

EXHIBIT 1
ZONING MAP AND LEGAL DESCRIPTIONS

R-1 Residential Zone

All of the Deary City Limits described as follows:
Beginning at the northeast corner of the SW1/4 of the SE1/4 of section 14, T40N, R2W, BM; Thence South 160 rods to the southeast corner of the NW1/4 of the NE1/4 of section 23; Thence West 80 rods to the southeast corner of the NE1/4 of the NW1/4 of section 23; Thence South 80 rods to the southeast corner of the SE1/4 of the NW1/4 of section 23; Thence West 160 rods to the southwest corner of the SW1/4 of the NW1/4 of section 23; Thence North 80 rods to the northwest corner of the SW1/4 of the NW1/4 of section 23; Thence West 80 rods to the southwest corner of the NE1/4 of the NE1/4 of section 22; Thence North 80 rods to the northwest corner of the NE1/4 of the NE1/4 of section 22; Thence East 40 rods on the south line of the SE1/4 of the SE1/4 of section 15; Thence due north 80 rods to a point on the north line of the SE1/4 of the SE1/4 of section 15; Thence East 40 rods to the northeast corner of the SE1/4 of the SE1/4 of section 15; Thence East along the south line of the NW1/4 of the SW1/4 of section 14 a distance of 366.63 feet; Thence North 01°36'36" West 635.92 feet; Thence North 88°23'24" East 161.61 feet; Thence South 01°36'36" East 147.50 feet; Thence South 88°23'24" West 121.11 feet; Thence South 01°36'36" East 488.42 feet to the south line of the NW1/4 of the SW1/4 of section 14; Thence East along the north line of the Deary Home & Orchard Tracts to the Point of Beginning.

Excepting therefrom the following Zone boundaries:

M-1 Multi-Family Zone

Beginning at the northwest corner of Lot 4, Block 5, Deary Home and Orchard Tracts; Thence South along the west line of lot 4 to the north line of lot 6, block 5; Thence East along the north line of lots 5 & 6 to a point 35 feet east of the northeast corner of lot 5; Thence South parallel with the east line of lot 5 to the centerline of Terrace Avenue; Thence West to the centerline intersection of Terrace Avenue and Line Street; Thence South to the centerline intersection of Line Street and the Railroad right of way; Thence Northwesterly to the intersection of the railroad centerline and the west line of the Deary City Limits; Thence North to a point on the north line of the SE1/4 of the SE1/4 of section 15 said point being 280 rods west of the northeast corner of the SW1/4 of the SE1/4 of section 14, T40N, R2W, BM; Thence East to the Point of Beginning.

Also: Beginning at the centerline intersection of the railroad right of way and Main Street; Thence North to the centerline intersection of Main Street and Fifth Avenue; Thence East to the intersection of the Fifth Avenue centerline and the west right of way line of Wyoming Street; Thence South along Wyoming Street to the centerline of the railroad right of way; Thence Northwesterly to the Point of Beginning.

Also: Beginning at the southwest corner of the NE1/4 of the NE1/4 of section 22; Thence North along the west line of the NE1/4 of the NE1/4 to the south line of State Highway 8; Thence Easterly along highway 8 to the intersection of the south line of said highway with the centerline of Washington Street; Thence South 240 feet; Thence West 137.5 feet; Thence South 40 feet; Thence West 125 feet to the west line of lot 1, Block 9, Deary Home & Orchard Tracts; Thence South to the south line of the NE1/4 of the NE1/4 of section 22; Thence West to the Point of Beginning.

Also: Beginning at a point in the west line of lot 1, Block 13, Deary Home & Orchard Tracts which is 631.3 feet north of the southwest corner of said lot 1; Thence West 336 feet to the west line of lot 2, block 13, Deary Home & Orchard Tracts; Thence North to the northeast corner of lot 5, block 13; Thence West 181.3 feet to the extended centerline of South Street; Thence North to the centerline intersection of South Street and First Avenue; Thence East to a point on the centerline of First Avenue which is 120 feet westerly of the northeast corner of the SE1/4 of the NW1/4 of section 23 as measured parallel to the north line of lot 1, block 13; Thence South to Pine Creek; Thence Southwesterly along Pine Creek to the west line of lot 1; Thence South to the Point of Beginning.

TA Transitional Agricultural Zone

Beginning at the northwest corner of the NE1/4 of the NE1/4 of section 22, T40N, R2W, BM; Thence East 440 feet to the east line of lot 4, block 8, Deary Home & Orchard Tracts; Thence South 613 feet; Thence West 60 feet; Thence South 188 feet to the north line of State Highway 8 right of way; Thence West to the intersection of the said north right of way line and the south line of lot 4, block 8; Thence West to the southwest corner of lot 4, block 8; Thence North to the Point of Beginning.

Also: Beginning at the southwest corner of lot 5, block 10, Deary Home & Orchard Tracts; Thence north to the northwest corner of lot 5; Thence East to the northeast corner of lot 5; Thence South to the intersection with the north line of South Main Street; Thence southeasterly perpendicular to South Main Street, 20 feet to the centerline of said street; Thence

southwesterly along said street to the south line of the SW1/4 of the NW1/4 of section 23; Thence West to the Point of Beginning.

Also: Beginning at the southeast corner of the SE1/4 of the NW1/4 of section 23, T40N, R2W, BM; Thence North to the northeast corner of the SE1/4 of the NW1/4 of section 23 and the centerline of First Avenue; Thence West along First Avenue 120 feet; Thence South to Pine Creek; Thence Southwesterly along Pine Creek to the west line of lot 1, block 13, Deary Home & Orchard Tracts; Thence South to a point which is 631.3 feet north of the southwest corner of said lot 1; Thence West 336 feet to the west line of lot 2, block 13; Thence North to the northeast corner of lot 5, block 13; Thence West to a point on the north line of lot 5, which is 200 feet northeasterly measured perpendicular to the east line of State Highway 3; Thence Southeasterly parallel with and 200 feet easterly of said highway to the intersection with the south line of the SE1/4 of the NW1/4 of section 23; Thence East to the Point of Beginning.

Also: Beginning at the northeast corner of the SW1/4 of the SE1/4 of section 14, T40N, R2W, BM; Thence West to the intersection of the Nevada Street centerline and the north line of the SE1/4 of the SW1/4 of section 14; Thence South to the intersection of the extended Nevada Street centerline with the north line of lot 6, block 2, Deary Home & Orchard Tracts; Thence East along the north lines of lots 4, 5 & 6, block 2 to the west line of lot 10 of O'Reilly's Addition to Deary; Thence North to the northwest corner of lot 1 of the O'Reilly's Addition; Thence East along the north line of lot 1 of the O'Reilly's Addition and the prolongation thereof to a point 150 feet east of the west line of lot 4, block 1, Deary Home & Orchard Tracts; Thence South parallel with the west line of lot 4 to a point 150 feet north of the south line of lot 4; Thence East parallel with the south lines of lots 1, 2, 3 & 4, block 1 to the east line of lot 1; Thence north to the Point of Beginning.

Also: Lot 3, Block 1 of the Nubian Nob Subdivision in Latah County, Idaho, as shown by the recorded plat thereof.

C Commercial Zone

Beginning at the centerline intersection of Third Avenue and Line Street; Thence South to a point 37.5 feet west of the southwest corner of lot 15, block 16 of the Deary Original Townsite; Thence East along the south line of lot 15 to a point in the center of the alley in block 16; thence North 40 feet; Thence East along the south line of lot 5, block 16 to the center of Main Street; Thence North 80 feet; Thence East along the south lines of lots 18 and 3, block 15 to the center of Idaho Street; Thence North 40 feet; Thence East along the south line of lot 19, block 6 to the center of the alley in block 6;

Thence South 160 feet; Thence East along the south line of lot 6, block 6 to the center of Montana Street; Thence North 160 feet; Thence East along the south line of lot 11, block 5 to the center of the alley in block 5; Thence North along the alley to the south line of State Highway 8; Thence along said highway to the intersection of the south line of State Highway 8 and the east line of State Highway 3; Thence South, 237.98 feet along the west line of a parcel of land shown on a Record of Survey file number 428458; Thence along the south line of said parcel 113.29 feet; Thence north along the east line of said parcel 130.28 feet to the south line of State Highway 8; Thence northeasterly perpendicular to said highway 75 feet to the centerline of State Highway 8; Thence East to the centerline intersection between State Highway 8 and the prolongation of the travelway along the south line of the railroad right of way; Thence northwesterly along the prolongation of the travelway centerline to the east line of the Deary Original Townsite boundary; Thence South to the southeast corner of lot 1, block 4, Deary Original Townsite; Thence West along the south lines of lots 1 and 2, block 4 and lot 5, block 7 to the center of the alley in block 7; Thence North 80 feet; Thence West along the south line of lot 8, block 7 to the center of Idaho Street; Thence South 40 feet; Thence West along the south line of lot 8, block 14 to the center of the alley in block 14; thence North 264 feet; Thence West along a line 4 feet north and parallel with the south line of lot 22, block 14 to the center of Main Street; Thence north 33.5 feet to the centerline intersection of Main Street and Third Avenue; Thence West to the Point of Beginning.

Also: Beginning at the southwest corner of lot 7, block 13, Deary Home & Orchard Tracts; Thence North 225.45 feet; Thence East 360 feet; Thence North 60 feet; Thence Northeasterly 129.62 feet to the intersection of the south line of Spruce Street and the west line of State Highway 3; Thence South along the west line of said highway to the south line of the SE1/4 of the NW1/4 of section 23; Thence West to the Point of Beginning.

I Industrial Zone

Beginning at the southeast corner of the NE1/4 of the NE1/4 of section 22, T40N, R2W, BM; Thence North along the centerline of Line Street to a point 37.5 feet west of the southwest corner of lot 9, block 18, Deary Original Townsite; Thence East along the south line of lot 9 to the center of the alley in block 18; thence North 25 feet; thence East along the south line of lot 1, block 18 to the center of Main Street; Thence North to the intersection of the centerline of Main Street and the north line of the railroad right of way; Thence northwesterly along said north line to the intersection with the prolongation of the east

line of block 18; Thence North 27.6 feet to a point which is 39.2 feet south of the southeast corner of lot 6 block 19, Deary Original Townsite; Thence North $68^{\circ}19'$ West 105.32 feet; Thence South $21^{\circ}41'$ West 16.83 feet to the north line of the railroad right of way; Thence southwesterly 75 feet perpendicular to said north line to the center of the railroad right of way; Thence Northwesterly to the intersection of the railroad centerline and the extended centerline of Washington Street; Thence South along Washington Street to a point which is 37.5 feet east of the northeast corner of lot 2 of the Thomas Subdivision; thence West 147.5 feet to the northwest corner of said lot 2; thence South to the south line of State Highway 8; thence East to the intersection of said south line and the centerline of Washington Street; Thence South 240 feet; Thence West 137.5 feet; Thence South 40 feet; Thence West 125 feet to the west line of lot 1, block 9, Deary Home & Orchard Tracts; Thence South to the south line of the NE1/4 of the NE1/4 of section 22; Thence East to the Point of Beginning.

(Ord. 337 §1, 2004: Ord. 311, 1999)

EXHIBIT 2
OFF STREET PARKING AND LOADING FACILITIES

A. General Requirements:

1. No building or structure shall be erected, substantially altered or its use changed unless permanently maintained off street parking and loading spaces have been provided in accordance with the provisions of this chapter.

2. The provisions of this chapter, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many such spaces as may be required by this chapter.

3. Whenever a building or structure constructed after the effective date hereof is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date hereof is enlarged to the extent of fifty percent (50%) or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

B. Standards:

1. Location Of Parking Spaces: The following regulations shall govern the location of off street parking spaces and areas:

a. Parking spaces for all detached residential uses shall be located on the same lot as the use that they are intended to serve.

b. Parking spaces for commercial, industrial or institutional use shall be located not more than five hundred feet (500') from the principal use.

c. Parking spaces for apartments, dormitories or similar residential uses shall be located not more than three hundred feet (300') from the principal use.

2. Loading Space Requirements And Dimensions: The city may require off street loading spaces for commercial uses.

3. Maintenance: The owner or lessee of property used for parking and/or loading shall maintain such area in good condition without holes and free of dust, trash and other debris.

4. Surface: The required number of parking and loading spaces as set forth in subsection D of this exhibit, together with driveways, approaches, aisles, curbs, gutters, sidewalks and other circulation areas, shall be improved to a minimum of six inches (6") gravel surface.

5. Curb, Gutter, Sidewalk: When a parking lot adjoins a public street, curb, gutter and sidewalk will be

constructed as part of the lot on any side that faces the public street unless waived by the city council.

6. Approaches: All private driveway approaches to a public street shall be no more than seven percent (7%) in grade and shall meet the surface requirements listed above.

7. Drainage: All parking and loading areas shall provide for proper on site drainage of surface water as approved by the city.

8. Lighting: Any commercial, school or church parking area, located in any zone in the city, which is intended to be used during nondaylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect light away from the adjoining property.

9. Access: Any commercial or industrial parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or onto a public or private street shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.

10. Striping And Paving: All paved parking areas with a capacity over twenty (20) vehicles shall be striped between stalls to facilitate the movement of vehicles into and out of the parking stalls.

11. Screening And/Or Landscaping: Whenever a parking area is required by this or other city ordinance to be screened on any sides which adjoin or face other residential properties the planting screen shall be not less than four feet (4') nor more than six feet (6') in height and shall be maintained in good condition. The space between such fence, wall or planting screen and the lot line of the adjoining premises in any residential zone shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition.

12. Wheel Blocks: Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

13. Disabled Vehicles: The parking of a disabled vehicle within a residential or commercial zone for a period of more than two (2) weeks shall be prohibited, unless such vehicle is screened from public view or stored in an enclosed garage or other accessory building.

14. Joint Use: Two (2) or more nonresidential uses may jointly provide and use parking spaces when their hours of

operation do not normally overlap, provided that a written agreement approved by the City shall be filed with the application for a building permit.

C. Off-Street Parking Design And Dimensional Tables:

	<u>45</u> <u>degree</u>	<u>60</u> <u>degree</u>	<u>90</u> <u>degree</u>	<u>Parallel</u>
1. Width of parking space	13'	10'	09'	09'
2. Length of parking space	15'	18'	19'	23'
3. Width of driveway aisle	13'	17'	25'	12'

D. Parking Space Requirements: For the purpose of this Chapter the following parking space requirements shall apply. Parking requirements shall apply to the use that occupies the majority of floor space within the structure(s) on the property, with the exception of home occupations which shall meet the requirements below:

<u>Type Of Use</u>	<u>Parking Spaces Required</u>
<u>Residential</u>	
1. Single-family or two-family dwelling	2 for each unit
2. Apartments or multi-family dwelling	1½ for each unit
3. Boarding houses, rooming houses, dorm	1 for each sleeping room
4. Manufactured home park	2 for each unit
<u>Commercial</u>	
1. Automobile service garages which also provide repair	1 for each 2 gasoline pumps and 2 for each service bay
2. Hotels, motels	1 per each sleeping room and each 2 employees
3. Funeral parlors, mortuaries and similar	1 for each 4 persons of capacity

<u>Type Of Use</u>	<u>Parking Spaces Required</u>
<u>Recreational Or Entertainment</u>	
1. Dining rooms, restaurants, taverns nightclubs, etc.	1 for each 200 sq. ft. of floor area
2. Bowling alleys used for restaurant, cocktail lounge or similar use	4 for each alley or for each 100 sq. ft. of the area
3. Dance floors, skating rinks	1 for each 100 sq. ft. of floor area used for the activity
4. Outdoor swimming pools, public or community or club	1 for each 5 persons capacity plus 1 for each 4 seats or 1 for each 30 sq. ft. floor area used for seating purposes, whichever is greater
5. Auditoriums, sports arenas, theaters and similar uses	1 for each 4 seats
6. Retail stores	1 for each 250 sq. ft. floor area
7. Banks, financial institutions	1 for each 200 sq. ft. similar uses of floor area
8. Offices, public or professional administration service building	1 for each 400 sq. ft. of floor area
9. All other types of business or commercial uses permitted in any business district	1 for each 300 sq. ft. of floor area
<u>Institutional</u>	
1. Churches or other places of religious assembly	1 for each 5 seats
2. Hospitals	1 for each bed
3. Sanitariums, homes for the aged, nursing homes, children homes, asylums and similar	1 for each 2 beds
4. Medical and dental clinics, offices and waiting rooms	1 for every 200 sq. ft. floor area

<u>Type Of Use</u>	<u>Parking Spaces Required</u>
Institutional (cont.)	
5. Libraries, museums and art galleries	1 for each 400 sq. ft. floor area
<u>Schools (Public, Parochial Or Private)</u>	
1. Elementary and junior high schools	2 for each classroom and 1 for every 8 seats in auditorium or assembly halls
2. High schools	1 for every 2 students and 1 for each teacher and employee
3. Business, technical and trade schools	1 for each 2 students
4. College, universities	1 for each 4 students
5. Kindergartens, childcare center, nursery schools and similar use	2 for each classroom but less than 6 for the building
<u>Manufacturing</u>	
1. All types of manufacturing storage	1 for every 2 employees (except, parcel delivery and freight for which the building terminal is designed) plus 1 for each motor vehicle used in the business

(Ord. 325, §§13, 14, 15, 2003: Ord. 311 §1, 1999)