered in any manner, except that the sign face (gross surface area portion of the sign) may be changed as long as the new sign face is equal to or reduced in height, sign area, and/or projection.



A sign permit is not needed for a new sign face, or a change in the advertising content appearing on the sign face. Nonconforming signs may remain, provided they are maintained in good repair, except for the following:

A. Removal is required if the sign and/or the structure supporting the sign is damaged or destroyed to the extent of 50 percent or more of the sign's replacement value. If the damage or destruction is less than 50 percent, the sign must be under repair within 60 days and all repairs must be completed within six months. The sign shall not be enlarged in any manner.

B. If the nonconforming sign is relocated and/or the supporting structure is replaced, the new sign shall be conforming.

C. Any sign, display or device allowed in this chapter may contain (in lieu of any other copy) lawful noncommercial messages that do not direct attention to a business operated for profit or to a commodity or service for sale. The sign, display or device must comply with all other requirements of this chapter.

D. If a business changes but does not require remodeling in excess of the 50 percent threshold, the new business will be allowed to change existing nonconforming sign faces.

No temporary sign, prohibited sign or sign for an illegal use shall be eligible for nonconforming status.

A change of property ownership on which a nonconforming sign is located shall not require replacement of the sign unless the terms of this section apply.

Sec. 9-12-7. - Maintenance of signs. It is the affirmative obligation of the owner of every sign within the city to maintain the sign in a good state of repair at all times. Nonconforming signs may be repaired and maintained provided the repairs are for the purpose of maintaining the sign in its original condition, do not increase the degree of nonconformity in the sign, and are in accordance with this chapter.

Sec. 9-12-8. - Political signs. Political signs shall not be posted in any place or in any manner that is destructive to public property upon posting or removal. No political signs shall be posted in a public right-of-way nor shall any such sign be posted on a utility pole. No political sign shall be posted more than 60 days before an election. All candidates for public office, their campaign committees or other persons responsible for the posting of campaign material shall remove such material within two weeks following election day.

Sec. 9-12-9. - Signs allowed without a permit. The following signs shall not be subject to the permit process as defined by this chapter:

A. Signs not exceeding six square feet in area, erected for the convenience of the public, such as signs identifying restrooms, public telephones, walkways and similar features or facilities.

B. Memorial signs or tablets, names of buildings and dates of erection, when cut into the surface or the facade of the building or when projecting not more than two inches.

C. Religious symbols and seasonal decorations erected within the appropriate public holiday season.

D. Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings.

E. Works of fine art displayed in conjunction with a commercial enterprise where the enterprise does not receive direct commercial gain.

F. Flags, symbols, or insignias. The flag of Idaho, the United States, or any other flag adopted or sanctioned by the legislative body of Idaho or the United States.

G. Hours of operation or other such information signs. Neon "open" signs are subject to the provisions of section 9-12-14-2 of this chapter.

H. Private signs. Any sign that is intended for use from within a private facility. Signs located on private property, not oriented to the general public, and intended to provide information or direction to those using the facility.

I. Official notices and/or signs posted by a government entity, court or other public body.

J. Temporary signs less than four square feet per face in size and advertising the premises on which the sign is located as "for sale", "for lease", or "for rent".

K. Construction signs. Said signs are permitted a maximum of 60 days prior to commencement of construction and must be removed within 60 days of completion of construction. Each construction sign shall be a maximum of 32 square feet. All construction signs shall be securely fastened to the ground or a permanent structure and erected in a manner that does not create a potential hazard of any kind.

L. Wayfinding signs placed by a government entity.

M. Bench Signs. Any outdoor furniture with commercial signage.

Sec. 9-12-10. - Prohibited signs. No person shall erect, maintain, or relocate any sign as specified in this section in any zoning district:

A. Signs creating traffic hazards. A sign at or near any public street, or at the intersection of any public streets, situated in such a manner as to create a traffic hazard by obstructing vision. Additionally, any sign at any location which would interfere with, obstruct the view of, or be confused with any authorized traffic sign.

B. Signs within the "clear vision triangle" (as defined herein).

C. Signs within public rights-of-way (except as provided in sections 9-12-9 and 9-12-11-10 of this chapter). No sign shall be attached to any utility pole, light standard, street tree or any other public facility located within the public right-of-way.

D. Hazardous signs. A sign which, due to structural weakness, design defect, or other reason, constitutes a threat to the health, safety, and welfare of any person or property.

E. Flashing signs or lights. Any sign which contains an intermittent light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. A sign on which the only intermittent lights display an indication of time or temperature or which is an "LED reader board" as defined herein shall not be considered a flashing sign for the purpose of this chapter.

F. Animated signs. Permanent signs designed with electronic switches and/or electric lamps that display only stationary images which change copy no more than once per day or LED reader boards as defined herein are allowed with a permit and are not defined as animated signs.

G. Signs on vacant property. No sign over four square feet per face shall be erected or maintained on a property on which either no structure is erected or on which the primary structure is vacant. This provision shall not include those properties for which a valid building permit exists. This provision shall also not include signs advertising the property "for sale" or "for lease" as long as said sign is no larger than 32 square feet.

H. Roof signs (as defined herein). This section shall not pertain to mansard roof signs provided that the highest portion of any sign attached to a mansard roof is no more than two-thirds the height of the building to which it is attached.

I. A rotating or revolving sign, or signs, where all or any portion of the sign physically moves in some manner.

J. Wind signs. Any pennant, propeller, or similar device which is designed to flutter, rotate, whirl, or display other movement under the influence of the wind.

K. ~~Bench signs. Any outdoor furniture with commercial signage.~~ RESERVED

L. Vehicle signs (as defined herein). This section shall not pertain to student driver, auto transportation services, or similar signs or if the vehicle is used in the normal day to day operations of the business. This section shall pertain to signs painted or mounted on vehicles parked in the same location for more than 72 hours and visible from the public right-of-way, unless the vehicle is located at its place of business or at a personal residence.

M. Inflatable signs or displays. Any inflatable object used for promotional or sign purposes.

Sec. 9-12-11. - Types of signs allowed.

Sec. 9-12-11-1. - Awnings. The copy area of awnings shall be included in the sign area permitted provided that no more than 25 percent of any one face of an awning may be used for signage.

Sec. 9-12-11-2. - Changeable copy signs. The copy on any changeable copy sign shall not be changed more than once per day. Changeable copy signs shall be maintained in a legible and serviceable manner. These signs must be constructed with a frame and made of durable material. These signs must be placed on a freestanding or monumental type sign structure.

Sec. 9-12-11-3. - Center signs. A developer who retains platting and/or ownership control over one or more lots or buildings intended for business occupancy in a commercial, mixed use or industrial zone or a similar type project shall submit a master sign plan to the zoning commission for approval. The project shall be allowed one center sign per street frontage, except more than one center sign is allowed if the project has more than 1,200 feet of frontage on the same street.

A "center sign" is a sign designed to advertise multiple tenants and may exceed the maximum height normally allowed by up to 20 percent and the maximum area normally allowed by up to 30 percent.

The master sign plan shall show sign colors, styles and locations of buildings, maximum size, illumination and materials to be used. All signs in a master sign plan shall be in harmony with the adjacent and nearby building architecture and colors.

Sec. 9-12-11-4. - Directional signs. Directional signs shall be a maximum of four square feet in size and four feet in height. If business identification is used on a directional sign, it shall only be incidental and secondary in all aspects to the directional text and/or symbols of the sign. Only one directional sign is allowed per entrance to a property. Directional signs must be constructed as permanent signs and be placed outside the public right-of-way.

Sec. 9-12-11-5. - Freestanding signs.

A. The maximum height of any freestanding sign shall be 20 feet, except as otherwise regulated under section 9-12-12, sign overlay districts, of this chapter.

B. A maximum of one freestanding sign per legal building lot, except corner lots may be allowed one sign per street frontage.

C. The support structure of all freestanding signs shall be fully enclosed and covered with material that complements the architectural theme and coloring of the principal building on the property. Decorative elements such as sculptured metal, wrought iron or other aesthetically pleasing materials incorporated into the design that do not fully enclose the supports may be allowed as determined by the administrator. Bare and/or exposed metal poles are prohibited.

D. All freestanding signs shall be placed within a landscaped area that is at least the size of the sign background area. For example, a 60 square foot sign must be located within a minimum 60 square foot area of landscaping. Said landscaped area shall include vegetation, sod, or other plant material. A street buffer shall be considered to meet the intent of this requirement.

E. All permanent, freestanding signs in nonresidential districts shall include the street address(es) of the subject property. Numbering shall be a minimum of ~~three and one-half~~ six (6) inches tall and be of a contrasting color.

F. No part of any freestanding sign, including the footing, shall be located closer than two feet from the front property line and five feet from the side and rear property lines.

G. Freestanding signs are allowed a maximum sign area of 100 square feet, without regard to the number of placards displayed. All placards displayed shall be totaled in the sign area, unless otherwise approved as a center sign.

H. Freestanding signs projecting over a public right-of-way must have at least 14 feet of ground clearance.

I. ~~Residential subdivisions~~ Subdivisions of more than ~~20~~ 10 lots shall be allowed one freestanding identification sign at each major entrance to the subdivision. Said sign shall not be permitted on any public right-of-way, shall be no higher than nine feet above natural grade, and shall not exceed a maximum sign area of 50 square feet.

Sec. 9-12-11-6. - Hanging signs. Hanging signs may be placed on a building or underneath an approved canopy, awning or colonnade, but may not project beyond the same. Signs hanging over a public right-of-way must have at least ~~eight~~ seven feet of ground clearance. Maximum size of any hanging sign is six square feet. ~~(Hanging signs installed in the historic central business district must be approved by the design review board.)~~

Sec. 9-12-11-7. - Home occupation signs. A home occupation, as permitted under section 9-7-5 of this title, is allowed one sign for advertising purposes, in conformance with the following requirements:

A. The sign must be wall mounted; no freestanding signs visible from a public right-of-way are permitted;

B. The sign must be no larger than six square feet in size;

C. No direct illumination of the sign is permitted;

D. The sign must be of a color and design to complement the wall on which it is mounted.

Sec. 9-12-11-8. - LED reader boards. The following standards shall apply to all LED reader boards:

A. The LED portion shall not exceed 75 percent of the maximum sign area allowed for a sign, as prescribed in sections 9-12-12 and 9-12-13 of this chapter; and

B. The sign must display each frame (message) for a minimum of five seconds; and

C. Such displays shall contain only static messages that will not have movement or the appearance or optical illusion of movement on any part of the sign structure, design or pictorial segment of the sign; and

D. LED signs shall be turned off when the place of business is closed to the public; and

E. LED signs are prohibited in the following zones and districts: all residential zones, mixed urban residential zone, mixed development zone and within the Emmett Historic District (as identified in the joint comprehensive plan); and

F. LED signs shall be oriented away from any adjacent residential dwelling so that the sign lighting is not visible from the dwelling.

Sec. 9-12-11-9. - Projecting signs. Projecting signs may be placed on any building in accordance with section 9-12-11-13 of this chapter. No projecting sign may extend, ~~at any point, more than three feet from the surface to which it is attached~~ over a public sidewalk more than two-thirds (2/3) of the width of the sidewalk. Signs projecting over a public right-of-way must have at least ~~eight~~ seven feet of ground clearance. ~~(Projecting signs installed in the historic central business district must be approved by the design review board.)~~

Sec. 9-12-11-10. - Temporary signs. Temporary signs are those signs installed on a property with the intent of being displayed for more than 48 hours, including those for community and civic events. All signs intended for display for a period longer than 90 days shall be considered to be permanent signs and will be required to meet the provisions of this chapter. All temporary signs greater than four square feet per face in size are required to obtain a temporary sign permit.

A. *Sign permit.* A temporary sign permit may be obtained through the planning and zoning department for 15-, 30-, 60-, or 90-day time periods.

1. In no instance shall a temporary sign requiring a permit be displayed for more than 90 days per year per business.

2. A permit must be obtained for every new temporary sign to be displayed.

B. *Posted on premises.* The temporary sign permit shall be posted on the premises.

C. *Private property.* All signs to be placed on private property shall obtain the written consent of the property owner and file that consent with the building department prior to issuance of a permit.

D. *Size.* The maximum size of any freestanding temporary sign requiring a permit is 32 square feet. The maximum size of any banner requiring a permit is 120 square feet.

E. *Anchored.* All temporary signs shall be safely anchored or otherwise secured to prevent any obstruction of a public right-of-way or the creation of any hazardous condition.

F. *Clearance.* Banner signs may extend over a public street right-of-way. Said signs shall maintain a minimum clearance of 20 feet.

G. *Property on main street.* Temporary signs for any property on main street, between Boise Avenue and Hayes Avenue, shall comply with the following standards:

1. A temporary sign permit must be obtained in accordance with the terms of section 9-12-4-1 of this chapter.

2. The sign must be on premises. However, for the purposes of this subsection G, on premises shall include that portion of a public sidewalk located between the curb line and the property lines.

3. The sign must be placed to allow a minimum "free and clear" pedestrian walkway of at least seven feet in width with no obstructions.

4. The sign must be placed at least five feet away from the flat edge of the landing of any ADA accessible corner ramp.

H. *Sandwich board signs.* The following standards shall apply only to sandwich board signs. Sandwich board signs shall also be regulated as temporary signs. Where there is any discrepancy between the standards, the more stringent standard shall apply.

1. Sandwich board signs are permitted for any nonresidential use.
2. A maximum of one sandwich board sign is permitted per building lot and the sign shall be located on the premises of said property.
3. The sign shall not be attached in any manner to street furniture, street trees, other signs or other fixtures on or in the sidewalk.
4. Any sandwich board sign shall not exceed three feet in height or nine square feet per side.
5. There shall not be any lighting on or power provided to said sign.
6. If located on a sidewalk, sandwich board signs shall be displayed only during open business hours.

I. *Personal sale signs.* The following standards shall apply only to personal sale signs. Where there is any discrepancy between these and temporary sign standards, the personal sale sign standards shall apply.

1. Personal sale signs may be placed on private property with permission from the property owner.
2. Personal sale signs may be placed on a legally parked motor vehicle as long as it does not create any vision obstruction or hazard to other vehicle drivers or pedestrians.
3. Personal sale signs shall not be posted more than 30 days prior to a sale date.
4. Personal sale signs shall be removed within 12 hours of the end of sale.
5. No personal sale sign shall be allowed to be posted on any utility pole, light pole, street sign pole or any other city owned property.
6. No personal sale sign shall be allowed to be posted in the public right-of-way.
7. All personal sale signs shall be safely anchored or otherwise secured to prevent any obstruction of a public right-of-way and to avoid littering per Idaho Code § 18-7031.
8. No personal sale sign shall be larger than four square feet in size.
9. No personal sale sign located in a "clear vision triangle", as defined herein, shall be more than a total of three feet in height.

Sec. 9-12-11-11. - Wall signs. Wall signs may be placed on a structure provided that they meet the following standards and requirements:

A. *Area.* For wall signs oriented to a public street, the sign shall not exceed 15 percent of the wall area. For wall signs not oriented to a public street, the sign shall not exceed eight percent of wall area. "Wall area" shall mean the wall surface of a single tenant structure or the storefront of a multi-tenant structure. When a combination of wall

and freestanding signs are used on a single site, the total area for wall signs oriented to a public street shall be reduced by 50 percent.

B. *Height.* No wall sign shall exceed the height of the wall face.

C. *Lighting.* Neon lighting may be permitted if contained within channel letters or raceways. Skeleton neon is not permitted.

~~(Wall signs installed in the historic central business district must be approved by the design review board.)~~

Sec. 9-12-11-12. - Window signs. Permanent window signs may be placed in or on any window provided that no more than 25 percent of the total transparent area of the window is obscured. The aggregate area of temporary signs shall be included in the aggregate area for all signs associated with the use, and in no case shall the aggregate area exceed that allowed under this section. Merchandise displayed in windows that does not involve copy is not regulated by this chapter. ~~(Window signs installed in the historic central business district must be approved by the design review board.)~~

Sec. 9-12-11-13. - Sign types permitted in zoning districts. Sign types shall be permitted in each zoning district in accordance with the following table and in accordance with the code sections listed:

	<b>Zoning District</b>								
<b>Sign Types</b>	<b>R-1 <sup>1</sup></b>	<b>R-2 <sup>1</sup></b>	<b>R-3 <sup>1</sup></b>	<b>R-4 <sup>1</sup></b>	<b>MUR</b>	<b>I</b>	<b>C</b>	<b>MD</b>	<b>P</b>
Awnings	N	N	N	N	P2	P2	P2	P2	P2
Center signs	N	N	N	N	P4	P4	P4	P4	N
Changeable copy	N	N	N	P3	P3	P3	P3	P3	N
Freestanding	N	N	N	N	P5	P5	P5	P5	P5
Hanging	N	N	P	P6	P6	P6	P6	P6	P6
LED reader board	N	N	N	N	N	P11	P11	N	N



	<b>Zoning District</b>								
<b>Sign Types</b>	<b>R-1 <sup>1</sup></b>	<b>R-2 <sup>1</sup></b>	<b>R-3 <sup>1</sup></b>	<b>R-4 <sup>1</sup></b>	<b>MUR</b>	<b>I</b>	<b>C</b>	<b>MD</b>	<b>P</b>
Projecting	N	N	N	P7	P7	P7	P7	P7	P7
Subdivision sign	P8	P8	P8	P8	<del>n/a</del> <u>P</u>	<del>n/a</del> <u>P</u>	<del>n/a</del> <u>P</u>	<del>n/a</del> <u>P</u>	<del>n/a</del> <u>P</u>
Temporary (see sections 9-12-9, 9-12-10 and 9-12-11-10 of this chapter for provisions)	P	P	P	P	P	P	P	P	P
Wall	N	N	N	N	P9	P9	P9	P9	P9
Window	N	N	N	N	P10	P10	P10	P10	N

P Permitted

N Not permitted

Notes:

1. If a use is allowed in an R zoning district with a special use permit or accessory use permit, a sign may be allowed for that use if it is approved as part of the permitting application, even if the above chart lists the sign as "not permitted".

2. Section 9-12-11-1 of this chapter.

3. Section 9-12-11-2 of this chapter.

4. Section 9-12-11-3 of this chapter.

5. Section 9-12-11-5 of this chapter.

6. Section 9-12-11-6 of this chapter.

7. Section 9-12-11-9 of this chapter.

8. Subsection 9-12-11-5I of this chapter.

9. Section 9-12-11-11 of this chapter.

10. Section 9-12-11-12 of this chapter.

11. Section 9-12-11-8 of this chapter.

Sec. 9-12-12. - Sign overlay districts. The following areas are designated as sign overlay districts with special standards and restrictions as noted. The overlay district shall apply to all signs proposed on buildings and land that have frontage on the designated roadway. These overlay standards shall apply in addition to other sign standards within this chapter. In cases where standards overlap with other sections of this chapter, the overlay standards shall apply.

A. State Highway 16/52 (city limit line to Mill Road):

1. Maximum sign height: 25 feet.

B. Washington Avenue/State Highway 52 (intersection of State Highway 16 to Payette River):

1. Wall, awning, window, hanging, and projecting signs only.

2. Monument signs are also permitted, subject to the following standards:

a. Maximum sign height: Eight feet.

b. Maximum sign area: One square foot per linear foot of frontage, up to a maximum of 40 square feet.

C. Substation Road (State Highway 16 to Main Street):

1. Monument signs only.

2. Maximum sign height: Ten feet.

3. Maximum sign area: 40 square feet.

D. Historic central business district (as defined in the "Design Manual for City of Emmett and Gem County"):

1. Wall, awning, window, hanging and projecting signs only. No new freestanding signs permitted.

2. The design of all new signs must be approved by the design review board per the standards outlined in the "Design Manual for City of Emmett and Gem County".

Sec. 9-12-13. - Size and design standards.

A. The maximum aggregate area of all signs, both permanent and temporary, shall not exceed the total allowable sign area established by this chapter. All sign faces displayed shall be included in determining the sign area for a building.

1. Total sign area permitted for any use shall not exceed a total of two square feet of sign area per linear foot of building frontage for the principal building.

2. Total sign area permitted for all wall, window, or other surface mounted signs shall not exceed a total of ten percent of the facade to which they are attached.

B. In no case will "Day-Glo", fluorescent, reflective colored material that gives the appearance of changing color, or brilliant luminescent colors be permitted.

Sec. 9-12-14. - Lighting. Allowed methods of illumination are divided into several types as described below; all other forms of sign lighting are prohibited. All lighted signs shall comply with lighting standards as set forth in this chapter.

- A. *Unlighted.* A sign with neither an internal light nor an external source intended specifically for the purpose of lighting the sign.
- B. *Internally lighted.* A sign with an internal light intended to illuminate translucent portions of the sign.
- C. *Externally lighted.* A sign with an external light source intended specifically to illuminate the sign. External light fixtures which produce glare shall not be permitted.
- D. *Neon.* A sign with exposed neon tubes.
- E. *Dark sky lighting.* All illuminated signs shall be designed as dark sky lights.

Sec. 9-12-14-1. - Internally lighted signs. Only the copy portion of internally lighted signs may be translucent in nature. All other areas, including background, shall be constructed, treated and colored in a manner which makes those areas opaque.

Sec. 9-12-14-2. - Neon signs. Neon used to draw attention to any business or building in any manner is considered a sign and shall be regulated according to the provisions of this chapter and as follows:

- A. Application for any neon sign exceeding four square feet in sign area is required to receive design review approval from the Emmett Zoning Commission or another city council designated committee.
- B. Any business proposing more than two neon signs, regardless of sign area, is required to receive design review approval from the Emmett Zoning Commission or another city council designated committee.
- C. Neon lighting that is mounted inside a window shall be regulated as a window sign, per section 9-12-11-12 of this chapter.

Sec. 9-12-14-3. - Lighting methods permitted in zoning districts. Sign lighting methods shall be permitted in each zoning district in accordance with the following table:

Table 9.12.14

	Zoning District								
Lighting Type	R-1	R-2	R-3	R-4	MUR	I	C	MD	P
External	P	P	P	P	N	P	P	P	P
Internal	N	N	N	N	N	P	P	P	N
Neon	N	N	N	N	N	N	P	N	N
Nonlighted	P	P	P	P	P	P	P	P	P

P Permitted

N Not permitted

Sec. 9-12-14-4. - Residential subdivision signs. Subdivisions within the residential districts may be allowed one externally illuminated sign per public street entrance. Said lighting source shall be a maximum of 42 watts, 630 lumens and be unidirectional spotlights.”

Section II. Effective Date. 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.

Approved by the Council on \_\_\_\_\_, 2025.

City of Emmett, Idaho

ATTEST:

\_\_\_\_\_  
Gordon W. Petrie, Mayor

\_\_\_\_\_  
Lyleen Jerome, City Clerk

ORDINANCE NO. O2025-\_\_

AN ORDINANCE OF THE CITY OF EMMETT, IDAHO; ENACTING A NEW CHAPTER 22 TO TITLE 9, ENTITLED: ACCESSORY DWELLING UNIT REGULATIONS; WHICH DEFINES AN ACCESSORY DWELLING UNIT, PROVIDES STANDARDS FOR APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

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

**Section I.** Title 9, Chapter 22, Emmett City Code, is enacted to read as follows:

**“Chapter 22 - Accessory Dwelling Unit Regulations**

**Sec. 9-22-1. - Title.** This chapter shall be known as the "Emmett Accessory Dwelling Unit Ordinance."

**Sec. 9-22-2. - Purpose.** The purpose of this chapter is to establish guidelines for the addition of an accessory dwelling unit to a single-family residential lot where only a single-family residential structure is located on the building lot.

**Sec. 9-22-3. - Definitions**

Accessory Dwelling Unit (“ADU”) means a self-contained dwelling unit which is incidental and subordinate to the principal use of the primary dwelling unit on the property and which does not alter the essential characteristic of the principal use of the property, that contains a kitchen, a full bathroom (including a shower or tub), living and sleeping areas (which may be combined).

**Sec. 9-22-4. - Private Restrictions.** This chapter is not intended to impair or interfere with other regulations of private restrictions on the use of land improvements and structures. The provisions of this chapter shall be in addition to, and shall not be deemed to repeal, abrogate, or impair, any other easement, covenant, or deed restriction. Where this chapter imposes greater restrictions than those imposed by private restrictions, this chapter shall prevail.

**Sec. 9-22-5. - Setbacks and Dimensional Standards:**

- A. Setbacks shall meet the zoning district setback requirements.
- B. No ADU shall be allowed in front of the primary dwelling unit.

**Sec. 9-22-6. - Additional Standards:** In addition to meeting all adopted building codes for a dwelling unit, the following provisions shall be complied with:

- A. Not more than one (1) ADU shall be allowed per legal building lot;
- B. Direct ingress and egress to an ADU shall be provided;
- C. An ADU must have a separate water and sewer connection, and pay any impact fee that may be associated;
- D. An ADU may be either eight hundred (800) square feet or up to fifty percent (50%) of the size of the principal dwelling unit, whichever is greater, but may not exceed a maximum of one thousand two hundred (1,200) square feet;
- E. An ADU shall have at least three hundred (300) square feet of habitable space as defined by the adopted building code;
- F. An ADU shall be clearly incidental to the primary dwelling unit. For the purposes of accessory dwelling units, "incidental" means used in connection with the residential use and structure on site, but does not constitute the principal dwelling unit;
- G. An ADU shall be compatible in design, materials, and scale with the primary dwelling unit;
- H. An ADU shall be declared real property and be on a foundation. An ADU is not a "tiny homes on wheels," as those are mobile dwellings and are considered recreation vehicles or campers. Such homes, (tiny homes, recreation vehicles) are prohibited from being classified as an ADU;
- I. A minimum of one off-street parking space shall be provided;
- J. An ADU shall be identified with an approved address;
- K. An ADU shall provide a kitchen with appliances for the cooking of food, a sink, and storage;
- L. An ADU shall provide a bathroom with minimally a sink, toilet, and bathtub and/or shower;
- M. An ADU shall provide at least one (1) closet per bedroom;
- N. An ADU cannot be used for commercial use, i.e. Bed and Breakfast, etc. Short-term rentals may only be allowed following the short-term rental ordinance and application process;

O. An ADU is permitted only when one of the structures on the property is owner-occupied. An owner-occupied structure does not need to be the primary dwelling unit. Ownership cannot be fractional or timeshare ownerships.”

**Section II.** Effective Date. 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.

Approved by the Council on \_\_\_\_\_, 2025.

City of Emmett, Idaho

ATTEST:

\_\_\_\_\_  
Gordon W. Petrie, Mayor

\_\_\_\_\_  
Lyleen Jerome, City Clerk