

ORDINANCE NO. 2012-03

**AN ORDINANCE AMENDING THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE, TITLE 6, ELMORE COUNTY CODE TO CLARIFY LAND USE CLASSIFICATIONS, AND REVISING THE DEFINITION OF SLAUGHTERHOUSE AND ELIMINATING THE DEFINITIONS AND USE CLASSIFICATIONS FOR RENDERING PROCESSING PLANT AND MEAT PACKING FACILITY.**

**WHEREAS**, Title 67, Chapter 65 of the Idaho Code (“Local Land Use Planning Act”) and Article 12, Section 2 of the Idaho Constitution provides authority for Elmore County to adopt land use and regulation ordinances to protect the health, safety, and welfare of their citizens;

**WHEREAS**, the Board of Commissioners of Elmore County (the “Board”) adopted the 2004 Comprehensive Growth and Development Plan on August 9, 2004, which comprehensive plan was subsequently amended on December 3, 2007 and August 17, 2011 (the “Comprehensive Plan”);

**WHEREAS**, the Board adopted the Elmore County Zoning and Development Ordinance on May 13, 2009 as Ordinance 2009-3; which was subsequently amended on December 1, 2010 and August 17, 2011.

**WHEREAS**, the Board amended and restated, in its entirety, the Elmore County Zoning and Development Ordinance on March 21, 2012 (“Existing Zoning Ordinance”).

**WHEREAS**, the Elmore County Growth and Development Department along with the Elmore County Planning and Zoning Commission have proposed certain changes to the Existing Zoning Ordinance as an amendment to the Existing Zoning Ordinance in the form attached hereto on Exhibit A (the “Amendment”), which exhibit is made a part hereof as if fully set forth herein. The Amendment, clarifies land use classifications, and revises the definition of slaughterhouse and eliminates the definitions and use classifications for a rendering processing plant and a meat packing facility.

**WHEREAS**, the Elmore County Planning and Zoning Commission conducted a public hearing on July 18, 2012 and offered a written recommendation of approval to the Board on August 1, 2012 in compliance with both the Local Land Use Planning Act and the Existing Zoning Ordinance for consideration for the adoption of the Amended Elmore County Zoning and Development Ordinance;

**WHEREAS**, The Elmore County Board of Commissioners conducted a public hearing on September 10, 2012 in compliance with both the Local Land Use Planning Act and Zoning Ordinance for consideration in amending the Existing Zoning Ordinance into the Amended Elmore County Zoning and Development Ordinance;

**WHEREAS,** The Elmore County Board of Commissioners has determined the Amendment is not in conflict with the Comprehensive Plan.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE ELMORE COUNTY BOARD OF COMMISSIONERS:**

**SECTION 1. ADOPTION OF THE AMENDED AND RESTATED ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE:** The Amendment is hereby adopted as an amendment to the Existing Zoning Ordinance. The Existing Zoning Ordinance shall remain in full force and effect as amended by the Amendment.

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect and be in force after its passage, approval and publication as required by law. In lieu of publication of the entire Ordinance, a summary thereof in compliance with Idaho Code § 31-715A may be published.

[Signatures on following page]

Dated this 10th day of September, 2012.

**ELMORE COUNTY BOARD OF COMMISSIONERS**



By: *Arlen O. Shaw*  
Arlen O. Shaw, Chairman

By: *Albert Hofer*  
Albert Hofer, Commissioner

By: *Wesley R. Wootan*  
Wesley R. Wootan, Commissioner

ATTEST:

*Barbara Steele*  
Barbara Steele, Elmore County Clerk

Exhibit A

[Attach the Amended sections]

**MANURE, DRY:** Animal or poultry excreta that may also contain bedding, spilled feed, or soil.

**MANURE, LIQUID:** Manure and any associated wastewater, including, but not limited to: a) any excess water generated from the process and any precipitation (rain or snow) that comes into contact with any manure, litter or bedding, or any other material or product used in, or resulting from, animal or poultry production or direct products (e.g., milk, eggs); and b) any water used (directly or indirectly) in AFOs for any or all of the following: animal or poultry watering system spillage or overflow; washing, cleaning, or flushing pens, barns, manure pits or other facilities; direct contact swimming, animal washing or spray cooling; and/or dust control.

**MANURE STORAGE:** An area or structure in which dry manure is stored or a structure, pond, or tank in which liquid manure is stored but not treated.

**MARQUEE:** A permanent roofed structure attached to and supported by the building and projecting over public property.

**MATERIAL CHANGE:** Any change or modification in any application or proposed amendment to this ordinance, which in the opinion of the Director, Commission or Board, is of such importance that the public interests will be better served by additional notice and public hearing.

**MAUSOLEUM:** A structure or other space in a building containing vaults or crypts for the permanent internment of human remains.

~~**MEAT PACKING (COMMERCIAL):** A facility which includes the canning, curing, smoking, salting, packing, and/or freezing of meat products; or a facility in which meat products are processed.~~

**MEDICAL FACILITIES:** A medical institution or health related business licensed by the State of Idaho.

**MEMBER OF THE OWNER'S IMMEDIATE FAMILY:** Any one of the following: a birth or adoptive parent, stepparent, grandparent, children, grandchildren, sibling, aunt, uncle, niece, nephew, or person under the owner's legal guardianship.

**MILK PROCESSING FACILITY:** A facility which includes the processing, canning, curing, packing, and/or freezing of milk or milk products; or a facility in which milk products are processed.

**MINE:** See definition of Pit, Mine, or Quarry.

**MINOR ARTERIAL:** See definition of Street, Arterial, and Minor.

**RECREATIONAL VEHICLE:** A portable structure primarily designed as temporary living accommodation for recreational, camping, and travel use and as defined in Idaho Code section 49-119.

**RECREATIONAL VEHICLE PARK:** A premises upon which two (2) or more parking sites are located, established, or maintained for occupancy by recreational vehicles for temporary use for recreation or vacation purposes.

**RECREATIONAL VEHICLE SALES OR SERVICE:** The sale, trade, or lease of new or used recreational vehicles or personal recreation items in operating condition and any repair work or minor service. Repair work or minor service shall include, but not be limited to, replacement of parts (e.g., tires, shocks, brakes, mufflers, windshields, radiators, upholstery), oil change, minor engine repair, tune up, and accessory sales of replacement parts.

**RECYCLING CENTER:** An establishment that is not a junkyard and in which recoverable resource materials, such as paper products, glassware, and metal cans, are collected, sorted, flattened, crushed, or bundled within a completely enclosed structure prior to shipment to others who use such resource materials to manufacture new products.

**RECYCLING PLANT:** An establishment that is not a junkyard and in which recoverable resource materials, such as paper products, glassware, and metal cans, are recycled, reprocessed, and treated to return such products to a condition in which they may be reused for production.

**REFERENCE ROAD:** Any Federal public road, State highway or road, or County road designated as a graded and drained or higher improvement designation on the Official maps of the Highway Districts within Elmore County.

**REMEDIATION:** Structures and/or activities that remove contaminants from soil or water.

**REMEDIATION, IN SITU:** Remediation that occurs on the same site where the contaminated soil or water exists. In SITU remediation does not involve removal or transportation of soil or water off site.

~~**RENDERING PROCESSING PLANT:** An animal processing facility or plant which may include: a) slaughtering, b) meat canning, c) curing, d) smoking, e) salting, f) packing, g) rendering, h) freezing, or other similar establishments in which meat products are so processed for sale to the public and where the inspection of meat, meat byproducts and meat food products are maintained.~~

**RENEWABLE ENERGY:** Energy that can be produced or managed from sources that is self-sustaining and is considered non-depletable.

**REPAIR:** The reconstruction, renewal or maintenance of real or personal property.

**REQUIRED YARD:** See definition of Yard.

**SLAUGHTERHOUSE:** ~~An establishment~~ An animal processing facility or plant where animals are any of the following: killed, cured, cooked, processed, packaged, frozen, tanned and/or rendered for commercial sale. A slaughterhouse may include a meatpacking facility as an accessory use.

**SLOPE:** An inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance. Percent slope is calculated by multiplying this ratio (rise/run) by one hundred (100). Slope is measured from the base of the hill.

**SOCIAL HALL:** An establishment, or portion thereof, used for social gatherings including, but not limited to, weddings, receptions, dinners, bazaars, banquets, and reunions.

**SPECIAL DRAINAGE WELLS:** Those wells used for disposing of water from sources other than direct precipitation. Examples of this well type include: landslide control drainage wells, potable water tank overflow drainage wells, swimming pool drainage wells, and lake level control drainage wells.

**SPECIAL EVENTS:** Any temporary event including, but not limited to, picnics, barbecues, holiday events and parties, dances, concerts, bike rides and races, footraces and walks, auctions and sales, bazaars, sales or marketing events, and harvest festivals and events.

**SPECIFIC MASTER PLAN:** Document that describes, in narrative and with maps, an overall development plan and design for an area or precinct or planned community including both present property uses as well as future land development plans, detailed urban design and landscaping, building form, infrastructure and service provision as well as the schedule for capital expenditures.

**STABLE, PRIVATE:** A detached accessory structure for the keeping of one (1) or more horses, mules, or cows or other animals owned and used by the occupants of the premises and not for remuneration, hire, or sale.

**STABLE, RIDING:** A structure used or designed for the Boarding or care of riding horses for hire or sale.

**STANDARD SPECIFICATIONS:** Shall be the specifications as specified in this Ordinance or as officially adopted by the County, or applicable agency standards that may be required or accepted by Elmore County.

**START OF CONSTRUCTION:** The date a building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement, or substantial improvement, was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing,

structure commences, whether or not that work affects the external dimensions of the structure.

**SUPPLY YARD:** A commercial establishment storing and offering for sale building supplies, steel supplies, heavy equipment, coal, feed and grain, and similar goods.

**SURVEYOR:** A person who is licensed in Idaho as a public land surveyor to do professional surveying.

**SWALE:** A shallow depression, that may be natural or manmade and which may be used to retain storm water runoff.

**SWIMMING POOL:** Any structure intended for swimming or recreational bathing that can contain water over two (2') feet in depth. This includes in-ground and aboveground swimming pools, hot tubs, and spas.

## **T**

**TANNERY:** ~~An establishment where animal hides are tanned or otherwise processed.~~

**TECHNICAL STUDIES:** Detailed, site specific technical evaluations of development proposals in the Heavy Industrial zoning district and the ACC and CDO overlay districts or as requested by the Director, Commission or Board. Technical studies shall be completed by independent expert authorities including, but not limited to, qualified planners, engineers, architects, appropriate scientific disciplines, and technical research and government agencies and other qualified professionals as defined by this Ordinance. The Director, Commission or Board shall determine the scope of required technical studies. The applicant or developer pays for the technical studies. Any expert contributing to a technical study must have prior approval from the Director, Board or Commission.

**TEMPORARY LIGHTING:** See definition of Lighting, Temporary.

**TEMPORARY LIVING QUARTERS:** A manufactured home, or travel trailer permitted as a temporary dwelling for a member of the owner's immediate family on the same property as the principal permitted use.

**TERRACE:** A level, alluvial or narrow plain with a steep front found at the mouth of side canyons or in the alluvium deposits of valley floors.

**TIME OF TRAVEL (TOT):** The time required for ground water to move in the ground from a specific point to a well.

**TIMESHARE:** See Dwelling, Timeshare.



C. Radius Notice: At least seven (7) calendar days prior to the public hearing, the Director shall send a notice of the time and place, and a summary of the application to property owners or purchasers of record (as listed in the current records of the Elmore County Assessor) owning property within three hundred (300') feet of the property being considered. The Director may determine, or other applications provided for in this Title may require, that notices be sent to property owners or purchasers of record whose properties are further than three hundred (300') feet from the external boundaries of the property upon which the application is located.

1. The following uses shall require notice within one thousand (1,000') feet of the property being considered:

- a. Adult entertainment establishment;
- b. Airport or Aircraft landing field;
- c. Any application located in an Agricultural District;
- d. Bar, brew pub, or nightclub;
- e. Explosive manufacturing or storage
- f. Flammable substance storage;
- g. Foundry;
- h. Junkyard or automobile wrecking yard;
- i. Manufacture or processing of hazardous chemicals or gases;
- j. ~~Meatpacking facility;~~ Reserved;
- k. Pit, mine, or quarry requiring administrative or conditional use approval;
- l. Power plant
- m. Processing plant for agricultural and dairy products;
- n. Public or quasi-public use - public or private correctional facility;
- o. Racetrack, vehicle or animal;
- p. Sanitary landfill, restricted;
- q. Sawmill or planing mill;
- r. Slaughterhouse
- s. Soil or water remediation;
- t. ~~Tannery;~~ Reserved;
- u. Tower or antenna structure higher than fifteen (15') feet;
- v. Vehicle impound yard;
- w. Or, any other type of land use that the Director feels warrants a one thousand (1,000')-foot radius notice.

6-8-127:	Highway Maintenance Shop
6-8-128:	Home Occupation
6-8-129:	Hospital
6-8-130:	Hotel or Motel
6-8-131:	Hunt Club, Resort
6-8-132:	Incinerators
6-8-133:	Industrial/Manufacturing Facility, Heavy
6-8-134:	Industrial/Manufacturing Facility, Light
6-8-135:	Junkyard or Automobile Wrecking Yard
6-8-136:	Kennel, Commercial
6-8-137:	Kennel, Hobby
6-8-138:	Laboratory-Medical-Dental Optical
6-8-139:	Laundromat
6-8-140:	Laundry-Commercial Plant
6-8-141:	Lumber Processing
6-8-142:	Lumber Yard-Retail/Wholesale
6-8-143:	Machine Shop
6-8-144:	Manufacture or Processing of Hazardous Chemicals or Gases
6-8-145:	Manufactured Home Park
6-8-146:	Manufacturing Facility, Heavy
6-8-147:	Manufacturing Facility, Light
6-8-148:	Marina, Boat Moorage
6-8-149:	<del>Meat Processing Facility</del> <u>Reserved</u>
6-8-150:	Mining
6-8-151:	Mortuary
6-8-152:	Nursery, Retail
6-8-153:	Nursery, Wholesale
6-8-154:	Nursing Home or Facility
6-8-155:	Office Building
6-8-156:	Office, Temporary Construction
6-8-157:	Outdoor Storage
6-8-158:	Package and Letter Delivery/Shipping Service
6-8-159:	Personal, Business, or Professional Service
6-8-160:	Park, Public
6-8-161:	Parking Lot, Garage or Facility
6-8-162:	Petroleum Storage
6-8-163:	Pistol Range
6-8-164:	Pit, Mine, or Quarry
6-8-165:	Portable Classroom
6-8-166:	Printing, Blueprinting or copy
6-8-167:	Printing, Off-Set, Press or Similar
6-8-168:	Processing Plants for Agricultural or Dairy Products
6-8-169:	Public Address System, Outdoor
6-8-170:	Public or Quasi-Public Use
6-8-171:	Public Storage
6-8-172:	Public Agency Utility Yard or Shop

6-8-173: Racetrack, Animal or Vehicle  
6-8-174: Railroad Switching Yard  
6-8-175: Recreation Facilities (Outdoor)  
6-8-176: Recreational Vehicle Park  
6-8-177: Recreational Vehicle Sales or Service  
6-8-178: Recycling Collection Center, Small  
6-8-179: Recycling Plant or Processing Facility  
6-8-180: ~~Rendering Plant, Animal or Other~~ Reserved  
6-8-181: Research and Development Facility  
6-8-182: Residential Care Facility  
6-8-183: Restaurant or Eating Place  
6-8-184: Retail, Big Box  
6-8-185: Retail, Non-Big Box  
6-8-186: Roadside Produce Stand or Other  
6-8-187: Rodeo Arenas  
6-8-188: Rooming/Boarding/Halfway House  
6-8-189: RV & Travel Trailer Parks  
6-8-190: RV Sales  
6-8-191: Sanitary Landfill  
6-8-192: Sawmill or Planing Mill  
6-8-193: Service Station  
6-8-194: School, Public or Private  
6-8-195: Shooting Range  
6-8-196: Slaughterhouse  
6-8-197: Soil or Water Remediation  
6-8-198: Stale/Riding Arena or School Commercial  
6-8-199: Storage Facility, Self-Service  
6-8-200: Structure Greater Than Ten Thousand Square Feet  
6-8-201: Subdivision, Commercial  
6-8-202: Subdivision, Residential  
6-8-203: Subdivision, Industrial  
6-8-204: Swimming Pool, Private and Public  
6-8-205: ~~Tannery~~ Reserved  
6-8-206: Temporary Living Quarters  
6-8-207: Tower or Antenna Structure, Commercial  
6-8-208: Tower or Antenna Structure, Private  
6-8-209: Tower Collocation  
6-8-210: Transit Facility  
6-8-211: Trap or Skeet Club  
6-8-212: Truck and Tractor Repair  
6-8-213: Truck and Tractor Stop or Wash  
6-8-214: Vehicle Impound Yard  
6-8-215: Veterinary Hospital or Research Facility  
6-8-216: Waste Disposal Facility  
6-8-217: Waste Transfer Facilities  
6-8-218: Warehouse

**Table 6-8-11 (C)**  
**Elmore County Land Use Table**  
**Allowed Use (AU), Administrative (AA), Conditional (C) and Prohibited Land Use (X)**

LAND USE	AG	REC	RR/MU	C1	C2	M1	M2	PAZ	ABHZ	ACZ
Hospitals*	X	C	X	X	AU	C	X	X	X	X
Hotel, Motel*	X	C	X	X	AU	C	X	C	X	C
Hunt Club, Resort	C	AU	X	X	X	X	X	X	X	X
<b>I</b>										
Incinerators	X	X	X	X	X	X	C	X	X	X
Industrial/Manufacturing Facility, Heavy	X	X	X	X	X	X	C	X	X	X
Industrial/Manufacturing Facility, Light	X	X	X	X	X	AU	C	C	X	X
<b>J</b>										
Junk Yard or Automobile Wrecking Yard*	X	X	X	X	X	C	C	X	X	X
<b>K</b>										
Kennel, Commercial*	C	X	X	X	X	C	X	C	X	X
Kennel, Hobby*	AA	AA	AA	AA	X	X	X	AA	X	X
<b>L</b>										
Laboratory, Medical, Dental, or Optical	X	C	X	X	AU	AU	X	C	X	C
Laundromat*	X	C	X	AU	AU	AU	X	C	X	C
Laundry-Commercial Plant	X	X	X	C	C	AU	C	X	X	X
Lumber Processing	C	X	X	X	X	X	C	C	X	X
Lumber Yard - Retail/Wholesale	C	X	X	X	C	AU	C	C	X	C
<b>M</b>										
Machine Shop	X	X	X	X	X	AU	C	C	X	X
Manufacture or Processing of Hazardous Chemicals or Gases*	X	X	X	X	X	X	C	X	X	X
Manufactured Home Park*	C	C	C	X	X	X	X	X	X	X
Manufacturing Facility, Heavy	X	X	X	X	X	X	C	X	X	X
Manufacturing Facility, Light	X	X	X	X	C	C	AU	C	X	X
Marina, Boat Moorage	C	AU	C	C	X	C	C	X	X	X
Meat Processing Facility*	C	X	X	X	X	C	AU	C	X	X
Mining	C	X	X	X	X	X	C	X	X	X
Mixed-Use Development	X	C	AU	C	C	X	X	X	X	X

\* Indicates other requirements may apply

**Table 6-8-11 (C)  
Elmore County Land Use Table  
Allowed Use (AU), Administrative (AA), Conditional (C) and Prohibited Land Use (X)**

LAND USE	AG	REC	RR/MU	C1	C2	MI	MZ	PAZ	ABHZ	ACZ
Public or Quasi Public Use*	C	C	X	X	C	C	C	C	X	C
Public Storage	C	X	X	X	AU	AU	C	C	X	C
Public Agency Utility Yard or Shop	C	X	X	X	AU	AU	C	C	X	C
<b>R</b>										
Race Track, Animal Or Vehicle*	C	C	X	X	AU	C	X	C	X	X
Railroad Switching Yard*	C	X	X	X	X	AU	C	C	X	X
Recreation Facilities (Outdoor)	C	AU	C	C	AU	C	C	C	X	C
Recreational Vehicle Park*	C	AA	X	X	C	X	X	C	X	X
Recreational Vehicle Sales Or Service*	X	X	X	X	AU	C	X	C	X	C
Recycling Collection Containers, Small*	X	AA	C	AA	AU	AU	C	C	X	C
Recycling Plant Or Processing Center*	C	X	X	X	C	AU	C	C	X	X
Rendering Processing Plant	X	X	X	X	X	X	E	X	X	X
Residential Care Facility*	C	C	AU	AU	X	X	X	X	X	X
Research And Development Facility	X	X	X	X	AU	AU	C	C	X	C
Restaurant Or Eating Place*	X	C	X	AU	AU	AU	C	C	X	C
Retail, Big Box*	X	X	X	X	AU	C	X	C	X	C
Retail, Non Big Box*	X	X	X	AU	AU	C	C	X	X	C
Roadside Produce Stand Or Other*	AA	AA	X	AA	AA	AA	X	X	X	C
Rodeo Arenas	C	C	X	X	AU	X	X	C	X	X
Rooming/Boarding/Halfway House	X	C	X	AU	C	X	X	X	X	X
<b>S</b>										
Sanitary Landfill*	C	X	X	X	X	X	C	X	X	X
Sawmill Or Planing Mill*	C	X	X	X	X	AU	C	C	X	X
Schools, Public And Private*	AU	C	AU	C	X	X	X	X	X	C
Service Station	C	C	C	AU	AU	C	C	C	X	C
Shooting Range*	C	X	X	X	X	AU	C	X	X	X
Slaughterhouse*	C	X	X	X	X	AU	C	X	X	X
Soil Or Water Remediation Site*	C	C	C	C	C	AU	C	C	X	X
Stable/Riding Arena Or School, Commercial*	C	AU	X	X	X	C	C	C	C	C

\* Indicates other requirements may apply

**Table 6-8-11 (C)**  
**Elmore County Land Use Table**  
**Allowed Use (AU), Administrative (AA), Conditional (C) and Prohibited Land Use (X)**

LAND USE	AG	REC	RR/MU	C1	C2	M1	M2	PAZ	ABHZ	ACZ
Storage Facility, Self Service*	X	X	X	C	AU	AU	X	X	X	C
Structure Greater Than Ten Thousand Square Feet*	AA	C	C	C	C	C	C	C	X	C
Swimming Pool, Private or Public*	AA	AA	AA	C	C	C	X	C	X	C
Subdivision, Commercial	X	X	X	C	C	X	X	X	X	X
Subdivision, Residential*	C	C	C	X	X	X	X	C	X	X
Subdivision, Industrial*	X	X	X	X	X	C	C	X	X	C
<b>T</b>										
Tannery <sup>de</sup>	X	X	X	X	X	X	E	X	X	X
Temporary Living Quarters	AA	AA	C	C	X	X	X	X	X	X
Tennis Court, Public	AU	AU	AU	AU	AU	AU	X	X	X	C
Tower, Antenna or Structure, Commercial*	C	C	C	C	C	AU	C	C	C	C
Tower, Antenna or Structure, Private*	C	C	C	C	C	AA	C	C	C	C
Tower Collocation*	AA	AA	AA	AA	AA	AA	C	C	X	X
Transit Facility*	X	X	X	C	AU	AU	X	C	X	C
Trap or Skeet Club*	C	C	X	X	X	AU	C	X	X	X
Truck and Tractor Repair	C	X	X	X	X	AU	C	C	X	C
Truck and Trailer Stop and/or Wash*	X	X	X	X	AU	C	C	C	X	C
<b>V</b>										
Vehicle Impound Yard	X	X	X	X	X	AU	C	C	X	C
Veterinary Hospital or Research Facility	C	X	X	X	AU	C	C	C	X	C
<b>W</b>										
Waste Disposal Facility	X	X	X	X	X	X	C	X	X	X
Waste Transfer Facilities	C	X	X	X	X	X	C	X	X	X
Winery*	C	AU	X	X	X	X	C	C	C	C
Wireless Communication Facility*	C	C	C	C	C	AU	C	X	X	C
Wrecking Yard	X	X	X	X	X	AU	C	C	X	X
<b>Z</b>										
Zoo or Zoo Type Animals	C	C	X	X	C	C	C	C	X	X

\* Indicates other requirements may apply

4. All visits by clients and/or customers shall occur between the hours of eight o'clock (8:00) A.M. and eight o'clock (8:00) P.M.
5. Group instruction may be permitted for swimming if limited to no more than five (5) students at one time. The use of an outdoor swimming pool shall meet the requirements of the Elmore County Building Code as set forth in this Title.

**Section 6-8-129: Hospital:**

- A. The use shall have frontage on an arterial street.
- B. Accessory retail uses including, but not limited to, retail shops, food or beverage service, and personal service shops, may be allowed if designed to serve patrons of the hospital and their visitors only.
- C. The use shall comply with the flood hazard overlay as set forth in this Title.
- D. No hospital shall be located within one thousand (1,000') feet of the following uses:
  1. Explosive manufacturing or storage; or
  2. A livestock confinement facility with three hundred one (301) or more animal units; or
  3. A flammable substance storage facility; or
  4. A foundry; or
  5. A freight and truck terminal; or
  6. A facility that manufactures or processes hazardous chemicals; or
  7. A power plant; or
  8. A processing plant for agricultural and dairy products; or
  9. A slaughterhouse; or
  10. A soil or water remediation facility; or
  - ~~11. A tannery.~~

A. A facility that does not produce noise, smoke, fumes, dust or any other use that would not pose a severe environmental impact shall be considered a light manufacturing facility. *Section 6-8-148: Marina, Boat Moorage*

A. There are no additional standards or requirements for this use.

**Section 6-8-149: ~~Meat Processing Facility~~ Reserved:**

~~A. All structures or outdoor activity areas shall be located a minimum of three hundred (300') feet from any property line. The use shall be located a minimum of one thousand (1,000') feet from any residential district or approved hospital use.~~

~~B. The application materials shall include written documentation that the proposed facility meets any applicable federal, state, or local standards regarding such use including, but not limited to, those of the environmental protection agency, the U.S. Department of Agriculture, Central District Health Department, and Idaho Department of Water Resources.~~

**Section 6-8-150: Mining:**

A. Additional standards are found in section 6-8-164 of this Title.

**Section 6-8-151: Mortuary:**

A. A mortuary may be allowed as an accessory use to a cemetery when located within a fire district and where fire flow is available.

**Section 6-8-152: Nursery, Retail:**

A. Outdoor mechanical equipment (including, but not limited to, heaters and fans) shall not be located within fifty (50') feet of a property line. To reduce noise, permanently mounted mechanical equipment shall be enclosed to the maximum extent possible.

B. Outdoor storage areas for materials shall comply with this Chapter. The following nursery materials shall be exempt from this requirement:

1. Growing plants in ground or in containers; and
2. Wood chips, bark, rock, gravel, or similar ground cover material where such storage piles do not exceed six (6') feet in height.

C. The application of fertilizer or process wastewater at agronomic rates shall be deemed a component of the nursery use.



- D. Power driven processing (including, but not limited to, aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of materials) may be allowed when located within an enclosed structure.
- E. All recycling center grounds and facilities shall be maintained in an orderly manner so as not to create a public nuisance.

**Section 6-8-179: Recycling Plant or Processing Facility:**

- A. Outdoor storage areas shall comply with this Chapter. No storage, excluding truck trailers, shall be visible above the required screening material.
- B. Except for after hour's donation containers, no unsorted material shall be stored outdoors.
- C. Any container provided for after hour's donation of recyclable materials shall be a minimum of fifty (50') feet from a residential district, shall be of sturdy, rustproof construction, and shall have sufficient capacity to accommodate materials collected.
- D. Power driven processing (including, but not limited to, aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of materials) may be allowed when located within an enclosed structure.
- E. All recycling center grounds and facilities shall be maintained in an orderly manner so as not to create a public nuisance.

**Section 6-8-180: ~~Rendering Plant, Animal or Other~~ Reserved:**

- ~~A. There are no additional standards or requirements for this use.~~

**Section 6-8-181: Research and Development Facility:**

- A. There are no additional standards or requirements for this use.

**Section 6-8-182: Residential Care Facility:**

- A. The owner of the facility shall secure and maintain a license from the Idaho Department of Health and Welfare, facility standards division.
- B. Accessory retail uses including, but not limited to, retail shops, food or beverage service, and personal service shops, may be allowed if designed to serve residents and/or staff only.

**Section 6-8-196: Slaughterhouse:**

- ~~A. The applicant or owner shall obtain written approval of the any applicable state of Idaho Department of Health and Welfare agency for elimination of waste materials.~~
- ~~B. All structures or outdoor activity areas shall be located a minimum of three hundred (300') feet from any property line. The use shall be located a minimum of one thousand (1,000') feet from any residential district or approved hospital use.~~
- ~~C. A meatpacking facility may be an accessory use to the slaughterhouse.~~
  - A. The slaughterhouse facility shall be located in an agriculture, light industrial or heavy industrial zone.
  - B. The slaughterhouse facility shall be in compliance with all environmental regulations, requirements and permits imposed by state or federal law or any regulatory agencies;
  - C. The location of Animal Waste Management Systems, corrals, wells, and septic systems shall conform to all applicable rules, regulations and specifications as required by any regulatory agencies and this title.
  - D. All buildings, feed storage areas, feed bunks or feed racks shall be setback a minimum of one hundred (100') feet from property lines and public rights of way.
  - E. Lights shall be placed and shielded to direct the light source down and inside the property lines of the facility. All direct glare from the facility lights shall be contained within the facility area.
  - F. No new slaughterhouse facility area shall be approved and/or located within a minimum of one and one quarter miles of a parcel of property in a residential zone or a platted, approved or developed subdivision or an unincorporated townsite.
  - G. The animal waste management system shall not be located or operated closer than a minimum of one thousand three hundred twenty (1,320') feet from an existing residence belonging to someone other than the Applicant, or be located and/or operated closer than a minimum of one hundred (100') feet from property lines.
  - H. No animal waste management system shall be located and/or operated closer than a minimum of five hundred (500') feet from a well.
  - I. No animal waste management system shall be located closer than a minimum of three hundred (300') feet from a public right of way.

- J. No new slaughterhouse facility area shall be approved and/or located within a minimum of one and one-half (1 ½) miles of the Snake and/or Boise Rivers or within a floodplain as set out on the most recent Federal Emergency Management Agency Flood Insurance Rate Map for Elmore County.
- K. Live animal storage shall comply with all state of Idaho regulations and this title.
- L. A slaughterhouse facility area shall not be located within any aquifer recharge area or Community Development Overlay as adopted and defined by the Comprehensive Plan Land Use Map or this Title.

**Section 6-8-197: Soil or Water Remediation:**

The following standards apply to establishments that import soil and/or water for remediation. The standards do not apply to in situ (existing or in place) remediation of soil and/or water.

- A. The minimum property size shall be forty (40) acres.
- B. The proposed use shall not be located in the Snake River birds of prey national conservation area or wildlife habitat area as depicted in the Comprehensive Plan.
- C. The applicant or owner shall obtain written approval from the state of Idaho Division of Environmental Quality. The approval shall make specific reference to the location, substance being treated, and method of treatment, monitoring methods, and the ability of the site to support the proposed use.
- D. The applicant or owner shall obtain written approval from Central District Health Department.
- E. The use shall comply with the flood hazard overlay as set forth in this Title.
- F. All structures shall be located a minimum of three hundred (300') feet from any property line. The use shall be located a minimum of one thousand (1,000) feet from any residential district or approved hospital use.

**Section 6-8-198: Stable/Riding Arena or School Commercial:**

- A. Any establishment that meets one or more of the following criteria shall be deemed a commercial use and shall require conditional use approval:
  - 1. The riding arena is open to the general public, a homeowners' association or a club.

Subdivision Requirements and Regulations.

**Section 6-8-202: Subdivision, Residential**

- A. Additional requirements and standards apply for this use. See Chapter 28: Subdivision Requirements and Regulations.

**Section 6-8-203: Subdivision, Industrial**

- A. Additional requirements and standards apply for this use. See Chapter 28: Subdivision Requirements and Regulations.

**Section 6-8-204: Swimming Pool, Private and Public:**

All swimming pools shall be provided with a barrier, which meets the requirements of the Elmore County Building Code as set forth in this Title.

**Section 6-8-205: ~~Tannery Reserved:~~**

- ~~A. The applicant or owner shall obtain written approval of the state of Idaho Department of Health and Welfare for elimination of waste materials.~~
- ~~B. The use shall comply with the flood hazard overlay as set forth in this Title.~~
- ~~C. All structures or outdoor activity areas shall be located a minimum of three hundred (300') feet from any property line. The use shall be located a minimum of one thousand (1,000') feet from any residential district or approved hospital use.~~
- ~~D. The tannery shall be connected to a wastewater collection and treatment system as approved by the Idaho Division of Environmental Quality.~~

**Section 6-8-206: Temporary Living Quarters:**

- A. There are no additional standards or requirements for this use.

**Section 6-8-207: Tower or Antenna Structure, Commercial:**

- A. Applicability:
1. The following regulations shall apply to tower structures and associated equipment for the purpose of commercial radio, television, telephone, paging, or satellite reception and/or transmission.
  2. A facility that meets one of the following standards shall be reviewed as an accessory use. Any other facility shall be reviewed as a conditional use.

<b>H</b>	
Heavy equipment sales	1 per 1,200 square feet of GFA
Heavy equipment service	1 per service bay
Home occupation	1 per 2 employees other than the dwelling residents
Hospital	1 per bed
Hotel or motel	1 per 2 sleeping rooms
<b>J</b>	
Junkyard or automobile wrecking yard	1 per 2 employees
<b>L</b>	
Laundromat	1 per 500 square feet of GFA
Laundry or linen supply	1 per 1,000 square feet of GFA
Livestock confinement facility	1 per 2 employees
<b>M</b>	
Manufacture of electronic or electrical products	1 per 1,000 square feet of GFA
Manufacture or processing of hazardous chemicals or gases	1 per 1,000 square feet of GFA
Manufactured home	1 per dwelling
Manufactured home park	1 per space
Manufactured home storage	1 per 2 employees
Manufactured home subdivision or park in a manufactured home district	1 per dwelling
<del>Meatpacking facility</del>	<del>1 per 1,000 square feet of GFA</del>
Mortuary	1 per 200 square feet of GFA
Movie theater	1 per 8 seats
Multi-family development	1 per dwelling unit
<b>N</b>	
Nursery, retail	1 per 1,200 square feet of GFA
Nursery, wholesale	1 per 4,000 square feet of GFA
Nursing facility, skilled	1 per 8 beds
<b>O</b>	
Office building	1 per 500 square feet of GFA
Office, relating to the approved use	1 per 500 square feet of GFA
Office, temporary construction	1 per 2 construction employees
Outdoor storage	1 per 2 employees
Open space Structure	4 per acre or 1 per 8 seats
<b>P</b>	
Package and letter delivery service	1 per 1,000 square feet of GFA
Personal, business, or professional service	1 per 500 square feet of GFA
Pit, mine, or quarry	1 per 2 employees

Power plant	1 per 1,000 square feet of GFA
Processing plant for agricultural or dairy products	1 per 1,000 square feet of GFA
Product fabrication, assembly, or packaging	1 per 1,000 square feet of GFA
Public recreation facility (open space)	4 per acre
Public recreation facility (structure)	1 per 8 fixed seats
Public utility and infrastructure facility	1 per 2 employees
Publicly owned buildings	1 per 600 square feet of GFA
<b>R</b>	
Racetrack, vehicle or animal	1 per 8 seats
Radio and television broadcasting station	1 per 500 square feet of GFA
Railroad switching yard	1 per 2 employees
Recreational vehicle park	1 per space
Recycling center	1 per 1,000 square feet of GFA
Recycling plant	1 per 1,000 square feet of GFA
Research and development facility	1 per 1,000 square feet of GFA
Residential care facility	1 per 6 beds
Restaurant or eating place	1 per 200 square feet of GFA
Retail sales relating to an approved use	1 per 500 square feet of GFA
Retail store, durable goods	1 per 1,200 square feet of GFA
Retail store, other	1 per 500 square feet of GFA
Roadside produce stand	1 per 200 square feet of GFA
<b>S</b>	
Sanitary landfill	1 per 2 employees
Sawmill or planing mill	1 per 1,000 square feet of GFA
School, public or private Elementary	1 per 2 employees plus 1 per 12 students
School, High, Jr. or Middle	Middle, junior high, and senior 1 per 2 employees plus 1 per 8 students
School, vocational or trade	1 per 4 students
Seasonal farm worker housing	1 per 2 sleeping rooms if dormitory style
Seasonal or temporary housing	1 per 2 dwelling units if campground style
Shooting range, indoor or outdoor	1 per target and/or shooting station
Slaughterhouse	1 per 1,000 square feet of GFA
Soil or water remediation	1 per 2 employees
Stable or riding arena, commercial	1 per 2 stable stalls
Storage facility, self-service	1 per entrance to site
Studio	1 per 500 square feet of GFA
<b>T</b>	
Tannery	1 per 1,000 square feet of GFA
Temporary living quarters	1 per dwelling unit
Transit facility	1 per 2 employees
Truck stop	1 per 500 square feet of GFA in addition to required spaces for trucks