

ORDINANCE NO. 2007-10

AN ORDINANCE AMENDING THE ELMORE COUNTY ZONING ORDINANCE TO ESTABLISH THIRTEEN (13) ZONING DISTRICTS AND SETTING FORTH REGULATIONS FOR EACH DISTRICT INCLUDING THE FOLLOWING INFORMATION: TITLE, INTERPRETATION AND ENACTMENT; DEFINITIONS; ESTABLISHMENT AND PURPOSE OF DISTRICTS; PROVISIONS FOR OFFICIAL ZONING MAP; DISTRICT REGULATIONS; COMMUNITY DEVELOPMENT OVERLAY AND AREAS OF CRITICAL CONCERN; GENERAL DEVELOPMENT STANDARDS; AIRPORT ZONING AND DEVELOPMENT STANDARDS; ACCESSORY PROVISIONS; RESIDENTIAL HOUSING STANDARDS; DEVELOPMENT AGREEMENTS; LIVESTOCK CONFINEMENT OPERATIONS; CONDITIONAL USE PERMITS; PLANNED COMMUNITIES; PLANNED UNIT DEVELOPMENT; PLANNED UNIT DEVELOPMENT DISTRICTS; FLOODPLAIN DEVELOPMENT; NON-CONFORMING USES; SIGNS; OFF-STREET PARKING AND LOADING FACILITIES; APPEALS, VARIANCES, AND ACTIONS BY AFFECTED PERSONS; ENFORCEMENT; AMENDMENT; SCHEDULE OF FEES, CHARGES AND EXPENSES; AND PROVIDING FOR SUBDIVISION DEVELOPMENT STANDARDS AS FOLLOWS: GENERAL PROVISIONS PROCEDURES FOR APPROVAL OF SUBDIVISION PLATS; DESIGN STANDARDS; IMPROVEMENT STANDARDS; SPECIAL DEVELOPMENT SUBDIVISIONS; VACATIONS; VARIANCES; ENFORCEMENT AND PENALTIES; AND AMENDMENT PROCEDURES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO:

**ARTICLE III-1 ADMINISTRATION**

3.B.3-1 Review all subdivisions and planned community (PC), planned unit development (PUD), and planned unit development district (PUDD) applications. Review all variance and unit requests, and make recommendations to the Board.

**ARTICLE IV-1 ESTABLISHMENT AND PURPOSE OF DISTRICTS**

**Section B.4-1 Zoning Districts**

1.B.4-1 PRIME AGRICULTURE/GRAZING A (Ag A). The purpose of the Ag A District is to preserve and protect the decreasing supply of prime agriculture and grazing land in Elmore County. This district also is established to control the infiltration of urban development and other uses into agriculture areas which will adversely affect agricultural operations.

2.B.4-1 GENERAL AGRICULTURE/GRAZING/FOREST B (Ag B). The purpose of the Ag B District is to preserve and protect this land for multiple land uses that are compatible with farming, ranching, grazing, forest products, and limited mining.

the establishment or creation of airport hazards. The AHZ height regulations also apply in the property surrounding the City of Mountain Home Airport, the City of Glenns Ferry Airport and airstrips at Smith's Prairie, Pine and Atlanta.

- 8.B.4-1 AIR BASE HAZARD ZONE (ABHZ). The purpose of the ABHZ is to protect the Mountain Home Air Force Base from incompatible land use encroachment. The ABHZ further prevents the establishment or creation of hazards, which infringe upon Air Force military operations. The purpose is to prevent encroachment while allowing the best possible use of private lands in this zone as long as private uses do not conflict with Air Base operations. Significant land use restrictions apply in this District.
- 9.B.4-1 AIR BASE COMMERCIAL ZONE (ACZ). The purpose of the ACZ District is to reserve a specific area for commercial land uses near the Mountain Home Air Force Base. Another purpose of the ACZ is to protect the Mountain Home Air Force Base from incompatible land use encroachment. The Air Base Commercial Zone is necessary for the highway entrance to the Mountain Home Air Force Base. The purpose is to prevent encroachment while allowing the best possible use of private lands in this zone as long as private uses do not conflict with Air Base operations. Significant land use restrictions will apply in this district.
- 10.B.4-1 PUBLIC AIRPORT HAZARD ZONE (PAZ). The purpose of the PAZ District is to protect the Mountain Home Airport and the Glenns Ferry Airport from incompatible land use encroachment. The PAZ District will also apply to the private and quasi-public airstrips at Smith's Prairie, Pine and Atlanta. The PAZ zoning district allows these public, private but public-accessible airports to continue to grow and function while providing the highest and best possible use of private lands. Significant land use restrictions apply in this District.
- 11.B.4-1 PLANNED COMMUNITY (PC). The purpose of the PC District is to permit the establishment of urban or small town type development that is self-sustaining and self-supporting, while placing value and emphasis on community character and heritage; provides a variety of housing opportunities; conserves open space; provides developed parks; preserves environmental and/or historical elements; provides commercial and institutional elements, including on-site employment; and provides the infrastructure and community services necessary to support this type of development.
- 12.B.4-1 PLANNED UNIT DEVELOPMENT (PUD). The purpose of the PUD District is to permit more flexibility and consequently encourage imaginative and creative designs, flexibility, and uses within an Area of City Impact or as provided by Chapter 5 Planned Unit Development District Standards for developments of less than 160 acres. It is further intended to promote more efficient and economical uses of land, while providing a harmonious variety of housing opportunities, a higher level of urban amenities, conservation of open space, developed parks and preservation of environmental and/or historical elements. This district shall also provide commercial

4.A.11-1 PCs, PUDs and PUDDs shall be exempt from ARTICLE XI-1 RESIDENTIAL HOUSING STANDARDS as modified by the Board. No exemptions shall be allowed with regard to building code, federal and state regulatory agencies.

**ARTICLE XIV-1 CONDITIONAL USE PERMITS**

A.14-1 General. The Commission shall hold a public hearing on each Conditional Use Permit application. The Commission shall approve, approve with conditions, or deny a Conditional Use Permit application under the conditions as herein specified and consider such additional safeguards as will uphold the intent of this Ordinance, except where a specific PC, PUD or PUDD ordinance governs.

**ARTICLE XXI-1 ENFORCEMENT**

A.21-1 Zoning Permits Required. No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit issued by the Administrator. Zoning permits for PCs, PUDs and PUDDs shall be issued in compliance with the adopted PC, PUD or PUDD ordinance.

**CHAPTER 2 - SUBDIVISION DEVELOPMENT STANDARDS**

**SUBDIVISION ARTICLE I-2 GENERAL PROVISIONS**

A.1-2 Title. These regulations, previously known as the Elmore County Subdivision Ordinance and cited as the Elmore County Subdivision Regulations, shall be hereinafter referred to as the "Subdivision Development Standards". PCs, PUDs and PUDDs shall be exempt from the Subdivision Development Standards.

That all other Elmore County ordinances and parts thereof which are in conflict with the provisions of this ordinance are repealed. The remaining portions of the Elmore County Zoning Ordinance remain in full force and effect.

That this ordinance shall be in full force and effect from and after its passage, approval and publication.

Dated this 3 day of December 2007.

  
Larry Rose  
Chairman, Board of Commissioners

ATTEST: