

ORDINANCE NO. \_\_\_\_\_  
COUNCIL BILL NO. 24-

AN ORDINANCE CREATING A NEW ARTICLE XVII IN CHAPTER 17.05 OF THE COEUR D'ALENE MUNICIPAL CODE, ESTABLISHING A UNIVERSITY DISTRICT (U); PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, it is deemed by the Mayor and City Council to be in the best interests of the City of Coeur d'Alene that said amendment be adopted;

NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

**SECTION 1.** *That Article XVII of Chapter 17.05 of the Coeur d'Alene Municipal Code is created as follows:*

**17.05.1300: GENERALLY:**

A. The University (U) District is established to support and enhance the educational environment of public institutions of higher education in the City of Coeur d'Alene, and to allow flexible, creative development for public educational purposes. The District is intended to facilitate planned expansion, promote collaboration between public higher educational institutions and the local community, ensure compatibility with surrounding neighborhoods and natural resources, and preserve property within the District for public educational uses.

B. This District allows for a mix of uses that support the residential, retail, and service functions of public higher education campuses.

**17.05.1310: UNIVERSITY DISTRICT CREATED:**

District Boundaries:

A. All property north of the high water mark of Lake Coeur d'Alene and east of the high water mark of the Spokane River, which lies west of and includes N. Hubbard Street, except any public right-of-way, and south of W. River Avenue; ~~and~~ [and](#)

B. All property north of W. River Avenue east of the high water mark of the Spokane River and west of, and including, the parcel bearing the legal description of North Idaho College SUB, Lt. 1 Blk. 5 (Ptn in TCA 001-015), and south of the City of Coeur d'Alene property utilized for the Advanced Wastewater Treatment Plant; ~~and~~ [and](#)

C. That parcel lying east of W. Hubbard Street bearing the legal description North Idaho College SUB, Lt. 1 Blk. 5 (Ptn in TCA 001-012); ~~and~~ [and](#)

D. That parcel lying east of W. Hubbard Avenue and north of W. River Avenue All property north of W. River Avenue east of the parcel bearing the legal description of North Idaho College SUB, Lt. 1 Blk. 5 (Ptn in TCA 001-015), ~~including all properties along N. Military Drive,~~ and ~~including~~ parcels bearing the legal description of Fort Sherman Aband Mil Res. TAX#23504 IN LT 14 1450N04W and Fort Sherman Aband Mil Res. TAX#23200 IN LT 14 1450N04W; but excluding

E. All parcels on N. Military Drive north of W. River Avenue and the two parcels zoned R-12 on the west side of N. Hubbard Avenue bearing the addresses 802 W. River Avenue and 415 N. Hubbard Avenue.

EF. This District shall overlay any approved Planned Unit Developments (PUD) in the District. To the extent not inconsistent with any applicable PUD approval, the standards of this Chapter shall apply to all property in the District.

**17.05.1320: STANDARDS:**

A. All uses permitted within the U District shall primarily serve the students, faculty, employees, and alumni of the affiliated institutions, or support educational, arts, athletic, or cultural events and offerings of the public higher educational institutions.

B. Cultural and academic events, conferences, and gatherings contributing to the intellectual and cultural vibrancy of the District are permitted.

C. Research and innovation centers are encouraged, provided they promote collaboration between the university and the local community.

**17.05.1330: PERMITTED USES; PRINCIPAL:**

Principal permitted uses in the U Zoning District shall be as follows:

Administrative, including offices for faculty, staff, and operational purposes

Automotive Parking Activities

Business Supply Retail Sales

Business Support Services, including maintenance facilities supporting campus operations

Cell phone towers that are fully stealth and that support at least three (3) carriers and/or other uses outside of the permitted uses scope listed herein, meets the standards for height by zone and 200' distance from the nearest residential unit as prescribed in the Wireless Communication Facilities Regulations, and determined to conform to the purpose and/or intent of the District

Childcare Facility

Commercial Film Production

Communication Services

Community Assembly

Community Education

Convenience Sales

Convenience Services

Educational Activities, including classrooms, lecture halls, laboratories, libraries and research facilities

Essential Services

Faculty Housing

Food and Beverage Sales/Off-Site Consumption

Food and Beverage Sales/On-Site Consumption

Group Assembly, including student union facilities, performing arts venues

Neighborhood Recreation

Professional and Administrative Offices, including student health centers, student wellness and recreation centers

Public Recreation, including gymnasiums, sports fields, community gardens, equipment rentals

Specialty Retail Sales, including bookstore

Student Housing, such as Single-family detached housing, duplex housing, and multiple-family housing

**17.05.1340: PERMITTED USES; ACCESSORY:**

Accessory Dwelling Units for student or faculty housing

Automobile Parking

Garage or carport (attached or detached)

Mailroom and/or common use room for multiple-family developments or Community Education

Open areas and swimming pools

Outside storage when incidental to the principal use

Other accessory uses directly associated with educational functions

**17.05.1350: PERMITTED USES; SPECIAL USE PERMIT:**

Bed and breakfast facility

Boarding House

Home Occupation

Hotel/Motel when integral to Community Education

**17.05.1360: PROHIBITED USES:**

A. Industrial and commercial activities not directly associated with educational functions.

B. Residential developments not intended for student or faculty housing.

C. Privately-owned residential, condominiums, townhouses, or other non-educational residential development.

D. Additional Prohibited Uses: In addition to the prohibited uses listed in within this section, any other uses that the Planning Director determines are not in conformity with the purpose and/or intent of the District are prohibited. The decision of the Planning Director may be appealed by following the administrative appeal procedure found in Municipal Code §§ 17.09.705 through 17.09.715.

**17.05.1370: OTHER DEVELOPMENT STANDARDS:**

1. Height restrictions: Buildings shall not exceed forty-five feet (45') feet, unless a variance is approved by the Planning and Zoning Commission or as prescribed in the PUD.

2. Minimum Yards for nonresidential activities:

A. Any Street Frontage: All frontages shall provide twenty feet (20').

B. Side, Interior: The interior side yard requirement shall be ten feet (10').

C. Rear: The rear yard requirement shall be ten feet (10').

C. All U District uses shall remain twenty-five feet (25') feet from any residential property lines not associated with an educational use.

3. Minimum Yards for residential uses in this District are subject to the site performance standards for the R-17 Zoning District.

4. Parking requirements: Adequate parking shall be provided for all developments based on established standards per a campus-style review process. Public parking along E. Rosenberry Drive (W. Lakeshore Dr./Dike Road) shall not be included in campus parking calculations.

5. A variance may be granted to partially waive off street parking and/or lot coverage requirements for commercial developments utilizing common parking.

**SECTION 2.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 3.** The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein.

**SECTION 4.** After its passage and adoption, a summary of this Ordinance, pursuant to the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication this Ordinance shall be in full force and effect.

*Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Coeur d'Alene at a regular session of the City Council on \_\_\_\_\_, 20\_\_.*

APPROVED, ADOPTED and SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
James Hammond, Mayor

ATTEST:

\_\_\_\_\_  
Renata McLeod, City Clerk

SUMMARY OF COEUR D'ALENE ORDINANCE NO. \_\_\_\_\_  
Amending Certain Sections of Chapter 17.05 of the City Code,  
Adding new section 17.05.1300 to the City Code

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE FOLLOWING SECTION OF THE COEUR D'ALENE MUNICIPAL CODE: 17.05; PROVIDING FOR A NEW SECTION OF THE COEUR D'ALENE MUNICIPAL CODE, § 17.05.1300;; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. \_\_\_\_\_ IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

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Renata McLeod, City Clerk

**STATEMENT OF LEGAL ADVISOR**

I, Randall R. Adams, am City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. \_\_\_\_\_, Amending section 17.05 of the Coeur d'Alene Municipal Code; adding new section 17.05.1300 to the Coeur d'Alene Municipal Code; and providing for the repeal of the section 0.00.000 of the Coeur d'Alene Municipal Code; and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Randall R. Adams, City Attorney