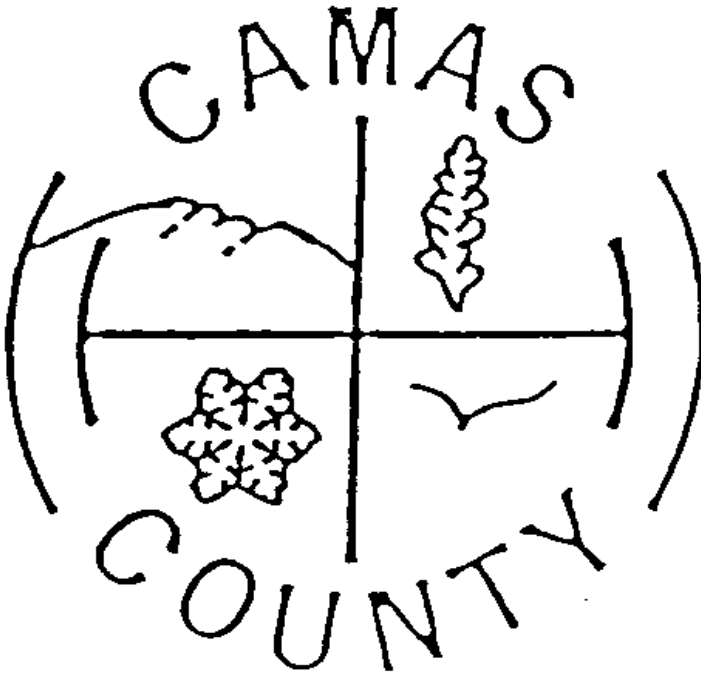


CAMAS COUNTY ZONING ORDINANCE

TITLE 2



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TABLE OF CONTENTS

<u>TITLE 2</u>	<u>PAGE</u>
Chapter 1 Title, Interpretation, and Enactment	5
2-1-1 Title	5
2-1-2 Authority	5
2-1-3 Provisions of Ordinance declared to be minimum requirements	5
2-1-4 Separability Clause	5
2-1-5 Repeal or conflicting ordinance effective date.	5
Chapter 2 Definitions	6-21
2-2-1 Interpretation of terms and words	6
2-2-2 Meaning of terms and words	6-21
2-2-3 Zoning Permits and certificates	21
Chapter 3 Administration	22
2-3-1 General	22
2-3-2 Administrator	22
2-3-3 Commission	22
Chapter 4 Establishment and Purpose of Districts	24
2-4-1: COUNTY DIVIDED INTO ZONES; DISTRICTS:	24
Article A Agricultural District (A-80)	25-29
Article B Agricultural District (A-40)	30-33
Article C Agricultural District (A-20)	34-36
Article D Agricultural District (A-10)	37-39
Article E Agricultural District (A-5)	40-42
Article F Agricultural District (A-2.5)	43-45
Article G Agricultural Transition District (AT)	46-49
Article H Low Density Residential District (R-1)	50-51
Article I High Density Residential District (R-4)	52-53
Article J Commercial District (C)	54-59
Article K Industrial District (I)	60-64
Article L Flood Plain Overlay District (FPO)	65
Article M Area of Critical Concern Overlay (ACC)	65
Chapter 5 Provisions for Official Zoning Map	66
Chapter 6 District Regulations	67-70
2-6-1 Official Height and Area Regulations	69
Chapter 7 Flood Plain Overlay District	71-73
Chapter 8 Performance Standards	74-81

Chapter 9 Hillside and Foothill Areas Development	82-87
2-9-1 General	82
2-9-2 Appearance and preservation	82
2-9-3 Hillside development evaluation	83
2-9-4 Development standards	85
Chapter 10 Conditional Use Permits	88-91
Chapter 11 Procedures for Planned Unit Developments	93-99
Chapter 12 Non-Conforming Uses	101-103
Chapter 13 Appeal and Variance	104-107
Chapter 14 Building Permits	108-112
Chapter 15 Amendment	113-115

Zoning Ordinance #169
Zoning Map #158

P R E A M B L E

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF ZONING REGULATIONS WITHIN CAMAS COUNTY; PROVIDING FOR THE TITLE, INTERPRETATION AND ENACTMENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR ADMINISTRATION; PROVIDING FOR ESTABLISHMENT AND PURPOSE OF DISTRICT REGULATIONS; PROVIDING FOR AN OFFICIAL ZONING MAP; PROVIDING FOR DISTRICT REGULATIONS; PROVIDING FOR AN OFFICIAL HEIGHT AND AREA REGULATIONS; PROVIDING FOR OVERLAY DISTRICTS; PROVIDING FOR PERFORMANCE STANDARDS; PROVIDING FOR A NOTIFICATION TO APPLICANT; PROVIDING FOR APPEAL; PROVIDING FOR CONDITIONAL USE PERMITS; PROVIDING FOR ADDITIONAL DWELLING UNITS; PROVIDING FOR PLANNED UNIT DEVELOPMENTS (PUD); PROVIDING FOR NON-CONFORMING USES; PROVIDING FOR APPEAL AND VARIANCE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Chapter 1

TITLE, INTERPRETATION, AND ENACTMENT

2-1-1: TITLE

This ordinance shall be known and may be cited to as the "Title 2, Zoning Ordinance of Camas County, Idaho".

2-1-2: AUTHORITY

This zoning ordinance is adopted pursuant to authority granted and purposes described in the Idaho Code Chapter 65 of Title 67, Article XII Section 2 of the Idaho Constitution, and other applicable authority.

2-1-3: PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this ordinance conflict with the requirements of any lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive or that imposing the higher standards shall govern.

2-1-4: SEPARABILITY CLAUSE

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

2-1-5: REPEAL OR CONFLICTING ORDINANCE - EFFECTIVE DATE

All ordinances or parts of ordinances in conflict with this zoning ordinance or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall become effective from and after the date of its approval, adoption and, publication as provided by law.

Chapter 2

DEFINITIONS

2-2-1: INTERPRETATION OF TERMS OR WORDS

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

1. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word "shall" and "will" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
4. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
5. The word "lot" includes the words "plot", "parcel", and "tract".

2-2-2: MEANING OF TERMS OR WORDS

ACCESSORY USE OR STRUCTURE: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.

ADDITIONAL DWELLING UNIT: detached structure, being an accessory to a one-family dwelling.

ADMINISTRATOR: An official appointed by the Board to administer this ordinance.

AGRICULTURE: Tilling of soil, horticulture, floriculture, forestry, fisheries, viticulture, raising crops, livestock, farming, dairying and animal husbandry including all uses customarily accessory and incidental thereto, but excluding slaughterhouses, fertilizer works, boneyards and commercial feedlots. Incidental retailing of goods on the premises of goods and products raised on the premises shall also be considered as being within the definition of agriculture.

AGRICULTURAL BUILDING: Any building or structure qualifying under group U occupancy (agricultural buildings) as defined by the

latest edition of the international building code as adopted by Camas County, with the following exceptions:

A. That the building or structure is not a place of human habitation, nor used by the public.

B. That the building or structure is not a place of employment where agricultural products are processed, treated or packaged including, but not limited to, milking barns, free stall barns or other like structures.

C. Any building or structure qualifying under group A occupancy (assembly) section 303 or group B occupancy (business) section 304 occupancy as defined by the latest edition of the international building code as adopted by Camas County.

AIRPORT: Any runway, area or other facility used for the landing and taking off of aircraft, including all accessory taxiways, aircraft storage and tie down areas, hangars and other necessary buildings.

Airport, Private: Any privately owned runway, area, or other facility used for the landing and taking off of aircraft, including all accessory taxiways, aircraft storage and tie down areas, hangars, and other necessary buildings not normally open to the public.

Airport, Public: Any runway, area, or other facility used publicly and/or commercially for the landing and taking off of aircraft, including all accessory taxiways, aircraft storage and tie down areas, hangars, and other necessary buildings normally open to the public.

ANIMAL CLINIC OR VETERINARY CLINIC: Any building or portion thereof designed or used for the care or treatment of cats, dogs, or other animals in which veterinary service including clipping, bathing, boarding and other services are rendered to dogs, cats and other small animals and domestic pets. Small animal hospital or veterinary hospital is the same as a small animal or veterinary clinic, the distinction being that in case of an animal hospital there is a licensed veterinarian on the premises.

ANIMAL UNIT RESTRICTIONS: Restrictions placed on animal densities in each zone district.

ANIMAL UNIT (s): A term used to establish an equivalency for various species of livestock.

AREA, BUILDABLE: The space within the setback lines remaining on a lot after the minimum open space requirements of this ordinance have been complied with.

AREA OF CITY IMPACT: The unincorporated land of the County surrounding the city limits of each city established by negotiated procedure with each city for which a separate governing plan is established in accordance with Idaho Code 67-6526.

AREA SETBACK: The space on a lot required to be left open and unoccupied by buildings or structures, either by the front, side or rear yard requirements of this ordinance, or by delineation on a recorded subdivision/planned unit development map.

AUTOMOTIVE REPAIR: The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service painting, and steam cleaning of vehicles.

AUTOMOTIVE, MOBILE HOME, TRAVEL TRAILER AND FARM IMPLEMENT

SALES: The sale or rental of new and used motor vehicles mobile-homes, travel trailers or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.

AUTOMOTIVE WRECKING: The dismantling or wrecking of two (2) or more used motor vehicles, mobile homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

BAR AND TAVERN: An establishment that serves liquor per Idaho Code.

BARN: An agricultural building for the housing of farm animals, milking of livestock, and the storage of farm equipment, machinery, products, or horticultural products.

BASEMENT: A dwelling unit all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

BOARD: The Board of County Commissioners.

BOARDING HOUSE: Including lodging house or rooming house and retreat facilities. Any building or portion thereof other than a hotel, where lodging and/or meals are provided for more than five (5) persons for compensation. Rest homes and homes for the aged are not included in this definition.

BUILDING: Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING, EXISTING: A building erected prior to the effective date hereof or one for which a legal building permit has been issued, prior to the effective date of this ordinance.

BUILDING HEIGHT: The vertical distance from finished grade to the highest point of the coping of a flat roof, or to the deck of a mansard roof or to the average height of the highest gable of a pitched or hip roof.

BUILDING LINE: A line established by law or agreement and usually parallel to property line beyond which a building or structure may not extend.

BUILDING, MAIN: A building other than an accessory building, and for which the use thereof is authorized by this ordinance for the district in which it is located.

BUILDING, NONCONFORMING: Any building which does not conform to the requirements of this ordinance.

BUILDING SITE: The ground area of a building or group of buildings together with all open spaces as required by this ordinance.

BUSINESS: The purchase, sale, exchange or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood, or the ownership or management of office buildings, offices, recreation or amusement enterprises or the maintenance and use of offices or professions and trades rendering services.

CAFO:

(1) "CAFO," also referred to as "concentrated animal feeding operation" or "confined animal feeding operation," means a lot or facility where the following conditions are met:

(a) Animals have been, are, or will be stabled or confined and fed or maintained for a total of ninety (90) consecutive days or more in any twelve-month period;

(b) Crops, vegetation, forage growth or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility; and

(c) The lot or facility is designed to confine or actually does confine as many as or more than the numbers of animals specified in any of the following categories: seven hundred (700) mature dairy cows, whether milked or dry; one

thousand (1,000) veal calves; one thousand (1,000) cattle other than mature dairy cows or veal calves; two thousand five hundred (2,500) swine each weighing fifty-five (55) pounds or more; ten thousand (10,000) swine each weighing less than fifty-five (55) pounds; five hundred (500) horses; ten thousand (10,000) sheep or lambs; or eighty-two thousand (82,000) chickens.

Two (2) or more concentrated animal feeding operations under common ownership are considered, for the purposes of this definition, to be a single animal feeding operation if they adjoin each other or if they use a common area or system for the disposal of wastes;

(2) "CAFO site advisory team" shall mean representatives of the Idaho state department of agriculture, Idaho department of environmental quality and Idaho department of water resources who review a site proposed for a CAFO, determine environmental risks and submit a suitability determination to a county. The department of agriculture shall serve as the lead agency for the team;

(3) "Environmental risk" shall mean that risk to the environment deemed posed by a proposed CAFO site, as determined and categorized by the CAFO site advisory team and set forth in the site advisory team's suitability determination report;

(4) "Suitability determination" shall mean that document created and submitted by the CAFO site advisory team after review and analysis of a proposed CAFO site that identifies the environmental risk categories related to a proposed CAFO site, describes the factors that contribute to the environmental risks and sets forth any possible mitigation of risk.

CARPOR: A roofed structure entirely open on two (2) or more sides.

CEMETERY: Land used or intended to be used for the burial of human or animal remains and dedicated for cemetery purposes. Including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery for which perpetual care and maintenance is provided.

CLINIC: A building other than a "hospital", used for the purpose of receiving and treating patients.

CLUB: The social use of a building or of any premises by an association.

CLUSTERING: Density in one area on a contiguous parcel of land within a Section.

COMMISSION: The Zoning Commission or Planning and Zoning Commission of Camas County appointed by the Board.

COMPREHENSIVE PLAN: A plan or any portion thereof, adopted by the Board including such things as the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major transportation, parks, schools, and other community facilities.

CONDITIONAL USE: A special use permitted within a district, other than a principally permitted use, requiring a conditional use permit and approval of the Board. Conditional uses permitted in each district are listed in Chapter 4: Establishment and Purpose of Districts in each district.

CONDITION USE/LAND DIVISION: The process which may allow the division of one parcel of land into two (2) parcels. All land divisions or splits, shall have equal shares of water transferred to the parcel(s) created.

CONDITIONAL USE, TEMPORARY HARDSHIP: Provides for the temporary placement of a mobile home on the property where the need to care for the elderly, or other medical hardship exists which makes it necessary to have someone living in close proximity while care is being provided.

COUNCIL: The City Council.

DENSITY: A unit of measurement, the number of dwelling units per acre of land.

- a. Gross Density - the number of dwelling units per acre of total land to be developed, including public right-of-way.
- b. Net Density - the number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses, excluding public right-of-way.

DAYCARE: A place, home, or facility providing care for more than five (5) children of pre-school age and receiving compensation for such care.

DWELLING: A building or portion thereof which regularly or intermittently is occupied by a person or persons lodging therein, whether or not a person is actually present, and which complies with the structural requirements of the adopted building code. A travel trailer is not a dwelling.

DWELLING UNIT: A building or portion thereof used as a dwelling.

DWELLING, SINGLE FAMILY: A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

DWELLING, TWO FAMILY: A dwelling consisting of two dwelling units which may be either attached side by side or one above the other.

DWELLING, MULTI-FAMILY: A dwelling consisting of three or more dwelling units including townhouses and condominiums with varying arrangements of entrances and party walls. Multi-family housing may include public housing and industrialized units.

DWELLING, ROOMING HOUSE (BOARDING HOUSE, LODGING HOUSE, DORMITORY): A dwelling or part thereof, other than a hotel, motel, or restaurant, where meals and/or lodging are provided for compensation, for five (5) or more persons where no cooking or dining facilities are provided in the individual rooms.

EASEMENT: An agreement that confers on an individual, company or municipality the right to use a landowner's property in some way.

FAMILY: A group of individuals living under one roof and usually under one head.

FEEDLOT: A Lot on which livestock are fed for-market.

FLOOD PLAIN: The relatively flat area or low land adjoining the channel of a river, stream, lake or other body of water which has been or may be covered by water of a flood of one hundred (100) year frequency. The flood plain includes the channel, floodway and floodway fringe, as established per the engineering practices as specified by the Army Corps of Engineers, as follows:

- a. "Flood of one hundred year frequency" shall mean a flood magnitude which has a one per cent (1%) chance of being equaled or exceeded in any given year.
- b. "Flood" shall mean land adjacent to and temporarily inundated by overflow from a river, stream, lake or other body of water.
- c. "Channel" shall mean a natural or artificial watercourse of perceptible extent with a definite bed and banks to confine and conduct continuously or periodically
- d. "Floodway" shall mean the channel or a watercourse and those portions of the flood plain adjoining the channel

which are reasonably required to carry and discharge the flood water of any watercourse.

- e. "Floodway fringe" shall mean that part of the flood plain that lies outside of the floodway. Such areas will include those portions of the flood plain which will be inundated by a flood of one hundred year frequency but which may be developed when such development will not have a significant effect upon the flood water carrying capacity of the floodway and the flood water levels. Such areas are characterized by shallow flood depths and low velocities of water flow.

FLOOR AREA OF A NON RESIDENTIAL BUILDING (To be used in Calculating Parking Requirements): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows and fitting rooms, and similar areas.

FLOOR AREA, USABLE: Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building measured from the interior faces of the exterior walls including basement, mezzanine and intermediate floored tiers.

FOOD PROCESSING: The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

GARAGE: A building or a portion of in which motor vehicles are stored, repaired or kept.

GARAGE, DETACHED: A garage which is not attached to a residence.

GARAGE, PUBLIC: Any garage other than a private garage.

GOVERNING BODY: The Board of County Commissioners of Camas County.

GRADE (ADJACENT GROUND ELEVATION): The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet (5') (1,524 mm) from the building, between the building and a line five feet (5') (1,524 mm) from the building.

GRAVEL QUARRY: Open excavation in the Earth's crust from which mineral, stone or gravel is obtained. Quarried stone is classed either as dimension stone, meaning blocks or slabs cut to size, or as crushed and broken stone.

HEALTH DEPARTMENT: State of Idaho department of health and welfare, or South Central district health department.

HOME OCCUPATION: Any gainful operation, profession or craft, which is customarily incidental to or carried on at a dwelling place. (See the required performance standards.)

HOSPITAL: An institution where the ill or injured human beings are offered treatment of a type recognized by State law, such as medicine and surgery, osteopathy and the like.

HOTEL: Any building containing six (6) or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests.

JUNK YARDS: A place where scrap is collected before being discarded, reused or recycled.

KENNEL: A premises where more than four (4) domesticated animals are bred, housed, or boarded as a commercial business.

LAND USE PLAN: A general plan adopted and maintained by the County which shows the most appropriate use of land within the County. (Said Land Use Plan to be included in and made part of the Comprehensive Plan).

LOT: A parcel of land that is described by reference to a recorded plat or by metes and bounds.

LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection.

LOT, INTERIOR: A lot abutting on any street.

LOT LINE: A line bounding the lot described in the title to the property.

LOT, THROUGH: A lot having frontage on two (2) streets which are parallel or nearly so.

LOUNGE: See definition of Bar and Tavern.

MAJOR DRAINAGE: Such as, but not limited to, Camas Creek, Corral Creek, Soldier Creek, Willow Creek, Three Mile Creek, Deer Creek, Chimney Creek and Spring Creek.

MANUFACTURING PLANT OR FACTORY: An industrial site consisting of building and equipment, where workers produce goods or operate machinery processing one product into another.

MANUFACTURED BUILDING: Any building or building component, other than a mobile home, which is constructed according to standards contained in the International Building Code, as adopted or any amendments thereto, which is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.

MANUFACTURED HOME: A structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one or more sections, which is set or placed on a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

MAPS, ZONING: The map or maps of Camas County which are part of this ordinance designating zoning districts.

MAY: The term "may" when used in association with usages implies a use other than a designated use. In no way does the term "may" imply an approval or a permit but rather a usage that might be considered.

MOBILE HOME: A structure with over one thousand (1,000) square feet of interior area pre-HUD 1976. Not to include recreational or travel trailers.

MOVED STRUCTURES: Any structure, dwelling, or agriculture building, with a floor area of 200 or more square feet, moved within Camas County.

Moved-In Structures: Any structure, dwelling, or agriculture building, with a floor area of 200 or more square feet, moved into Camas County from an area outside of Camas County.

NONCONFORMING BUILDING: A building, structure, or portion thereof, which does not conform to the regulations of this Ordinance applicable to the zone or district in which such building is situated, but which existed prior to the effective date of this Ordinance.

NONCONFORMING USE: A use of premises which does not conform to the regulations of this Ordinance, but which was in existence at the effective date hereof.

NURSING HOME: An establishment providing maintenance and personal or nursing care for nine (9) or more persons (as the aged or the chronically ill) who are unable to care for themselves properly.

NURSERY,: Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail or wholesale sales. Including products used for gardening or landscaping.

OCCUPANCY, CHANGE OF: Any change in the character or use of a building or premises, not including change of tenants, proprietors, occupants.

OFF-STREET PARKING: An area adjoining a building providing for the parking of automobiles which does not include a public street but has convenient access to it.

OPEN SPACE: An area substantially open to the sky which may or may not be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, and tennis courts, any other recreational facilities that the Commission deems permissive. Streets, parking areas, structures for habitation, and the like shall not be included.

PARCEL: A unit of land in the ownership of one person, persons or entity and constituting a portion of a separate tract of land.

PARK, MOBILE HOME: Any area, tract, plot or site of land developed, located and maintained for dwelling purposes on a permanent or semi permanent basis.

PARK, TRAVEL TRAILER: Any area, tract, plot or site of land whereupon two (2) or more travel trailers are placed, located and maintained for dwelling purposes on a temporary basis and equipped with sanitary facilities. Other public convenience items may be required by the Board.

PARKING AREA OR LOT (PUBLIC): An open area, other than a street or public way, to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.

PARKING AREA (PRIVATE): An open area, other than a street or public way, designed, arranged and made available for the storage of private passenger automobiles of occupants of the building or buildings for which the parking area is developed and is necessary and accessory.

PARKING SPACE: A usable space within a public or private parking area or a building of not less than one hundred eighty (180) square feet, either within a structure or in the open, exclusive of driveways or access drives, for the parking of motor vehicles.

PERFORMANCE BOND OR SURETY BOND: An agreement by a sub-divider or developer with the County for the amount of construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

PLANNED UNIT DEVELOPMENT: See Chapter 11 of this Ordinance.

PROPERTY: A lot or plot including all buildings and improvements thereon.

PROPERTY LINE: A recorded boundary of a plot.

PUBLIC: Operated by a government entity.

PUBLIC WATER AND SEWAGE SYSTEM: A water or sewage system which is owned and operated by a local government authority or by local utility company adequately controlled by a governmental authority.

REPAIR: The reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The word "repair" or "repairs" shall not apply to any change in a structure such as would be required by additions to, or remodeling of such structure.

REST HOME: See definition of nursing home.

RESTAURANT: Any land, building, or part thereof, other than a boarding house, where meals are provided for compensation, including, among others, such uses as cafe, cafeteria, coffee shop, lunchroom, tearoom, and dining room.

RETREAT CENTERS AND SYMILAR FACILITIES: Buildings or areas used for health or spiritual rejuvenation.

RIGHT-OF-WAY: Any land dedicated to the public and under the jurisdiction of a public highway agency or other governmental agency, where the agency has no obligation to construct or maintain said right-of-way for vehicular traffic.

ROADSIDE STAND: A temporary structure designed or used for the display or sale of products.

RODEO: An area used as an entertainment site for an exhibition and/or competition of the skills of cowboys.

ROOMING HOUSE: See definition of Boarding House.

SALVAGE YARD: A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, house wrecking yards, used lumberyards, and places or yards for storage of salvaged structural materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental to manufacturing operations conducted on the premises.

SERVICE STATION: Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where, in addition, automotive repair work is done.

SETBACK LINE: A line established by the zoning ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located, except as may be provided in said code.

SIDEWALK: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

SHED, LOAFING: A structure built for the sheltering of farm animals, single storied with one or more sides completely open.

SHED, MACHINE: A structure usually used to shelter farm equipment and machinery.

SIGN: Any structure or natural object, such as tree, rock, brush, and the ground itself, or part thereof or device attached thereto or represented thereon, which shall be used to attract attention to any object, product, place, activity, person, institution, organization or business, or which shall display or include any letter, word, model, flag, banner, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction or advertisement. For the purpose of this definition, the word "sign" does not include the flag, pennant, or insignia of any nation, state, county, or other political unit, or any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event.

STABLE, PRIVATE: A building or structure for the keeping of one or more animals owned and used by the occupant of the premises and not for remuneration, hire or sale.

STABLE, COMMERCIAL: A building or structure used or designed for the boarding or care of animals for remuneration, hire or sale.

STOCKYARD: An enclosed yard usually with pens in which livestock are temporarily kept until they are sold, slaughtered or shipped.

STORY: That part of a building between the surface of a floor and the ceiling immediately above it.

STREAMS: Any flowing surface or waterway except lakes, ponds, reservoirs, and canals. These streams shall have the following designations:

- a. Major Streams: Any named stream that has another named stream flowing into it.
- b. Minor Streams: Any named stream (named on the current General Highway Map of Camas County, Idaho) above where another named stream flows into it, or any unnamed stream that normally flows year around.
- c. Intermittent Streams: Any unnamed stream that does not flow year around and any flowing drainage ditches.

STREET: The right of way which provides vehicular and pedestrian access to adjacent properties. The term street includes also the terms thoroughfare, parkway, thruway, road, avenue, boulevard, land, place and other such terms.

STREET; LOCAL ROADS: Any prescriptive or dedicated street serving as the principal means of access to property which has not been designated as a State or Federal highway, major collector or minor collector.

STREET; MAJOR COLLECTOR: The highways of the County which have been designated as major collectors by the road and bridge department having jurisdiction to provide an improved system of roads for efficient, safe and economical movement of through traffic given first priority.

STREET; MAJOR HIGHWAY: The highways of the County which have been designated as State or Federal highways.

STREET; MINOR COLLECTOR: The highways of the County which have been designated as minor collectors by the road and bridge department having jurisdiction to provide an improved system of roads for efficient, safe and economical movement of through traffic with equal priority given to through traffic and property access.

STREET; PRIVATE: A private access not dedicated to public use or maintained by Camas County.

STRUCTURAL ALTERATIONS: Any change in the supporting members of the building such as the bearing walls, columns, beams, girders or roof.

STRUCTURE: Anything constructed or erected which requires permanent location above or below the ground or attached to something having a permanent location on the ground including signs and billboards.

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

TAVERN OR LOUNGE: See definition of Bar or Tavern.

TEMPORARY BUILDINGS: Temporary buildings, temporary living accommodations, and/or construction trailers used in conjunction with construction work.

UNINCORPORATED TERRITORY: All of the territory within the boundaries of Camas County, Idaho, which lies outside of incorporated cities and villages.

USE: The specific purposes for which land or a building is designated, arranged, intended or for which it is or may be occupied maintained or leased.

VARIANCE: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property and not the result of the action of the applicant a literal enforcement of the regulations would result in unnecessary and undue hardship.

VETERINARY HOSPITAL or CLINIC: A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for the treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

VICINITY MAP: A drawing which sets forth by dimensions or other means the relationship of the proposed development to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

WALKWAY: A public way, four (4) feet or more in width, for pedestrian use only, whether or not along the side of a road.

YARD: A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

- a. Yard, Front - A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
- b. Yard, Rear - A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of principal building.
- c. Yard, Interior Side - A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.
- d. Yard, Street Side - A yard extending from the principal building to the secondary street that adjoins the lot between the lines establishing the front and rear yards.

ZONING MAP: The zoning map or maps of Camas County, Idaho, incorporated into this Ordinance designating zoning districts together with all amendments subsequently adopted.

ZONING OFFICIAL: The administrator or his authorized representative.

2-2-3: ZONING PERMITS AND CERTIFICATES:

A. Zoning Compliance: A building permit once issued serves as zoning permit.

B. Occupancy Certificate: A document issued by the administrator authorizing the occupancy and use of completed buildings, structures or premises and the proposed use thereof for the purpose of ensuring compliance with the provisions of this ordinance and other county codes and regulations.

C. Notice of Noncompliance: A document issued by the administrator indicating that a use or structure is nonconforming to the district regulations or is not in conformity with other conditions or requirements of this ordinance.

Chapter 3

ADMINISTRATION

2-3-1: GENERAL

For the purpose of carrying out the provisions of this ordinance,
an Administrator and Commission are hereby created.

2-3-2: ADMINISTRATOR

The Board shall appoint an Administrator to administer this ordinance. The Administrator may be provided with the assistance of such other persons as the Board may direct.

For the purpose of this ordinance, the Administrator may have the following duties:

1. Advise interested persons of the zoning ordinance provisions.
2. Notify the news media regarding matters of public interest.
3. Aid applicants in the preparation and expedition of required applications.
4. Issue zoning permits, certificate of occupancy permits, notifications and such similar administrative duties.
5. Investigate violations of this ordinance and notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation.
6. Assist the Commission and Board in carrying out the provisions of this ordinance.

2-3-3: COMMISSION

The Camas County Planning and Zoning Commission herein after referred to as Commission shall be the initial administering body.

For the purpose of this ordinance the Commission may have the following duties:

1. Initiate proposed amendments to this ordinance and conduct a review of the complete zoning ordinance.
2. Review all proposed amendments to this ordinance and make recommendations to the Board.
3. Review all planned unit developments and make recommendations to the Board.
4. Review all proposed conditional use permits and make recommendations to the Board.
5. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation,

or determination made by the Administrator.

6. Review applications and make recommendations to the Board.

CHAPTER 4
DISTRICTS OR ZONES

ESTABLISHMENT AND PURPOSE OF DISTRICTS

Camas County contains a large number of rural parcels with few inhabitants on them, some parcels of high density, and a range of parcels which fall in between these two extremes. In the areas where the spaces are wide open, there is less potential for conflict than in the areas where the distance between neighbors becomes less and less.

In our society, people have an expectation that they can use their property as they choose. It is the policy of Camas County to respect these private property rights while also fulfilling its responsibility of protecting the health, safety, and well-being of its residents. It is indeed a delicate balance.

Therefore, Camas County has established Zoning Districts, for the purpose of only restricting uses or practices on the land that would cause harm to its residents, which includes protection of the environment, while providing for a vibrant free market economy, and the freedom of personal choice.

With these facts in mind the following zoning districts are hereby established. For the interpretation of this ordinance the zoning districts have been formulated to realize the general purposes as set forth in the preamble of this ordinance. In addition, the specific purpose of each zoning district shall be as stated

2-4-1: COUNTY DIVIDED INTO ZONES; DISTRICTS:

In order to accomplish more fully the objectives and purposes of this title, Camas County, is hereby divided into eleven (11) zones and two (2) overlay districts which shall be known by symbols and/or names as follows:

<u>Short Title</u>	<u>Zones</u>
A-80	Agricultural 80 or more Acres
A-40	Agricultural 40 Acres
A-20	Agricultural 20 Acres

A-10	Agricultural 10 Acres
A-5	Agricultural 5 Acres
A-2.5	Agricultural 2.5 Acres
AT	Agricultural Transition
R-1	Low Density Residential
R-4	High Density Residential
C	Commercial
I	Industrial
FPO	Flood Plain Overlay District
ACC	Area of Critical Concern Overlay District

ARTICLE A
AGRICULTURAL DISTRICT (A-80)

- 2-4A-1: PURPOSE:
- 2-4A-2: CLUSTERING:
- 2-4A-3: PRINCIPLE DESIGNATED USES:
- 2-4A-4: CONDITIONAL USES:
- 2-4A-5: RESTRICTIONS:
- 2-4A-6: LOT REQUIREMENTS:
- 2-4A-7: ACCESSORY USE BUILDINGS:
- 2-4A-8: EXISTING TOWN SITE PLATS:

2-4A-1: PURPOSE: The purpose of the Agricultural District is to preserve and protect the decreasing supply of agricultural land from the indiscriminate infiltration of urban development within Camas County. This district allows for one dwelling unit per one-half 1/4 section, usually 80 contiguous acres.

2-4A-2: CLUSTERING: Agricultural property owners with a quarter section of contiguous acres or more, have the option of "clustering" (See "Cluster" definition Chapter 2) dwelling units. The clustering of dwelling units is subject to the Camas County Subdivision Ordinance.

"Clustering" would allow a property owner a bonus of additional buildable lots. Thus, an owner with a 1/4 section may be allowed three (3) building lots; an owner with a 1/2 section may be allowed six (6) buildable lots; and a full section may be allowed to construct twelve (12) buildable lots. The remainder of the property would be subject to the A-80 requirement for a buildable lot in addition to the cluster development. Once a property has been included in a cluster development calculation, it is no longer eligible for clustering consideration in the future. Clustered lots must be placed in one area on a contiguous parcel of land. The maximum size of each lot shall be ten (10) acres and the minimum size of each lot shall be one (1) acre. The remainder lot may be excluded from the subdivision plat.

"Clustering" means density in one area on a contiguous parcel of land.

2-4A-3: PRINCIPLE DESIGNATED USES:

The full and complete use of agricultural land for production of any agricultural product in compliance with Idaho Code section 67-6529.

SINGLE FAMILY DWELLINGS (1 per one half ¼ section)

Accessory use buildings,

Agricultural service or support businesses.

One additional dwelling unit may be permitted.

Farm labor dwellings, in addition to the aforementioned units, for any occupant(s) employed in connection with the agricultural use of the land.

Churches

*Grain elevators less than thirty-five feet (35') in height

Greenhouses and nurseries.

Home occupation businesses

Road side stands

*Towers less than thirty-five feet (35') in height, (wind, radio, telecommunication, weather, etc.).

Other uses similar in character and compatible with the above designated uses may be allowed.

2-4A-4: CONDITIONAL USES: These items may be approved as a conditional use provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval. Conditional uses shall be subject to all other provisions of this title,

Airports, Private, and registered with the FAA.
 Animal clinics, animal hospitals, veterinary offices.
 CAFO's, feedlots,
 Campgrounds and RV Parks
 Cemeteries
 Commercial packing facilities
 Contractors storage yards
 Daycare centers
 Golf courses
 *Grain elevators over thirty-five feet (35') in height
 Gravel pits, rock quarries, sand and clay cinder pits, soil sources.
 Kennels
 Planned Unit Developments (PUD)
 Public and quasi-public uses
 *Towers, (Radio, television towers, wind, weather and
 telecommunication towers over thirty-five feet (35') in height
 Rooming-Boarding houses, Bed and Breakfasts
 Sawmills
 Schools public and private
 Solid Waste Transfer Stations
 Wastewater treatment systems

2-4A-5: RESTRICTIONS:

- A. It is desirable that in this zone the principal designated uses involving structures be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout this zone, then the minimum lot requirements will be controlled by the specific requirements as stated below or the requirements of the health department whichever is greater.
- B. In this zone, no building or premises not customarily incidental to agricultural pursuits, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered (unless otherwise provided in this chapter) except for one or more of the above uses in accordance with the following standards:
 1. Dwelling units shall be laid out, to the greatest extent feasible, to achieve the following objectives:
 - a. On the most suitable soils for subsurface septic disposal as ascertained by the South-Central health district.
 - b. In areas where basic services, such as public street access and fire protection exist.

- c. In locations where adequate water resources exist to meet domestic needs as well as irrigation needs for the entire parcel of land.
 - d. In locations that are least likely to conflict with surrounding agricultural activities.
 - e. In compliance with any wellhead protection districts.
 - f. With adequate roads for emergency vehicle access.
2. Owners or occupants of single-family homes shall specifically waive any nuisance claims they have against agricultural operations including claims against livestock confinement operations.
 3. Single-family homes built subsequent to the date of adoption hereof will not affect expansion of, or setbacks of any existing agricultural operation or livestock confinement operation if located within the defined setbacks of said operation. Mobile homes and manufactured homes shall be considered single-family dwellings provided, however, that they meet the minimum requirements specified in other parts of this code, have a HUD approval sticker and a mobile home rehabilitation certification if the mobile home is older than July 1, 1976, per chapter 25, title 44 Idaho Code.
 4. Applicants for dwelling permits shall file with the building official the following documents:
 - a. The standard application demonstrating that, where applicable, the proposed development meets all of the requirements of the board's ordinance.
 - b. An environmental analysis, if required, under the board's rules and regulations.
 - c. A site plan and map of the parcel drawn to scale showing the proposed dwelling site.
 - d. Proof of ownership of the land.
 - e. Written approval of the South Central health district for a subsurface disposal system.
 - f. Legal description of the proposed dwelling site.
 - g. Other items mandated by the comprehensive plan and adopted by resolution of the board.

*In the Agricultural Zone A-80 grain elevators, windmills & communication towers may be allowed to be over 35 feet in height with approval of the Camas County Fire Marshall and a conditional use permit. The setback shall adjust to 1 foot for every 5 feet above 35 feet. All towers shall follow the county ordinance on towers. A conditional use permit is required.

2-4A-6: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4A-7: ACCESSORY USE BUILDINGS:

Detached accessory use buildings may be constructed provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than thirty feet (30') to a side or rear property line, nor closer than sixty feet (60') from the centerline of the side street or front street.

2-4A-8: EXISTING TOWN SITE PLATS:

The existing townsites of Blaine, Corral, Manard or Soldier may be developed per Camas County ordinances or the existing plats as on file in the Camas County recorder's office.

ARTICLE B
AGRICULTURAL (A-40) DISTRICT

- 2-4B-1: PURPOSE:
- 2-4B-2: PRINCIPAL DESIGNATED USES:
- 2-4B-3: CONDITIONAL USES:
- 2-4B-4: RESTRICTIONS:
- 2-4B-5: LOT REQUIREMENTS:
- 2-4B-6: ACCESSORY USE BUILDINGS:

2-4B-1: PURPOSE: This district is established to preserve those lands either presently in agricultural use or having potential for agricultural use. This district allows one (1) dwelling unit per forty (40) acres. This zoning district is intended exclusively to bring existing non-conforming parcels of 35 or more acres and less than 80 acres into conformance with the zoning ordinance. This District is not intended to apply to parcels created after May 12, 2008.

- 2-4B-2: PRINCIPAL DESIGNATED USES:

The full and complete use of agricultural land for production of any agricultural product in compliance with Idaho Code section 67-6529.

Single-family dwellings.

Accessory use buildings.

One additional dwelling unit may be permitted.

Agricultural service or support businesses

Farm labor dwelling units, in addition to the aforementioned units, for any occupant(s) employed in connection with the agricultural use of the land.

Churches

*Grain elevators less than thirty-five feet (35') in height

Greenhouses and nurseries

Home occupation businesses

Road side stands

*Towers less than 35 feet (35') in height (wind, radio, telecommunication, weather, etc.).

2-4B-3: CONDITIONAL USES: These items may be approved as a conditional use provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval.

Conditional uses shall be subject to all other provisions of this title,

Airports, Private, with FAA approval.

Animal clinics, animal hospitals, veterinary offices

CAFO's, feedlots,

Campgrounds and RV Parks

Cemeteries

Commercial packing facilities

Contractors storage yards

Day care centers

Golf courses

*Grain elevators over thirty-five feet (35') in height

Gravel pits, rock quarries, sand and clay cinder pits, soil sources.

Kennels

Planned Unit Developments (PUD)

Public and quasi-public uses

*Radio, television towers and telecommunication sites

Rooming-Boarding houses, Bed and Breakfasts

Sawmills

Schools, public and private

Solid Waste Transfer Stations

Single-family dwellings together with accessory use buildings such as garages or storage buildings for

Wastewater treatment systems

*Towers, (radio, television, wind, weather and telecommunication towers) over thirty-five feet (35') in height

2-4B-4: RESTRICTIONS:

A. It is desirable that in this zone the principal designated uses involving structures be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout this zone, then the minimum lot requirements will be controlled by the specific requirements as stated below or the requirements of the health department whichever is greater.

B. In this zone, no building or premises not customarily incidental to agricultural pursuits, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered (unless otherwise provided in this chapter) except for one or more of the above uses in accordance with the following standards:

1. Dwelling units shall be laid out, to the greatest extent feasible, to achieve the following objectives:
 - a. On the most suitable soils for subsurface septic disposal as ascertained by the South Central health district.
 - b. In areas where basic services, such as public street access and fire protection exist.
 - c. In locations where adequate water resources exist to meet domestic needs as well as irrigation needs for the entire parcel of land.
 - d. In locations that are least likely to conflict with surrounding agricultural activities.
 - e. In compliance with any wellhead protection districts.
 - f. With adequate roads for emergency vehicle access.
2. Owners or occupants of single-family homes shall specifically waive any nuisance claims they have against agricultural operations including claims against livestock confinement operations.
3. Single-family homes built subsequent to the date of adoption hereof will not affect expansion of, or setbacks of any existing agricultural operation or livestock confinement operation if located within the defined setbacks of said operation. Mobile homes and manufactured homes shall be considered single-family dwellings provided, however, that they meet the minimum requirements specified in other parts of this code, have a HUD approval sticker and a mobile home rehabilitation certification if the mobile home is older than July 1, 1976, per chapter 25, title 44 Idaho Code.
4. Applicants for dwelling permits shall file with the building official the following documents:
 - a. The standard application demonstrating that, where applicable, the proposed development meets all of the requirements of the board's ordinance.
 - b. An environmental analysis, if required, under the board's rules and regulations.
 - c. A site plan and map of the parcel drawn to scale showing the proposed dwelling site.
 - d. Proof of ownership of the land.

e. Written approval of the South Central health district for a subsurface disposal system.

f. Legal description of the proposed dwelling site.

g. Other items mandated by the comprehensive plan and adopted by resolution of the board.

*In the Agricultural Zone A-40, grain elevators, windmills & communication towers maybe allowed to be over 35 feet in height with approval of the Camas County Fire Marshall and a conditional use permit. The setback shall adjust to 1 foot for every 5 feet above 35 feet. All towers shall follow the county ordinance on towers. A conditional use permit is required.

2-4B-5 LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4B-6: ACCESSORY USE BUILDINGS:

Detached accessory use buildings may be constructed provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than thirty feet (30') to a side or rear property line, nor closer than sixty feet (60') from the centerline of the side street or front street.

ARTICLE C
AGRICULTURAL (A-20) DISTRICT

- 2-4C-1: PURPOSE:
- 2-4C-2: PRINCIPAL DESIGNATED USES:
- 2-4C-3: CONDITIONAL USES:
- 2-4C-4: RESTRICTIONS:
- 2-4C-5: LOT REQUIREMENTS:
- 2-4C-6: ACCESSORY USE BUILDINGS:

2-4C-1: PURPOSE: This district is established to preserve those lands either presently in agricultural use or having potential for agricultural use. This district allows one (1) dwelling unit per twenty (20) acres.

2-4C-2: PRINCIPAL DESIGNATED USES:

The full and complete use of agricultural land for production of any agricultural product in compliance with Idaho Code section 67-6529.

Single-family dwellings.

Accessory use buildings.

One additional dwelling unit may be permitted.

Agricultural service or support businesses

Greenhouses and nurseries

Home occupation businesses

*Towers, (radio, television, telecommunication towers, etc.) less than thirty-five feet (35') in height

Road side stands

*Windmills less the thirty-five feet (35') in height

2-4C-3: CONDITIONAL USES: These items may be approved as a conditional use provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval.

Conditional uses shall be subject to all other provisions of this title,

Planned Unit Developments (PUD)

Public and quasi-public uses.

Rooming-Boarding houses, Bed and Breakfasts

Sawmills

Schools, public and private

*Towers (radio, television, telecommunication towers etc.) over thirty-five feet (35') in height

*Windmills over thirty-five feet (35') in height

2-4C-4: RESTRICTIONS:A. It is desirable that in this zone the principal designated uses involving structures be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout this zone, then the minimum lot requirements will be controlled by the specific requirements as stated below or the requirements of the health department whichever is greater.

B. In this zone, no building or premises not customarily incidental to agricultural pursuits, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered (unless otherwise provided in this chapter) except for one or more of the above uses in accordance with the following standards:

1. Dwelling units shall be laid out, to the greatest extent feasible, to achieve the following objectives:

a. On the most suitable soils for subsurface septic disposal as ascertained by the South Central health district.

b. In areas where basic services, such as public street access and fire protection exist.

c. In locations where adequate water resources exist to meet domestic needs as well as irrigation needs for the entire parcel of land.

d. In locations that are least likely to conflict with surrounding agricultural activities.

e. In compliance with any wellhead protection districts.

f. With adequate roads for emergency vehicle access.

2. Owners or occupants of single-family homes shall specifically waive any nuisance claims they have against agricultural operations including claims against livestock confinement operations.

3. Single-family homes built subsequent to the date of adoption hereof will not affect expansion of, or setbacks of any existing agricultural operation or livestock confinement operation if located

within the defined setbacks of said operation. Mobile homes and manufactured homes shall be considered single-family dwellings provided, however, that they meet the minimum requirements specified in other parts of this code, have a HUD approval sticker and a mobile home rehabilitation certification if the mobile home is older than July 1, 1976, per chapter 25, title 44 Idaho Code.

4. Applicants for dwelling permits shall file with the building official the following documents:

a. The standard application demonstrating that, where applicable, the proposed development meets all of the requirements of the board's ordinance.

b. An environmental analysis, if required, under the board's rules and regulations.

c. A site plan and map of the parcel drawn to scale showing the proposed dwelling site.

d. Proof of ownership of the land.

e. Written approval of the South Central health district for a subsurface disposal system.

f. Legal description of the proposed dwelling site.

g. Other items mandated by the comprehensive plan and adopted by resolution of the board.

*In the Agricultural Zone A-20, towers are allowed to be over 35 feet in height with approval of the Camas County Fire Marshall and a conditional use permit. The setback shall adjust to 1 foot for every 5 feet above 35 feet. All towers shall follow the county ordinance on towers. A conditional use permit is required.

2-4C-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4C-6: ACCESSORY USE BUILDINGS: Detached accessory use buildings may be constructed provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than thirty feet (30') to a side or rear property line, nor closer than sixty feet (60') from the centerline of the front street or fifty feet (50') from the centerline of the side street.

ARTICLE D
AGRICULTURAL (A-10) DISTRICT

- 2-4D-1: PURPOSE:
- 2-4D-2: PRINCIPAL DESIGNATED USES:
- 2-4D-3: CONDITIONAL USES:
- 2-4D-4: RESTRICTIONS:
- 2-4D-4: LOT REQUIREMENTS:
- 2-4D-5: ACCESSORY USE BUILDINGS:

2-4D-1: PURPOSE: The purpose of this district is intended to provide areas for low density or residential development that maintains a rural environment with continuation of agricultural uses where compatible with each other. One (1) dwelling unit per ten (10) acres is permitted in this district.

2-4D-2: PRINCIPAL DESIGNATED USES:

The full and complete use of agricultural land for production of any agricultural product in compliance with Idaho Code section 67-6529.
Single-family dwellings.
Accessory use buildings.
One additional dwelling unit may be permitted.
Greenhouses and nurseries
Home occupation business
Road side stands

2-4D-3: CONDITIONAL USES: These items may be approved as a conditional use provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval. Conditional uses shall be subject to all other provisions of this title,

- Multi-family dwellings
- Planned unit developments
- Rooming-Boarding houses, Bed and Breakfasts
- Churches
- Day care centers
- Schools, public and private
- *Towers (radio, television, telecommunication towers etc.) over thirty-five feet (35') in height
- *Windmills over thirty-five feet (35') in height

2-4D-4: RESTRICTIONS

A. It is desirable that in this zone the principal designated uses involving structures be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout this zone, then the minimum lot requirements will be controlled by the specific requirements as stated below or the requirements of the health department whichever is greater.

1. Dwelling units shall be laid out, to the greatest extent feasible, to achieve the following objectives:

a. On the most suitable soils for subsurface septic disposal as ascertained by the South Central health district.

b. In areas where basic services, such as public street access and fire protection exist.

c. In locations where adequate water resources exist to meet domestic needs as well as irrigation needs for the entire parcel of land.

d. In locations that are least likely to conflict with surrounding agricultural activities.

e. In compliance with any wellhead protection districts.

f. With adequate roads for emergency vehicle access.

2. Owners or occupants of single-family homes shall specifically waive any nuisance claims they have against agricultural operations including claims against livestock confinement operations.

3. Single-family homes built subsequent to the date of adoption hereof will not affect expansion of, or setbacks of any existing agricultural operation or livestock confinement operation if located within the defined setbacks of said operation. Mobile homes and manufactured homes shall be considered single-family dwellings provided, however, that they meet the minimum requirements specified in other parts of this code, have a HUD approval sticker and a mobile home rehabilitation certification if the mobile home is older than July 1, 1976, per chapter 25, title 44 Idaho Code.

4. Applicants for dwelling permits shall file with the building official the following documents:

- a. The standard application demonstrating that, where applicable, the proposed development meets all of the requirements of the board's ordinance.
- b. An environmental analysis, if required, under the board's rules and regulations.
- c. A site plan and map of the parcel drawn to scale showing the proposed dwelling site.
- d. Proof of ownership of the land.
- e. Written approval of the South Central health district for a subsurface disposal system.
- f. Legal description of the proposed dwelling site.
- g. Other items mandated by the comprehensive plan and adopted by resolution of the board.

*In the Agricultural Zone A-10, towers are allowed to be over 35 feet in height with approval of the Camas County Fire Marshall and a conditional use permit. The setback shall adjust to 1 foot for every 5 feet above 35 feet. All towers shall follow the county ordinance on towers. A conditional use permit is required.

2-4D-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4D-6: ACCESSORY USE BUILDINGS: Detached accessory use buildings may be constructed provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than thirty feet (30') to a side or rear property line, nor closer than sixty feet (60') from the centerline of the front street or fifty feet (50') from the centerline of the side street.

ARTICLE E
AGRICULTURAL (A-5) DISTRICT

- 2-4E-1: PURPOSE:
- 2-4E-2: PRINCIPAL DESIGNATED USES:
- 2-4E-3: CONDITIONAL USES:
- 2-4E-4: RESTRICTIONS:
- 2-4E-5: LOT REQUIREMENTS:
- 2-4E-6: ACCESSORY USE BUILDINGS:

2-4E-1: PURPOSE: The purpose of this district is intended to provide areas for low density or residential development that maintains a rural environment with continuation of agricultural uses where compatible with each other. One (1) dwelling unit per five (5) acres is permitted in this district.

2-4E-2: PRINCIPAL DESIGNATED USES:

The full and complete use of agricultural land for production of any agricultural product in compliance with Idaho Code section 67-6529.

Single-family dwellings

Accessory use buildings.

One additional dwelling unit may be permitted.

Greenhouses and nurseries

Home occupation business

Road side stands

2-4E-3: CONDITIONAL USES: These items may be approved as a conditional use provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval. Conditional uses shall be subject to all other provisions of this title,

Multi-family dwellings

Planned unit developments

Rooming-Boarding houses, Bed and Breakfasts

Churches

Day care centers

Schools, public and private

*Towers (radio, television, telecommunication towers etc.) over thirty-five feet (35') in height

*Windmills over thirty-five feet (35') in height

2-4E-4: RESTRICTIONS:

A. It is desirable that in this zone the principal designated uses involving structures be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout this zone, then the minimum lot requirements will be controlled by the specific requirements as stated below or the requirements of the health department whichever is greater.

1. Dwelling units shall be laid out, to the greatest extent feasible, to achieve the following objectives:

a. On the most suitable soils for subsurface septic disposal as ascertained by the South Central health district.

b. In areas where basic services, such as public street access and fire protection exist.

c. In locations where adequate water resources exist to meet domestic needs as well as irrigation needs for the entire parcel of land.

d. In locations that are least likely to conflict with surrounding agricultural activities.

e. In compliance with any wellhead protection districts.

f. With adequate roads for emergency vehicle access.

2. Owners or occupants of single-family homes shall specifically waive any nuisance claims they have against agricultural operations including claims against livestock confinement operations.

3. Single-family homes built subsequent to the date of adoption hereof will not affect expansion of, or setbacks of any existing agricultural operation or livestock confinement operation if located within the defined setbacks of said operation. Mobile homes and manufactured homes shall be considered single-family dwellings provided, however, that they meet the minimum requirements specified in other parts of this code, have a HUD approval sticker and a mobile home rehabilitation certification if the mobile home is older than July 1, 1976, per chapter 25, title 44 Idaho Code.

4. Applicants for dwelling permits shall file with the building official the following documents:

- a. The standard application demonstrating that, where applicable, the proposed development meets all of the requirements of the board's ordinance.
- b. An environmental analysis, if required, under the board's rules and regulations.
- c. A site plan and map of the parcel drawn to scale showing the proposed dwelling site.
- d. Proof of ownership of the land.
- e. Written approval of the South Central health district for a subsurface disposal system.
- f. Legal description of the proposed dwelling site.
- g. Other items mandated by the comprehensive plan and adopted by resolution of the board.

*In the Agricultural Zone A-5, towers are allowed to be over 35 feet in height with approval of the Camas County Fire Marshall and a conditional use permit. The setback shall adjust to 1 foot for every 5 feet above 35 feet. All towers shall follow the county ordinance on towers. A conditional use permit is required.

2-4E-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4E-6: ACCESSORY USE BUILDINGS:

Detached accessory use buildings may be constructed provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than thirty feet (30') to a side or rear property line, nor closer than sixty feet (60') from the centerline of the front street or fifty feet (50') from the centerline of the side street.

ARTICLE F
AGRICULTURAL (A-2.5) DISTRICT

- 2-4F-1: PURPOSE:
- 2-4F-2: PRINCIPAL DESIGNATED USES:
- 2-4F-3: CONDITIONAL USES:
- 2-4F-4: RESTRICTIONS:
- 2-4F-5: LOT REQUIREMENTS:
- 2-4F-6: ACCESSORY USE BUILDINGS:

2-4F-1: PURPOSE: The purpose of this district is to permit the establishment of low density single family housing areas while preserving the rural character of the land. One (1) dwelling unit per 2.5 acres is permitted in this district. An additional dwelling unit may be allowed in this zone if it meets the county requirements (Chapter 8) and the requirements of South Central District Health. (See Additional Dwelling Unit Definition).

2-4F-2: PRINCIPAL DESIGNATED USES:
The full and complete use of agricultural land for production of any agricultural product in compliance with Idaho Code section 67-6529.
Single-family dwellings
Accessory use buildings.
One additional dwelling unit may be permitted.
Greenhouses and nurseries
Home occupation business
Road side stands

2-4F-3: CONDITIONAL USES: These items may be approved as a conditional use provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval. Conditional uses shall be subject to all other provisions of this title.
Multi-family dwellings
Planned unit developments
Rooming-Boarding houses, Bed and Breakfasts
Churches
Day care centers
Schools, public and private
*Towers (radio, television, telecommunication towers etc.) over thirty-five feet (35') in height

*Windmills over thirty-five feet (35') in height

2-4F-4: RESTRICTIONS:

A. It is desirable that in this zone the principal designated uses involving structures be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout this zone, then the minimum lot requirements will be controlled by the specific requirements as stated below or the requirements of the health department whichever is greater.

1. Dwelling units shall be laid out, to the greatest extent feasible, to achieve the following objectives:

a. On the most suitable soils for subsurface septic disposal as ascertained by the South Central health district.

b. In areas where basic services, such as public street access and fire protection exist.

c. In locations where adequate water resources exist to meet domestic needs as well as irrigation needs for the entire parcel of land.

d. In locations that are least likely to conflict with surrounding agricultural activities.

e. In compliance with any wellhead protection districts.

f. With adequate roads for emergency vehicle access.

2. Owners or occupants of single-family homes shall specifically waive any nuisance claims they have against agricultural operations including claims against livestock confinement operations.

3. Single-family homes built subsequent to the date of adoption hereof will not affect expansion of, or setbacks of any existing agricultural operation or livestock confinement operation if located within the defined setbacks of said operation. Mobile homes and manufactured homes shall be considered single-family dwellings provided, however, that they meet the minimum requirements specified in other parts of this code, have a HUD approval sticker and a mobile home rehabilitation certification if the mobile home is older than July 1, 1976, per chapter 25, title 44 Idaho Code.

4. Applicants for dwelling permits shall file with the building official the following documents:

- a. The standard application demonstrating that, where applicable, the proposed development meets all of the requirements of the board's ordinance.
- b. An environmental analysis, if required, under the board's rules and regulations.
- c. A site plan and map of the parcel drawn to scale showing the proposed dwelling site.
- d. Proof of ownership of the land.
- e. Written approval of the South Central health district for a subsurface disposal system.
- f. Legal description of the proposed dwelling site.
- g. Other items mandated by the comprehensive plan and adopted by resolution of the board.

*In the Agricultural Zone A-2.5, towers are allowed to be over 35 feet in height with approval of the Camas County Fire Marshall and a conditional use permit. The setback shall adjust to 1 foot for every 5 feet above 35 feet. All towers shall follow the county ordinance on towers. A conditional use permit is required.

2-4F-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4F-6: ACCESSORY USE BUILDINGS: Detached accessory use buildings may be constructed provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than thirty feet (30') to a side or rear property line, nor closer than sixty feet (60') from the centerline of the front street or fifty feet (50') from the centerline of the side street.

ARTICLE G
AGRICULTURAL TRANSITION (AT) DISTRICT

- 2-4G-1: PURPOSE:
- 2-4G-2: PRINCIPAL DESIGNATED USES:
- 2-4G-3: CONDITIONAL USES:
- 2-4G-4: RESTRICTIONS:
- 2-4G-5: LOT REQUIREMENTS:
- 2-4G-6: ACCESSORY USE BUILDINGS:
- 2-4G-7: EXISTING TOWN SITE PLATS:

2-4G-1: PURPOSE:

Transitional/Agricultural land use is a zone that is not contemplated for future use in Camas County. Land that has previously been zoned AT may remain AT.

This District allows the opportunity to satisfy individual housing preferences and shall permit not more than one dwelling unit per acre, but may limit the density of development on the basis of, but not limited to, agricultural productivity and continuity, environmental concerns, health concerns, steepness of slope, access to development, and proximity to other-developments and county services. The County Board of Commissioners would evaluate these factors, on the recommendation of the Planning and Zoning Commission in order to establish density in the Ag Transition area.

2-4G-2: PRINCIPAL DESIGNATED USES:

The full and complete use of agricultural land for production of any agricultural product in compliance with Idaho Code section 67-6529.

Single-family dwellings

Accessory use buildings

One additional dwelling unit may be permitted.

Agricultural service or support businesses

Farm labor dwelling units, in addition to the aforementioned units, for any occupant(s) employed in connection with the agricultural use of the land.

Home occupation businesses

Road side stands

*Towers (radio, television, telecommunication towers etc.) under thirty-five feet (35') in height

2-4G-3: CONDITIONAL USES: These items may be approved as a conditional use provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval. Conditional uses shall be subject to all other provisions of this title,

Airports, Private, with FAA approval.
Animal clinics, animal hospitals, veterinary offices.
CAFO's, feedlots,
Campgrounds and RV Parks
Commercial packing facilities
Contractors storage yards
Churches
Day care centers
*Grain elevator over thirty-five feet (35') in height
Gravel pits, rock quarries, sand and clay cinder pits, soil sources.
Greenhouses and nurseries
Kennels
Multi-family units
Planned Unit Developments (PUD)
Public and quasi-public uses
*Radio, television towers and telecommunication sites over thirty-five feet (35') in height
Rooming-Boarding houses, Bed and Breakfasts
Sawmills
Schools, public and private
Solid Waste Transfer Stations
Wastewater treatment systems

2-4G-4: RESTRICTIONS:

- A. It is desirable that in this zone the principal designated uses involving structures be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout this zone, then the minimum lot requirements will be controlled by the specific requirements as stated below or the requirements of the health department whichever is greater.
- B. In this zone, no building or premises not customarily incidental to agricultural pursuits, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered

(unless otherwise provided in this chapter) except for one or more of the above uses in accordance with the following standards:

1. Dwelling units shall be laid out, to the greatest extent feasible, to achieve the following objectives:
 - a. On the most suitable soils for subsurface septic disposal as ascertained by the South Central health district.
 - b. In areas where basic services, such as public street access and fire protection exist.
 - c. In locations where adequate water resources exist to meet domestic needs as well as irrigation needs for the entire parcel of land.
 - d. In locations that are least likely to conflict with surrounding agricultural activities.
 - e. In compliance with any wellhead protection districts.
 - f. With adequate roads for emergency vehicle access.
2. Owners or occupants of single-family homes shall specifically waive any nuisance claims they have against agricultural operations including claims against livestock confinement operations.
3. Single-family homes built subsequent to the date of adoption hereof will not affect expansion of, or setbacks of any existing agricultural operation or livestock confinement operation if located within the defined setbacks of said operation. Mobile homes and manufactured homes shall be considered single-family dwellings provided, however, that they meet the minimum requirements specified in other parts of this code, have a HUD approval sticker and a mobile home rehabilitation certification if the mobile home is older than July 1, 1976, per chapter 25, title 44 Idaho Code.
4. Applicants for dwelling permits shall file with the building official the following documents:
 - a. The standard application demonstrating that, where applicable, the proposed development meets all of the requirements of the board's ordinance.
 - b. An environmental analysis, if required, under the board's rules and regulations.

c. A site plan and map of the parcel drawn to scale showing the proposed dwelling site.

d. Proof of ownership of the land.

e. Written approval of the South Central health district for a subsurface disposal system.

f. Legal description of the proposed dwelling site.

g. Other items mandated by the comprehensive plan and adopted by resolution of the board.

*In the Agricultural Transition Zone AT grain elevators, windmills & communication towers are allowed to be over 35 feet in height with approval of the Camas County Fire Marshall and a conditional use permit. The setback shall adjust to 1 foot for every 5 feet above 35 feet. All towers shall follow the county ordinance on towers. A conditional use permit is required.

2-4G-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4G-6: ACCESSORY USE BUILDINGS:

Detached accessory use buildings may be constructed provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than twenty feet (20') to an interior side property line or thirty feet (30') to the rear property line, nor closer than twenty feet (20') from property line of the side street or sixty feet (60') from the centerline of the front street.

2-4G-7: EXISTING TOWN SITE PLATS:

The existing townsites of Blaine, Corral, Manard or Soldier, when zoned AT, may be developed per Camas County ordinances or the existing plats as on file in the Camas County recorder's office.

ARTICLE H
LOW DENSITY RESIDENTIAL (R-1) DISTRICT

- 2-4H-1: PURPOSE:
- 2-4H-2: PRINCIPAL DESIGNATED USES:
- 2-4H-3: CONDITIONAL USES:
- 2-4H-4: RESTRICTIONS:
- 2-4H-5: LOT REQUIREMENTS:
- 2-4H-6: ACCESSORY USE BUILDINGS:

2-4H-1: PURPOSE: The purpose of this district is to permit the establishment of low density single family housing areas. One (1) dwelling unit per one (1) acre is permitted in this district.

- 2-4H-2: PRINCIPAL DESIGNATED USES:

Agricultural uses
Road side stands
Home Occupations
Accessory Buildings
Single-family dwelling units
Temporary structures used for the sale of farm products produced on the premises including signs advertising the sale of such products.
Public parks, public recreation grounds and buildings, public community centers and swimming pools.

- 2-4H-3: CONDITIONAL USES:

Mobile home parks
Multi-family dwellings
Planned unit developments (PUD)
Rooming-Boarding houses
Bed and breakfast/lodges
Daycare centers
Schools, public and private
Towers (radio, television, telecommunication towers etc.) over thirty-five feet (35') in height

- 2-4H-4: RESTRICTIONS:

A. It is desirable that in this zone the principal designated uses involving structures, be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout the zone, then the minimum lot requirements will be controlled by the specific

requirements as stated in subsection B of this section, or the requirements of the health department, whichever is greater.

B. In this low density residential zone (R-1), no building or premises not customarily incidental to allowed uses, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered, unless otherwise provided in this chapter, except for one or more of the conditional uses in section 2-4H-3 of this article.

2-4H-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4H-6: ACCESSORY USE BUILDINGS:

Detached accessory use buildings may be constructed on the rear yard area provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than three feet (3') to a side or rear property line of an interior lot except by written, notarized and recorded permission of the adjoining property owner(s) and appropriate firewall construction, nor closer than twenty feet (20') to the side street property line of a corner lot.

ARTICLE I
HIGH DENSITY RESIDENTIAL (R-4) DISTRICT

- 2-4I-1: PURPOSE:
- 2-4I-2: PRINCIPAL DESIGNATED USES:
- 2-4I-3: CONDITIONAL USES:
- 2-4I-4: RESTRICTIONS:
- 2-4I-5: LOT REQUIREMENTS:
- 2-4I-6: ACCESSORY USE BUILDINGS:

2-4I-1: PURPOSE: The purpose of this district is to permit the establishment of higher density housing areas. Four (4) dwelling units per one (1) acre are permitted in this district.

- 2-4I-2: PRINCIPAL DESIGNATED USES:

- Agricultural uses
- Road side stands
- Home occupations
- Single family dwellings
- Accessory use buildings

- 2-4I-3: CONDITIONAL USES:

- Duplexes
- Mobile home parks
- Multi-family dwellings
- Planned unit developments (PUD)
- Rooming-boarding houses
- Bed and breakfast/lodges
- Day care centers
- Schools, public and private
- Towers (radio, television, telecommunication towers etc.) over thirty-five feet (35') in height

- 2-4I-4: RESTRICTIONS:

A. It is desirable that in this zone the principal designated uses involving structures, be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout the zone, then the minimum lot requirements will be controlled by the specific requirements as stated in Chapter 7, or the requirements of the health department, whichever is greater.

B. In this high density residential zone (R-4), no building or premises not customarily incidental to allowed uses, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered, unless otherwise provided in this chapter, except for one or more of the conditional uses in section 2-4I-3 of this article.

2-4I-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4I-6: ACCESSORY USE BUILDINGS:

Detached accessory use buildings may be constructed on the rear yard area provided that such buildings plus the principal building shall not occupy more than thirty percent (30%) of the total lot area nor be located closer than three feet (3') to a side or rear property line of an interior lot except by written, notarized and recorded permission of the adjoining property owner(s) and appropriate firewall construction, nor closer than twenty feet (20') to the side street property line of a corner lot.

ARTICLE J
COMMERCIAL (C) DISTRICT

- 2-4J-1: PURPOSE:
- 2-4J-2: PRINCIPAL DESIGNATED USES:
- 2-4J-3: CONDITIONAL USES:
- 2-4J-4: RESTRICTIONS:
- 2-4J-5: LOT REQUIREMENTS:
- 2-4J-6: ACCESSORY USE BUILDINGS
- 2-4J-7: EAVE PROJECTIONS:
- 2-4J-8: OFF STREET PARKING:
- 2-4J-9: OFF-STREET TRUCK LOADING SPACE:
- 2-4J-10: SIGN REGULATIONS:

2-4J-1: PURPOSE: The purpose of this Zone is to provide for areas that will fulfill the need for travel-related services, retail sales and professional offices, neighborhood or local commercial services throughout the County, and encourage the grouping together of light industrial uses capable of being operated under such standards as to location and appearance of buildings and the treatment of the land about them, that they will be unobtrusive and not detrimental to surrounding property owners. The zones are established to encourage the development of shopping centers as they relate to the needs of the urban areas throughout the County and servicing the major highways or arterials catering both to local and travel-related services, retail sales and professional offices. Areas set aside as C Zone may be classified as such in conformity with the Comprehensive Plan, and where it is found that in the public interest there is a need for light industrial activities with subsequent findings that light industrial or commercial uses are the best use for the land involved. Residential use shall be permitted. For residential uses in a commercial district, the setbacks of the R-4 zone shall be required unless the residence is on the second or upper floors of a commercial enterprise.

2-4J-2: PRINCIPAL DESIGNATED USES:

Auto repair and garages, auto painting shops, auto upholstery shops, muffler shops, automobile parts shops, and similar uses; provided storage of partly dismantled automobiles shall be carried on within a completely enclosed building.

- Amusement centers
- Automobile parts
- Automobile sales and service establishments
- Bakeries, retail.
- Barbershops and beauty shops

Book and stationery stores
Bowling alleys
Banks, financial institutions, lending institutions
Broadcasting buildings and facilities
Business offices
Candy stores.
Car washes
Cocktail lounges, bars, beer parlors, nightclubs and liquor stores
Confectionery stores
Churches
Dance halls, music, voice and video studios
Delicatessens
Dog kennels and veterinary clinics
Drugstores
Dry-cleaning agencies and self-service laundries
Family clothing stores
Farm and garden supply stores.
Farm equipment and contractors' equipment sales, rental and services
Floral shops, nurseries
Gift and greeting card shops
Grocery stores, fruit, vegetable and meat markets
Hobby shops and toy stores
Home occupations
Home furnishings and accessories
Ice skating rinks, roller skating rinks, and swimming pools
Jewelry stores including the repairing of jewelry, watches and clocks
Lumberyards and building material and supplies
Medical and dental offices or clinics, pharmacies, and related services
Mini-warehouses.
Motels, hotels
Mortuaries
Multi-family dwellings
Parking facilities
Pawnshops
Pet stores
Printing
Professional offices
Public service buildings, such as post offices and fire stations
Public buildings and public utility structures
Public-private campgrounds, RV parks
Repair shops for radio, television and small appliances
Restaurants, food drive-ins, refreshment stands
Rooming-boarding houses
Sale of hay, grain and bulk quantities of seed and agricultural supplies
Service stations
Shoe repair and shoeshine shops

Single family dwellings
Stores selling a combination of items, provided only those items
which are commonly sold in the establishments listed herein
Storage facilities
Supermarkets
Theaters
Trade schools
Trailer sales or rentals
Variety stores
Wedding chapels.
Wholesale of small items

2-4J-3: CONDITIONAL USES:

These uses may be granted by the Board of Commissioners after an advertised public hearing. These items may be approved provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval.

Assembly plant, light manufacturing, packaging plant, fabrication of goods and merchandise, offices, bottling and distribution plants, light repair facilities, and wholesale business. Other assembly of limited manufacturing or industrial uses similar to those listed.

Auction establishments
Bed and breakfast/lodges
Book stores
Cold storage plants
Day care centers
Golf courses
Kennels
Monument works
Planned unit developments (PUD)
Road side stands
Sale of secondhand and salvage goods
Schools, public and private
Transit or trucking terminals
Transmitter sites
Woodworking, sheet metal, and contractor shops

2-4J-4: RESTRICTIONS:

- A. It is desirable that in this Zone the principal designated uses involving structures, be serviced from public water and sewer facilities, however, since such public facilities might not be reasonably available or feasible throughout the Zone, then the minimum lot requirements shall be controlled by the specific requirements as stated in subsection B of this Section, or the requirements of the health department, whichever is greater.

- B. In this Commercial Zone (C), no buildings or premises not customarily incidental to the allowed uses, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered, unless otherwise provided in this Article, except for one or more of the conditional uses in Section 2-4J-3 of this Article, in accordance with the standards in this Ordinance.

- C. Provisions for the on-site detention of storm water runoff shall be provided for based on standard engineering practice and in compliance with all local, State and Federal requirements.

- D. All driveways entering and exiting the property shall conform to the latest addition of the Camas County Idaho Street Construction Standards.

- E. All outside storage or waste areas that may occur in this Zone shall be totally enclosed as determined by the Board of Commissioners.

2-4J-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4J-6: ACCESSORY USE BUILDINGS:

Detached accessory use buildings may be constructed on the rear yard provided that such buildings shall not occupy more than thirty five percent (35%) of the rear yard area nor be located closer than three feet (3') to a side or rear property line of an interior lot, nor closer than fifteen feet (15') to the side property line of a corner lot.

2-4J-7: EAVE PROJECTIONS:

- A. Eaves projecting from a main building shall not be closer than thirty inches (30") to a side or rear property line.

B. Eaves projecting from accessory use buildings shall not be closer than twelve inches (12") to a side or rear property line.

2-4J-8: OFF STREET PARKING REQUIRED:

In all C or I zones there shall be constructed at the time of the erection of any building, or at the time any main building is enlarged or increased in capacity, minimum off-street parking space of nine feet by twenty feet (9' x 20') with adequate provision for ingress and egress from the street to each parking space by standard size automobiles as follows:

1 for each 2 employees	3 square feet of parking lot area for each square foot of building
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2-4J-9: OFF-STREET TRUCK LOADING SPACE:

Off-street loading and unloading space shall be provided on the same lot for every building used for manufacturing, storage, warehousing, goods display, department store, grocery, hotel, hospital, mortuary, laundry, dry-cleaning or other use similarly involving the receipt or distribution of vehicle or material or merchandise. Such space, unless otherwise adequately provided, shall include a minimum ten feet by twenty five feet (10' x 25') loading space with a minimum fourteen feet (14') height clearance, for every twenty thousand (20,000) square feet of floor space in the building or fraction thereof.

2-4J-10: SIGN REGULATIONS

A. Individual Business and Governmental Facility Signs:

1. Total sign silhouette area shall not exceed one and one-half (1^{1/2}) square feet of silhouette area for each lineal foot of exterior building frontage. The total sign area shall not exceed sixty four (64) square feet for the business property or leasehold.
2. Only one freestanding sign shall be permitted upon business property or leasehold, limited to twenty four (24) square feet in silhouette area. Sign height shall not exceed three feet (3') from grade.
3. Only automobile service stations may have one additional freestanding changeable fuel price sign for the single purpose of advertising the price of fuel, limited to twelve (12) square feet in silhouette area.

4. Signs shall be set back from the public right of way or frontage lease line a minimum distance of five feet (5'), except where the building is closer to the public right of way or frontage lease line than the five foot (5') sign setback and another frontage location is not available for the sign.

5. Signs shall not project more than one and one-half feet (1¹/₂') from the surface of the building.

6. Freestanding identity signs shall not exceed three feet (3') in height.

7. Wall signs shall not exceed twenty five feet (25') in height above grade.

ARTICLE K
INDUSTRIAL (I) DISTRICT

- 2-4K-1: PURPOSE:
- 2-4K-2: PRINCIPAL DESIGNATED USES:
- 2-4K-3: CONDITIONAL USES:
- 2-4K-4: RESTRICTIONS:
- 2-4K-5: LOT REQUIREMENTS:
- 2-4K-6: ACCESSORY USE BUILDINGS
- 2-4K-7: EAVE PROJECTIONS:
- 2-4K-8: OFF STREET PARKING:
- 2-4k-9: OFF-STREET TRUCK LOADING SPACE:
- 2-4K-10: SIGN REGULATIONS:

2-4K-1: PURPOSE: The I Zone is established to provide for the location of all industrial activity compatible with plans for the development of the County including those uses listed as permitted in the C Zone and, in addition, certain other industrial uses are excluded from the C Zone. Areas set aside as I Zone may be classified as such in conformity with the Comprehensive Plan and where it is found that in the public interest there is a need for industrial activities substantially free from residential or retail commercial activities with the subsequent finding that industrial uses are the highest and best use for the land involved.

2-4K-2: PRINCIPAL DESIGNATED USES:
Principal and conditional uses as listed in the C Zone except residential uses.

Beverage bottling plants
Bulk fuel storage
Cold Storage plants
Grain storage
Laundry, commercial plants
Machine shops
Monument works
Processing of candy, cosmetics, ceramics and similar products.
Processing of dairy products
Public utility and public service installations, including repair and storage facilities
Sawmills
Tractor repair
Trucking yard and repair
Warehouses

2-4K-3: CONDITIONAL USES:

A. These uses may be granted by the Board after application and a formal previously advertised public hearing provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval.

Acid manufacturing, pharmaceuticals and chemical processing
Airports, Public and Private, Public airports are only allowed in the Industrial Zone.

Asphalt, lime, gypsum manufacturing and gravel pits
Mixing plants, concrete or other odor-free plants
Publicly owned refuse dumps, sanitary landfills or transfer facilities
Recycling centers and facilities
Salvage yards with sight-obscuring fences
Stockyards, slaughterhouses

B. It is impossible to list all of the industrial facilities that are compatible with this Zone. Any requested facility of a compatible nature upon application for a building permit can be resolved by the Zoning Administrator. If a usage is requested which creates doubt in the mind of the Zoning Administrator, then he should submit the request to the Planning and Zoning Commission for resolution.

C. Other uses may be considered upon the filing of a conditional use application, an application for a zone variance or a zone change. These uses may be granted by the Board after a formal previously advertised public hearing provided they are determined to be an appropriate use of land at the proposed location and provided they will not have an adverse effect upon adjoining developed land. Conditions requiring special or additional sanitation facilities, landscaping, developed recreation facilities, reduced density, level of maintenance standards, parking, etc., may be stipulated in the approval: salvage yards with sight-obscuring fences; refuse dumps; acid manufacturing; asphalt, lime, gypsum manufacturing; animal byproducts plants; milling or smelting of ores; stockyards, feed yards, slaughterhouses.

2-4K-4: RESTRICTIONS:

- A. It is desirable that in this Zone the principal designated uses involving structures, be serviced from public water and sewer facilities, however, since such public facilities might not be reasonable, available or feasible throughout the Zone, then the minimum lot requirements shall be controlled by the specific requirements as stated in subsection B of this Section, or the requirements of the health department, whichever is greater.

- B. In this Industrial Zone (I), no buildings or premises not customarily incidental to the allowed uses, as herein noted, shall be used, nor shall any building, structure or land usage be hereafter erected or altered, unless otherwise provided in this Article, except for one or more of the conditional uses in Section 2-4K-3 of this Article in accordance with the above standards in Section 2-4K-5 of this Article.

- C. All driveways entering and exiting the property shall conform to the latest addition of the Camas County Idaho Street Construction Standards.

2-4K-5: LOT REQUIREMENTS:

See Chapter 7: Official Height and Area Regulations

2-4K-6: ACCESSORY USE BUILDINGS

Detached accessory use buildings may be constructed on the rear yard provided that such buildings shall not occupy more than thirty five percent (35%) of the rear yard area nor be located closer than three feet (3') to a side or rear property line of an interior lot, nor closer than fifteen feet (15') to the side property line of a corner lot.

2-4K-7: EAVE PROJECTIONS:

- A. Eaves projecting from a main building shall not be closer than thirty inches (30") to a side or rear property line.

- B. Eaves projecting from accessory use buildings shall not be closer than twelve inches (12") to a side or rear property line.

2-4K-8: OFF STREET PARKING:

In all C or I zones there shall be constructed at the time of the erection of any building, or at the time any main building is enlarged or increased in capacity, minimum off-street parking space of nine feet by twenty feet (9' x 20') with adequate provision for ingress and egress from the street to each parking space by standard size automobiles as follows:

1 for each 2 employees	3 square feet of parking lot area for each square foot of building
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2-4K-9: OFF-STREET TRUCK LOADING SPACE:

Off-street loading and unloading space shall be provided on the same lot for every building used for manufacturing, storage, warehousing, goods display, department store, grocery, hotel, hospital, mortuary, laundry, dry-cleaning or other use similarly involving the receipt or distribution of vehicle or material or merchandise. Such space, unless otherwise adequately provided, shall include a minimum ten feet by twenty five feet (10' x 25') loading space with a minimum fourteen feet (14') height clearance, for every twenty thousand (20,000) square feet of floor space in the building or fraction thereof.

2-4K-10: SIGN REGULATIONS

A. Individual Business And Governmental Facility Signs:

1. Total sign silhouette area shall not exceed one and one-half (1^{1/2}) square feet of silhouette area for each lineal foot of exterior building frontage. The total sign area shall not exceed sixty four (64) square feet for the business property or leasehold.
2. Only one freestanding sign shall be permitted upon business property or leasehold, limited to twenty four (24) square feet in silhouette area. Sign height shall not exceed three feet (3') from grade.
3. Only automobile service stations may have one additional freestanding changeable fuel price sign for the single purpose of advertising the price of fuel, limited to twelve (12) square feet in silhouette area.
4. Signs shall be set back from the public right of way or frontage lease line a minimum distance of five feet (5'), except where the building is closer to the public right of way or frontage lease line than the five foot (5') sign setback and another frontage location is not available for the sign.

5. Signs shall not project more than one and one-half feet ($1\frac{1}{2}'$) from the surface of the building.
6. Freestanding identity signs shall not exceed three feet (3') in height.
7. Wall signs shall not exceed twenty five feet (25') in height above grade.

ARTICLE L
FLOOD PLAIN (FP) OVERLAY DISTRICT

2-4L-1: PURPOSE: The purpose of the FP District is to guide development in the flood-prone areas, as determined by the USGS if available, of any water course that are consistent with the requirements for the conveyance of flood flows, and to minimize the expense and inconveniences to the individual property owners and the general public from flooding. Uses permitted within this district are generally associated with open space, recreational and agricultural land uses and shall not hinder the movement of flood waters. Camas County does not currently have a Flood Plain Map, however, if one is established, it will be superimposed over other districts.

ARTICLE M
AREA OF CRITICAL CONCERN (ACC) OVERLAY DISTRICT

2-4M-1: PURPOSE: The purpose of the CA District is to identify those areas that have been determined to be of critical significance to Camas County. As an example, this may include historical buildings or sites; significant geological features; wildlife areas; and natural resource areas. A conditional use permit will be required prior to development occurring within the CA District to insure that the proposed development will be compatible with the environment. Camas County does not currently have a Critical Area Map, however, when it is established, it will be superimposed over other districts.

CHAPTER 5

PROVISIONS FOR OFFICIAL ZONING MAP

SECTION A. OFFICIAL ZONING MAP

The districts established in Article IV of this ordinance as shown on the Official Zoning Map, together with all explanatory matter thereon, are hereby adopted as part of this ordinance.

SECTION B. INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the Official Zoning Map, the following shall apply:

1. Where district boundaries are indicated as approximately following the center line of street lines, highway right-of-way lines, streams, lakes, or other bodies of water, the center line shall be construed to be such boundary.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so indicated that they are approximately parallel to the center lines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.

CHAPTER 6

DISTRICT REGULATIONS

SECTION A. COMPLIANCE WITH REGULATIONS

The regulations for each district set forth by this ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

1. No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.
2. No building or other structure shall be erected or altered
 - a. To provide for greater height or bulk;
 - b. To accommodate or house a greater number of families;
 - c. To occupy a greater percentage of lot area;
 - d. To have narrower or smaller rear yards, front yards, side yards, or other open spaces; than herein required, or in any other manner be contrary to the provisions of this ordinance.
3. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements set forth herein.

Nonconforming uses are fully addressed in CHAPTER 12.

The Administrator shall interpret the appropriate district for land uses not specifically mentioned by determining the district in which similar uses are permitted. When several combined land uses exist, or are proposed, the most intensive land use shall be considered as the primary activity.

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OFFICIAL HEIGHT AND AREA REGULATIONS

MINIMUM YARD REQUIREMENTS							
CL= Center Line of right-of-way PL= Property Line							
DWELLING	MAXIMUM HEIGHT	FRONT	REAR	INTERIOR SIDE	STREET SIDE	MAXIMUM LOT COVERAGE %	MINIMUM LOT AREA PER DWELLING UNIT
A (see # 1 exception)	35'	60' from CL	30'	30'	60' from CL	See # 5 exceptions	80 acres
A-2.5	35'	60' from CL	30'	30'	50' from CL	30%	2.5 ACRES
A-5	35'	60' from CL	30'	30'	50' from CL	30%	5 ACRES
A-10	35'	60' from CL	30'	30'	50' from CL	30%	10 ACRES
A-20	35'	60' from CL	30'	30'	50' from CL	30%	20 ACRES
A-40#1) (see exception)	35'	60' from CL	30'	30'	60' from CL	See # 5 exceptions	35+ ACRES
AT	35'	60' from CL	30'	20'	20' from PL	30%	1 ACRE
R-1	35'	60' from CL	30'	20'	20' from PL	30%	1 ACRE
R-4	35'	20' from PL	20'	10'	20' from PL	30%	4 DWELLINGS PER ACRE
C (see # 2 exception)	35'	20' from PL	15'	See # 3 exceptions	15' from PL	See # 5 exceptions	8000 SQ.FT.

I (see # 2 exception	35'	20' from PL	15'	See # 4 exceptions	15' from PL	See # 5 exceptions	
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Exceptions to 2-6-1

1. In the Agricultural Zones, A-80 & A-40, grain elevators, windmills & communication towers are allowed to be over 35 feet in height with approval of the Camas County Fire Marshall. The setback shall adjust to 1 foot for every 5 feet above 35 feet. Communication towers shall follow the county ordinance on towers. A conditional use permit is required.
2. In the Commercial and Industrial Zones, C & I, structures are allowed to be over 35 feet with the approval of the Camas County Fire Marshall. The side and rear setbacks shall adjust to 1 foot for every 5 feet above 35 feet and towers adhere to the tower ordinance. A conditional use permit is required.
3. Side: A minimum side yard depth of ten feet (10') shall be provided for all buildings. Buildings may share a common wall provided that it conforms to the International Building and Fire Codes and zero lot lines may be allowed with the issuance of a conditional use permit.
4. Side: A minimum side yard depth of ten feet (10') shall be provided for all buildings however zero lot lines may be allow with the issuance of a conditional use permit.
5. Lot Coverage: The lot area for all uses dependent on individual water supply and sewage disposal systems shall be sufficient to permit proper location, installation and operation of such systems in accordance with the Idaho Department of Health Standards for Subsurface Sewage Disposal Systems. Commercial and Industrial zones shall require a conditional use permit.

CHAPTER 7

FLOOD PLAIN OVERLAY DISTRICT (FP)

SECTION A. PURPOSE

The purpose of the FP District is to guide development in the floodway and floodway fringe areas of any water course that may flood, and to minimize the expense and inconveniences to the individual property owners and the general public from flooding. Permitted uses and Conditional use permits that are authorized in the District are generally associated with open space, recreational and agricultural land uses and shall not hinder the movement of floodwaters. Camas County does not currently have a Flood Plain Overlay Map, however, if one is established, it will be superimposed over other districts.

SECTION B. USES

All uses are permitted in the respective districts with which the FP District is overlaid with the exception that structures used in carrying out those permitted activities must be approved by the Governing Board under the conditional use permit procedure and deemed appropriate to be located within the floodway or floodway fringe.

SECTION C. CONDITIONAL USES

When authorized under the procedure provided for conditional uses in this ordinance, the following uses will be permitted in a flood plain overlay zone:

1. Man-made fills, dikes, or levees that meet the approval of the Board.
2. For Structures used in carrying out permitted activities, detailed engineering data shall be supplied by the applicant who bears the burden of proof that such structures can be located in areas of plateaus, benches, or upon man-made fills or can be otherwise elevated so as not to be affected by flood waters provided that:
 - a. Sewer and water systems meet the approval of the District Health Department or Department that has jurisdiction.
 - b. No building or structure shall be erected and no existing building or structure shall be extended or moved unless the main floor of said building or structure is placed a minimum of two (2) foot above the elevation subject to flooding.
 - c. No basement floor shall be below this two (2) foot safety margin. Foundations of all structures shall be designed and constructed to withstand flood conditions at the site.

3. Other structures used in carrying out permitted activities provided such structures will not be subject to substantial flood damage and will not increase flood related damages on other lands. These may include structures which can be readily removed from flood hazard areas during periods of high water.

Conditions that may be required by the Board in approving the use of structures in a flood plain overlay zone shall include:

1. Modification of waste disposal and water supply facilities.
2. Limitations on periods of use and operation.
3. Imposition of deed restrictions.
4. Location and arrangement of structures within the floodway and floodway fringe areas to avoid a hazardous condition due to the increase of flood heights.
5. Requirement for construction of channel modifications, dikes levees and other protective measures.
6. Placement of survey bench marks.
7. Flood proofing measures designed to be consistent with the flood protection elevation for a particular area:
 - a. Anchorage to resist flotation, collapse and lateral movement.
 - b. Installation of water tight doors, bulkheads and shutters.
 - c. Reinforcement of walls to resist water pressures.
 - d. Use of paints, membranes or mortars to reduce seepage of water through walls.
 - e. Addition of mass or weight to structures to resist flotation.
 - f. Installation of pumps to lower water levels in structures.
 - g. Construction of water supply and waste treatment systems to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
 - h. Pumping facilities for subsurface external foundation wall and basement floor pressures.
 - I. Construction to resist rupture or collapse caused by water pressure or floating debris.
 - j. Cut-off valves on sewage lines or the elimination of gravity flow basement drains.
 - k. Location of on-site waste disposal systems to avoid impairment of them or contamination from them during flooding.

SECTION D. STORAGE OF MATERIALS AND EQUIPMENT

Materials that are flammable, toxic, or otherwise injurious to persons or property if transported by flood waters are prohibited. Storage of materials and equipment not having these characteristics is

permissible only if the materials and equipment have low damage potential available after forecasting and warning.

SECTION E. OTHER CONSIDERATION

The evaluation of the effect on a proposed use in the floodway and floodway fringe areas causing increases in flood heights is based not just on the effect of the single use acting alone but upon the reasonable assumption that other land owners within the flood plain may need to be allowed to develop to an equivalent extent within the floodway and therefore the accumulative effects of all such encroachments must be considered by the Board in making any decision.

Construction materials that are resistant to flooding shall be used for that portion of a structure that may be subject to flooding.

SECTION F. NON-LIABILITY CLAUSE

The granting of approval of any structure or use shall not constitute a representation, guarantee, or warranty of any kind or nature of the County governing body or the Commission or by any officer or employee thereof, of the practicality or safety of any structure or use proposed and shall create no liability upon or cause action against such public body, officer, or employee for any damage that may result pursuant thereto.

SECTION G. RESTRICTIONS

Restrictions regarding height, rear yards, side yards, front yard setback, minimum lot area, signs, vision clearance and parking space shall be the same as set forth in each specific district located within the flood plain overlay zone area.

SECTION H. PROHIBITED USES

It shall be unlawful to erect, alter, maintain or establish in a flood plain overlay zone any building, use or occupancy not permitted or allowed in the foregoing provisions, except existing nonconforming uses may continue as herein provided.

CHAPTER 8

PERFORMANCE STANDARDS

SECTION A. GENERAL

The purpose of performance standards is to set specific conditions for various uses, classification of uses, or areas where problems are frequently encountered.

SECTION B. SPECIAL PROVISIONS FOR COMMERCIAL AND INDUSTRIAL USES

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this ordinance may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements:

1. Fire Hazards: Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved as specified in the International Fire Code.
2. Radioactivity or Electrical Disturbance: No activity shall emit harmful radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbance.
3. Noise: Objectionable noise as determined by the Administrator which is due to volume, frequency, or beat shall be muffled or otherwise controlled. Air-raid sirens and related apparatus used solely for public purposes are exempt from this requirement.
4. Vibration: No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.
5. Air Pollution: Air pollution shall be subject to the requirements and regulations established by the Health Authority or other applicable authority.
6. Glare: No direct or reflected glare shall be permitted which is visible from any property outside a manufacturing district or from any street and no nighttime direct or reflected glare shall be aimed toward any residence.

7. Erosion: No erosion, by man, wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
8. Water Pollution: Water pollution shall be subject to the requirements and regulations established by the Health Authority or other applicable authority.
9. Enforcement Provisions: The Administrator, prior to the issuance of a CONDITIONAL USE PERMIT, may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances.
10. Measurement Procedures: Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Institute, New York, the Manufacturing Chemists' Association, Inc., Washington, D.C., (NIOSH) the National Institute for Occupational Safety and Health, (DEQ) the Department of Environmental Quality and the Health Authority.

SECTION C: SPECIAL PROVISIONS FOR UNIQUE LAND USES

Certain unique land uses pose special problems that may have detrimental influences on surrounding land uses. The following performance standards for such unique land uses shall be adhered to in addition to all other provisions of this ordinance. Any use subject to these provisions shall be required to obtain a building permit.

1. Accessory Building:
 - a. Shall comply with required setbacks as provided in Chapter 6 (2-6-1) of this ordinance.
2. Additional Dwelling Units: Agriculture Districts and Agriculture Transition Districts allow for one Additional Dwelling Unit constructed on lots 2.5 acres or larger. Additional Dwelling Units shall have no limit on the size of the unit.
3. Animal Clinic, Animal Hospital, Veterinary Office and Kennel:
 - a. Will be located at least three hundred (300) feet from any residence including motels and hotels, except for an owner's residence. The Administrator may modify these requirements if the animals are completely housed in sound-proof structures that completely screen them from view of the abutting residential property;

- b. Will comply with all State and local regulations relative to such an operation, and maintain adequate housekeeping practices designed to prevent the creation of a nuisance and to reduce to a minimum the factors of noise and odor.
4. Animal Commercial Feed Lots, Meat Packing, Processing Plant, and Slaughterhouse Facilities:
- a. Will be located, when housing animals, feed lot or holding pens, not less than six hundred (600) feet from any residence, except for an owner's residence. Such facilities shall have a minimum setback of thirty (30) feet from any property line;
 - b. Will be designed and located with full consideration to their proximity to adjacent uses, their effect upon adjacent and surrounding properties, and to the reduction of such nuisance factors as odor;
 - c. Will be adequately maintained with housekeeping practices to prevent the creation of a nuisance, and shall also be subject to the Health Authority requirements as to the elimination of waste materials and the maintenance of water quality control.
5. Bulk Storage of Flammable Liquids and Gases, Above and Below Ground and for Resale:
- a. Will be located at least three hundred (300) feet from a residential zone, a residence, motel, hotel, except for an owner's residence;
 - b. Will be erected subject to the approval of the fire chief and the State Fire Marshall;
 - c. Will have suitable loading and unloading spaces and off-street parking facilities subject to the approval of the fire chief and the State Fire Marshall;
6. Chemicals, pesticide and Fertilizer Storage and manufacturing:
- a. Will have adequate fire protection, storage area, handling and disposal as approved by the fire chief and the State Fire Marshal.
7. Drive-In Restaurant:
- a. Will be enclosed on the property line with landscaping and fencing, except for ingress and egress, to prevent trash from moving onto other properties;
 - b. Will have a six (6) foot high sight obscuring fence along the property lines that adjoin a residence;
 - c. Will provide for adequate trash receptacles;
 - d. Will avoid the direction of night lighting toward any residence.

8. Filling, Grading, Lagooning, Dredging, or Other Earth-Moving Activity:
 - a. Will result in the smallest amount of bare ground exposed for the shortest time feasible;
 - b. Will provide temporary erosion control including a management plan from a certified planner and employ best management practices (BMP).
 - c. Will use diversions, silting, basins, terraces, and other methods to trap sediment;
 - d. Will provide lagooning in such a manner as to avoid creation of fish trap conditions;
 - e. Will not restrict a floodway, channel, or natural drainage way;
 - f. Will construct and stabilize sides and bottom of cuts, fills, channels, and artificial water courses to prevent erosion or soil failure;
 - g. Will not have below-grade excavation except for drainage-ways within fifty (50) feet of any lot or public right-of-way.
 - h. Will restore topsoil or loam to a depth of not less than four (4) inches and revegetate disturbed soils.

9. Gravel Pits, Rock Quarries, Sand and Clay Pits, and Other Natural Resources of Commercial Value:
 - a. The extent and method of rehabilitation shall be determined in advance by the Board with due consideration given to what is suitable and compatible with the surrounding area;
 - b. Upon depletion of the area, all temporary buildings and structures, except property line fences and structures for the loading, measuring, or weighing of salable material in storage, shall be entirely removed from the property and the rehabilitation plan shall be implemented.
 - c. Safety fencing shall be erected around all pits that create a safety hazard.
 - d. Shall comply with all state and county requirements and shall obtain all necessary permits.

10. Home Occupation:
 - a. The use of the premises for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
 - b. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four (4) square feet in area, non-illuminated.
 - c. No significant traffic increase shall be generated by such home occupation.

- d. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

12. Manufactured Homes (including Mobile Homes/Trailer Houses):

- a. All manufactured homes built before 1976 must meet the State of Idaho's Department of Building Safety Standards, and HUD Standards, or not be allowed in Camas County. This is in regard to electrical, plumbing and installation of stabilizing systems.

13. Mobile Home Park:

- a. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- b. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage, refuse disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed park shall be able to provide adequately any such services.
- c. Will be consistent with the intent and purpose of this ordinance and the comprehensive plan;
- d. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads;
- e. Will not result in the destruction, loss, or damage of natural, science, or historic features of major importance;
- f. Will meet the minimum health standards as set forth by the applicable Health Authorities.
- g. Will have a minimum total area for the mobile home park of five (5) acres.

14. Moved In and Moved Structures:

- A. All structures with 200 or more square footage moved into or moved within Camas County shall be inspected for structural integrity before being moved.

- B. A certified structural engineer or a licensed building inspector who is certified and bonded with the State of Idaho will be required to inspect the structure. Said inspection will be at the owner(s)/developers expense and the inspector must submit a written report to the Camas County Building Inspector for approval prior to any permits being issued and prior to the structure being moved.
- C. Upon approval of the submitted report, the owner(s)/developer shall obtain, from the Camas County Building Department, a moving permit and a building permit.
- D. Once the structure is moved to the building site, the owner(s)/developer shall have ninety (90) days to place the structure on a permanent foundation.
 - 1. If an extension is required and the applicant has shown good cause to the Administrator for a delay in placing the structure on a permanent foundation, the Administrator may grant an extension not to exceed thirty (30) days. Only one (1) extension shall be granted.

15. Outdoor Storage of Commercial and Industrial Materials:

- A. Will be screened from view from any existing adjoining residence or residentially zoned area, whether or not such property is separated by an alleyway or street;
- B. Will not be located in any front yard setback area.

16. Sanitary Landfill and/or Solid Waste Transfer Station:

- a. Will conform to time limits for daily operation as defined by the Board;
- b. Will provide a bond, for privately owned sites, to insure compliance with the provisions of the Conditional Use Permit.
- c. May provide for a paved street to the facility;
- d. Will be supervised during the hours of operation.

17. Streamside and Lakeshore Corridors

A. All development including land disturbing activities that is not exempted below shall be setback a minimum of 50 feet from rivers, streams, lakes, reservoirs, ponds and other water bodies. Such setback shall be measured vertically and/or horizontally, as applicable. The setback shall be measured from the mean high water mark.

- a. Roads and utility lines may cross stream or lakeshore corridors, but the number and width of such crossings shall be minimized. Irrigation works (dams, head gates, ditches, etc.) and hydroelectric power generation facilities may be placed in stream or lakeshore corridors, upon issuance of all required local, State and Federal permits.

- b. Boat ramps, docks, and piers may be installed within stream and lakeshore corridor buffers provided they do not occupy more than 10% of the stream or lake frontage on any lot or site or 24 feet of steam or lake frontage, whichever is more restrictive (note that State and Federal permits are required for the disturbance of stream channels or lakebeds).
- c. Commercial marinas may be permitted to exceed the 10% or 24 feet limitation stated above with docks, piers, boat ramps, and boat slips provided that:
 - i. All parking, other uses and structures that do not require direct access to the water shall comply with the setback; and
 - ii. Sufficient shoreline vegetation is retained or planted and buildings sited so as to provide a predominantly natural background when the development is viewed from the lake.
- d. Stream and lakeshore corridor buffers shall be maintained as, or restored to native riparian vegetation. They shall not be developed except as specifically permitted by this ordinance.
- e. The development setbacks required here shall be clearly shown on final site plans and final plats.

B. The protection of stream and lakeshore corridors as open space and the retention or restoration of riparian vegetation shall be required. The areas protected and retained shall be perpetually protected by an open space easement.

18. Roof Snow Load Requirements:

a. For buildings that require a Camas County Building Permit): Required snow loads for the Camas Prairie shall be a minimum 100 psf for single ridge line residential structures with 3 in 12 or greater roof pitch. If the structure has a perpendicular ridge line, and/or is less than 3 in 12 in roof pitch, the structure must be engineered using the available ground snow load data from the University of Idaho. The required roof snow load for structures three (3) miles north of the Boise Base Line is 125 psf, and for structures in West Magic, 80 psf is required or as required by the adopted International Residential Code or the International Building Code.

b. S-1, S-2 and U structures do not require engineering but must comply with the 2018 IBC and 2018 IRC. Snow Load Waiver of Liability will be required to issue permit.

19. Temporary Buildings:

a. Temporary buildings, construction trailers, equipment and materials may be used in conjunction with construction work in progress, but such temporary facilities shall be removed upon completion of the construction work.

20. Wrecking Yard:

- a. Will be completely enclosed by a solid six (6) foot high site obscuring fence;
- b. Will not result in the storage of automobile, junk or salvage material that is visible from any public right-of-way;
- c. Will not result in the storage of automobiles that exceed the height of the fence;
- d. Will have such landscaping that is appropriate with the surrounding area.

21. Commercial Firearm Shooting Ranges (private or public):

Prohibited in R-1 and R-4 zones. In all other zones shall be a Conditional use on lots 20 acres or less. Shall be a Principle use on lots 20 acres or larger with the following conditions:

- a. The applicant shall provide a master site plan that designates range layout and complies with the conditions listed below. Site plan shall include shooting platforms, targets, target backstops and lines of fire.
- b. Range sites shall have backstops and be designed and located so no projectile travels offsite.
- c. Shall be designed to avoid a line of fire that is directed toward any existing residence, business, Hwy 20 or major and minor collector roads.
- d. Designs shall include a fire suppression plan, a range safety plan and a medical response plan.
- e. Times of operation shall be between the hours of 7:00am and 10:00pm. (shall not apply to Law Enforcement agency training)
- f. Accessory uses such as gun sales, gun repair and training courses shall be allowed.
- g. Shall be located away from environmentally sensitive areas such as, but not limited to, the Camas Prairie Centennial Marsh.
- h. Firearm ranges shall comply with universal noise standards set for outdoor ranges found in Idaho Statute 67-9102
- i. Camas County shall not be held liable for any damages, physical harm or death caused by or on a firearm shooting range.

- j. Shall not apply to private groups hosting shooting events such as, but not limited to, churches and 4H.

CHAPTER 9

HILLSIDE AND FOOTHILL AREAS DEVELOPMENT

2-9-1 GENERAL

1. Purpose. It shall be the purpose of this Article to regulate, through the building permit process, the development of hillside and foothill areas in a manner which will protect life and property from hazards due to slope, erodible soils, unstable soils, earth movement and other geologic and hydrologic hazards, and adverse visual impact. The goal of this ordinance shall be that buildings fit into the natural hillside environment, so that attention is to the natural side hill rather than the structure.

2. Intent. It shall be the intent of these regulations to promote the following:

- a. To use the fullest current understanding of good civic design, landscape architecture, architecture and civil engineering to preserve, enhance and/or promote the existing and future appearance and resources of hillside areas.

- b. To preserve or enhance the beauty of the landscape by encouraging the maximum retention of natural topographic features, such as drainage swales, streams, slopes, ridge lines/tops, rocky outcrops, vistas and natural plant formations.

- c. To promote a safe means of ingress and egress for vehicular and emergency vehicles to and within hillside areas while at the same time minimizing the scarring effects of hillside street construction. Roads shall follow natural topography wherever possible to minimize cutting and grading.

- d. Imaginative and innovative building techniques should be encouraged to create buildings suited to natural hillside surroundings.

2-9-2 APPEARANCE AND PRESERVATION

1. This Section pertains to any structure or development proposal on property with a natural or engineered topography of twenty percent (20%) slope or more or occurring on hilltops, ridgelines or knolls. In order to preserve, retain, enhance and promote the existing and future appearance, natural topographic features, qualities and resources of hillsides, special consideration shall be given to the following:

- a. Skyline and ridge tops.
- b. Rolling grassy land forms, including knolls, ridges, and meadows.
- c. Tree and shrub masses, grass, wild flowers and topsoil.
- d. Rock outcroppings.
- e. Streambeds, draws and drainage swales, especially where tree and plant formations occur.
- f. Characteristic vistas and scenic panoramas.
- g. Snow

2. In order to reduce visibility of structures that "skyline" on ridges, structure or development proposals shall undertake reasonable efforts to modify the design, building height, and site in order to mitigate the impact to views near ridges. The maximum bulk of structures shall be hidden or minimized by design, landscaping, and siting by using such standards including but not limited to stepped building forms, natural colors and materials, sloped roofs, and landscaping such that the project shall blend harmoniously with the surrounding area without excessive contrast.

2-9-3 HILLSIDE DEVELOPMENT EVALUATION

1. All development proposals subject to this ordinance with a natural or engineered topography of twenty percent (20%) slope or more shall take into account and shall be judged by the way in which land use planning, soil mechanics, engineering geology, hydrology, civil engineering, environmental and civic design, architectural and landscape design, and related principles are applied in hillside areas, including but not limited to:
 - a. Planning of development to fit the topography, soils, geology, hydrology and other conditions existing on the proposed site. Native and drought resistant foliage are to be utilized.
 - b. Orientation of development on the site so that grading and other site preparation is kept to a minimum.
 - c. Shaping of essential grading to blend with natural land forms and to minimize the necessity of padding and/or terracing of building sites.
 - d. Division of large tracts into smaller workable units on which construction can be completed within one construction season so that large areas are not left bare and exposed during the winter-spring runoff period to minimize soil disturbance and to control erosion in accordance with an approved erosion control plan.
 - e. Completion of paving as rapidly as possible after grading.

- f. Allocation of areas not well suited for development because of soil, geology or hydrology limitations for open space and recreation uses.
 - g. Minimizing disruption of existing plant and animal life.
 - h. Consideration of the view from and of the hills.
 - i. Areas having soil, geology or hydrology hazards shall not be developed unless it is shown that their limitations can be overcome; that hazard to life or property will not exist; that the safety, use or stability of a public way or drainage channel is not jeopardized; and that the natural environment is not subjected to undue impact.
2. ENGINEERING PLANS: All development proposals subject to this ordinance shall include a report containing the following:
- a. SOILS ANALYSIS: A soils engineering analysis by a licensed engineer shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures, and opinions and recommendations covering the adequacy of sites to be developed.
 - b. GEOLOGY ANALYSIS: A geology analysis shall include the site geology and an evaluation of the relationship between the proposed development and the underlying geology and recommendations for remedial remedies. The investigation and subsequent report shall be completed by a professional geologist registered in the State of Idaho.
 - c. HYDROLOGY ANALYSIS: A hydrology analysis shall be submitted which shall include a description of the site hydrology, conclusions and recommendations regarding the effect of hydrologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed. Flood frequency curves shall be provided for the area proposed for development. The investigation and subsequent report shall be completed by a professional hydrologist registered in the State of Idaho.
 - d. GRADING/SITE PLAN: A Grading/Site plan shall be submitted with each structure or other hillside development proposal and shall include the following information:
 - 1. Limiting dimensions, elevations or finish contours to be achieved by the grading, including all proposed cut and fill slopes, and proposed drainage channels and related construction.
 - 2. Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed.

3. A description of methods to be employed in disposing of soil and other material that is removed from the grading site, including location of the disposal site.
4. A schedule showing when each stage of the project will be completed, including the total area of soil surface that is to be disturbed during each stage together with estimated starting and completion dates. In no event shall the existing ("natural") vegetative ground cover be destroyed, removed or disturbed more than fifteen (15) days prior to grading.

2-9-4 DEVELOPMENT STANDARDS:

This Section pertains to any structure or development proposal on property with a natural topography of twenty percent (20%) slope or more or occurring on hilltops, ridgelines or knolls. All structures shall be designed and constructed in compliance with the following standards. To reduce hillside disturbance, buildings shall incorporate the following design requirements:

1. BUILDING DESIGN REQUIREMENTS:

- a. Roof Material: Only class A roof coverings listed and identified by an approved testing agency or approved noncombustible roof covering shall be used for new roofs or replacement of existing roofs.
- b. Foundations: All structures shall have foundations that have been designed by a professional engineer licensed in the state of Idaho. The foundation design shall be based on a geotechnical engineer's recommendations.
- c. Architectural Features: Architectural features such as bay windows, decks, building step back, etc., shall be utilized on all exterior walls greater than twenty feet (20') in height, as measured from lowest adjoining finish grade, not including gables. All architectural features shall have a minimum depth of one foot (1').
- d. Color: Colors for exterior walls, facades, and roofs shall be of such a color and quality so as aesthetically blend within the natural environment. They shall have a light reflective value (LRV) of forty (40) or less, per the manufacturers' specifications. When such data is unavailable, compliance will be determined by a comparison of samples where data is available. This light reflective value standard shall not apply within established residential areas. Window and door glazing shall be in compliance with the international energy code as promulgated under the International Code Council.

2. SOILS

- a. Fill areas shall be prepared by removing organic material, such as vegetation and rubbish, and any other

material which is determined to be detrimental to proper compaction or otherwise not conducive to stability; no rock or similar irreducible material with a maximum dimension greater than eight (8) inches shall be used as fill material in fills that are intended to provide structural strength.

- b. Fills shall be compacted to at least ninety-five percent (95%) of maximum density, as determined by AASHTO T99 and ASTM D698.
 - c. Cut slopes shall be no steeper than two (2) horizontal to one (1) vertical; subsurface drainage shall be provided as necessary for stability.
 - d. Fill slopes shall be no steeper than two (2) horizontal to one (1) vertical; fill slopes shall not be located on natural slopes 2:1 or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of an existing or planned cut slope.
 - e. Tops and toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3') plus one-fifth (1/5) of the height of the cut or fill but need not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures a distance of six feet (6') plus one-fifth the height of the cut or fill, but need not exceed ten feet (10').
 - f. The maximum horizontal cross section dimension of disturbed soil surface shall not exceed seventy-five (75) feet, not including driving surfaces.
3. ROADWAYS / DRIVEWAYS
- a. Road alignments should follow natural terrain and no unnecessary cuts or fills shall be allowed.
 - b. Minimum road width shall be thirty feet (30') face to face between the curbs.
 - c. 18" in cross section culverts, or a size sufficient to handle a 100 year flood shall be placed every 1000' on 0 - 4% grade with the length (placement frequency) reduced by 25% for every 1% slope increase.
4. VEGETATION, REVEGETATION, EROSION CONTROL PLAN:
- a. The Applicant shall submit an erosion control plan authored by an erosion control planner, and slope stabilization and revegetation plan that shall include a complete description of the existing vegetation, the vegetation to be removed and the method of disposal, the vegetation to be planted, and slope stabilization measures to be installed. The plan shall include an analysis of the environmental effects on slope stability, soil erosion, water quality and fish and wildlife.
 - b. Vegetation sufficient to stabilize the soil shall be established on all disturbed areas as each stage of grading is

completed. Areas not contained within the buildable envelop shall be protected with perennial vegetative cover after all construction is completed. Efforts shall be made to plant those species that tend to recover from fire damage, do not contribute to a rapid rate of fire spread, drought resistant, and preferably native.

5. MAINTENANCE: The owner of any private property on which grading or other work has been performed pursuant to a grading approved or a building permit granted under the provisions of this ordinance shall continuously maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures, and other protective devices, plantings and ground cover installed or completed.

Chapter 10

CONDITIONAL USE PERMITS

2-10-1 Intent:

The intention of a conditional use application is to consider a usage largely suitable for the respective zone but possessing characteristics such as to require review and appraisal by the planning and zoning commission. The review and appraisal is to determine whether or not the proposed use can be made compatible for the particular area in which it is intended or whether or not it possesses characteristics for which special treatment may not satisfactorily prevent damage, devaluation, hazard, nuisance, or other detriment to persons or property in the vicinity. A conditional use permit or any part thereof, being restrictive, is issued to the property. A CUP is based on the appropriateness of the land for the intended use. A conditional use permit can only be used on the land for which the conditional use permit was originally intended.

The Administrator may perform periodic on-site inspections.

The issuance of a Conditional Use Permit shall not be considered a binding precedent for the issuance of other Conditional Use Permits.

A Conditional Use Permit is not transferable from one parcel of land to another.

A Conditional Use Permit or any part thereof runs with the property unless otherwise stated by the Board.

A Conditional Use Permit can only be used on the parcel of land for which the Conditional Use Permit was originally intended.

If the subject parcel is sold while the Conditional Use Permit is effective the new owner shall apply for a name transfer through the Administrator and may be subject to review.

2-10-2 Application Required:

Every person seeking a conditional use permit shall submit an application upon a form prescribed by the commission, along with a filing fee as specified herein. (Res 119, 7-14-2008)

Form, Scope and Content of Application:

At least one owner or lessee of the property for which such conditional use is proposed shall file an application for Conditional Use Permit with the Administrator. At a minimum, the application shall contain the following information:

Name, address, and telephone number of applicants.

Legal description of property and zoning district.

Description of existing use and description of proposed conditional use. All applications for conditional use permits shall be accompanied by appropriate architectural and site development plans to scale which shall show building location; landscaping; prominent existing

trees; ground treatment; fences; off street parking and circulation; location and size of adjacent streets; north arrow and property lines; drawings of the major exterior elevations showing exterior building treatment; existing grade and proposed new grades and such other information as the Commission may require to determine if the proposed conditional use meets the intent and requirements of this ordinance.

A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan.

2-10-3 Fees:

The administrator shall charge, demand, and receive, and the applicant for conditional use shall pay, at the time of filing and receiving said application, a filing fee as determined by the board of county commissioners and posted in the office of the county planning and zoning administrator.

2-10-4 Notice of Hearing and Publication:

The commission and/or board may hold a public hearing and public notice of hearing on every application for a conditional use shall be given in the same form as required for reclassification of zoning or land use district, except that the date for such hearing shall be set by the administrator within a reasonable time and in no case later than sixty (60) days after receipt of the application and all necessary documents pertinent thereto. Public notice shall be in conformance with Idaho Code § 67-6509 and 67-6512.

2-10-5 Action by the Planning and Zoning Commission:

The planning and zoning commission, after investigating and hearing an application for a conditional use permit, may approve, condition, modify or deny the application after hearing the evidence presented at the public hearing giving consideration to the following:

- A. The location of the proposed use is compatible to other land uses in the general neighborhood and does not place undue burden on existing transportation and service facilities in the vicinity.
- B. The site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls, and fences, parking, loading, landscaping and such other features as are required by this title and other county ordinances that may apply have been met.

- C. The site will be served by streets of sufficient capacity to carry the traffic generated by the proposed use.
- D. The proposed use, including any conditions required by the planning and zoning commission, will not adversely affect other property in the vicinity.
- E. The Planning & Zoning commission may ask for additional studies, etc, at the applicants' expense if they are needed.
- F. The applicant for a conditional use permit may be required to submit with the application a comprehensive public safety program including but not limited to the following; police and fire protection, EMS and utilities. The applicant may also be required to submit an environmental impact statement.
- G. The proposed use necessitates higher standards of site development than listed specifically in this title in order for the proposed use to be compatible with other property uses in the vicinity. If such determination is made, the commission may specify all such standards so determined to be necessary conditions to the conditional use and/or building permit. No occupancy of any part of the site or facilities shall occur until all those conditions have been complied with.

2-10-6 Conditional Use, Limitation:

It shall not be the intent of this chapter to restrict or specify as general practice the particular architectural design proposed or to specify the exterior detail or design, color or materials proposed by the applicant, except as such detail is of such magnitude as to affect the general appearance and compatibility of the development with its surroundings. The committee or commission, in acting upon the application, shall provide that approval of a permit shall be contingent upon acceptance and observance of specified conditions, including, but not limited to, the following matters:

- A. Conformity to approved plans and specifications.
- B. Open spaces, buffer strips, walls, fences, advertising signs, concealing hedges, landscaping, lighting.
- C. Volume of traffic generated, requirements for off street parking, vehicular movements within the site and points of vehicular ingress and egress.
- D. Performance characteristics, related to the emission of noise, vibration and other potentially dangerous or objectionable elements.

- E. Limits on time of day for the conducting of specified activities.
- F. Guarantees as to compliance with the terms of the approval.
- G. Outdoor advertising, including the number, location, color, size, height, lighting and landscaping of outdoor signs and structures as related to creation of traffic hazards and appearance in harmony with surrounding development and community objectives.
- H. Street dedications and public improvements on property frontages.

I. Any person successful in obtaining a conditional use permit shall commence operations within a specified time of one year. Any corporation or entity successful in obtaining a conditional use permit shall commence operations within a specified time of two (2) years. Electrical, telephone, pipeline providers, and other utilities successful in obtaining a conditional use permit shall commence operations within a specified time of ten (10) years. Noncompliance with the above time limitations renders the approval of said permit null and void.

2-10-7 Modification, Extension, and Revocation:

Upon request of the holder of a conditional use permit, the commission may modify or extend the term, conditions and limitations of said permit in accordance with the limitations and requirements of this title. The commission may revoke or modify, upon notice and hearing, a conditional use permit for the breach or violation of any condition or limitation of said permit.

2-10-8 Decision by the Commission:

Within forty-five (45) days from the public hearing, the Commission shall approve the permit as requested, or it may approve a modification of the permit requested, or it may deny the permit. The Commission shall insure that approvals for permits are in accordance with the comprehensive plan.

Appeal to Board of County Commissioners:

- A. An appeal may be made to the board regarding the decision of the commission by any of the following persons:
 - 1. Rejected applicant.
 - 2. Anyone who personally appeared or filed a written comment or voiced an opinion at the hearing.

3. Anyone within three hundred-foot (300') radius of the exterior boundary of subject property or as required by this title.

4. Anyone who has substantial information that may alter conditions that were present at the hearing.

B. Appeals must be filed within fourteen (14) calendar days.

Action by Board:

Within a reasonable time after receipt of an appeal, the board shall establish a date for hearing such appeal and shall notify the affected parties of the date, time, place and purpose thereof. Upon hearing the appeal, the board shall consider the record and such additional evidence as may be offered and may affirm, reverse or modify, in whole or in part, the order, requirement, permit, decision, or determination appealed from, or make and substitute any additional conditions which in its deliberations it may find warranted under the provisions of this title, or may remand it back to the planning commission for consideration. Nothing contained herein is intended to affect or alter any party's right to appeal to a district court.

Application resubmittal:

No application for a conditional use permit which has been denied by the board shall be resubmitted in either the same or substantially the same form or with reference to substantially the same premises for the same purpose in less than six (6) months from the date of final action thereon.

2-10-9 Planned Unit Developments:

Planned developments, as defined, are of such substantial different character from zoned and special permit usages that specific and additional standards and exceptions are required. The planned unit development may be superimposed upon any or all zones where planned unit developments are allowable as a conditional use, and shall be governed by the Camas County planned unit development provisions in this ordinance. Planned unit developments shall be located one thousand three hundred twenty feet (1,320') or one-fourth ($\frac{1}{4}$) mile from an existing livestock confinement operation's waste lagoon's closest inside edge of the retaining wall and at least four hundred feet (400') from a livestock confinement operation's corral's outside edge.

Chapter 11

PROCEDURES FOR APPROVAL OF PLANNED UNIT DEVELOPMENTS (PUD)

SECTION A. PURPOSE

Whereas the regulations in this Ordinance and the zoning categories are designed to apply to individual lots and minimum area parcels, the planned unit development procedure in Idaho Code 67-6515 is intended to be used to permit a degree of flexibility and diversification in the use of land for planned development which will provide a development as good or better in function and relationship to the area as the traditional lot by lot development.

It shall be the policy to promote progressive development of land and construction by encouraging planned unit developments (PUD) to achieve the following:

1. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements.
2. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses, industrial use and services.
3. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns.
4. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
5. A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the comprehensive plan.

SECTION B. PROVISIONS GOVERNING PLANNED UNIT DEVELOPMENT

Whenever there is a conflict of difference between the provisions of this article and those of the other articles of this ordinance, the provisions of this article shall prevail. Subjects not covered by this article shall be governed by the respective provisions found elsewhere in this ordinance.

SECTION C. MINIMUM AREA

A planned unit development shall contain an area of not less than:

1. Three (3) acres for residential development.
2. Five (5) acres for residential use with subordinate commercial or industrial uses.
3. Ten (10) acres for commercial use.
4. Ten (10) acres for industrial use.

SECTION D. USES PERMITTED

All uses that may be allowed within the land use district are permitted within a PUD. Also, up to ten (10) per cent of the gross land area may be directed to other commercial, industrial, public and quasi/public uses that are not allowed within the land use district, provided there is a favorable finding by the Commission:

1. That the uses are appropriate with the residential uses.
2. That the uses are intended to serve principally the residents of the PUD.
3. That the uses are planned as an integral part of the PUD.
4. That the uses be located and so designed as to provide direct access to a collector or an arterial street without creating congestion or traffic hazards.
5. That a minimum of fifty (50) per cent of the residential development occur prior to the development of the related commercial or industrial land uses.

SECTION E. OWNERSHIP REQUIREMENTS

A property owner or a person having an existing interest in the property to be included in the planned unit development may file an application for approval of a PUD. The PUD application shall be filed in the name or names of the recorded owner or owners of property included in the development. However, the holder(s) of an equitable interest in such property may file the application.

Before approval is granted to the Final Development Plan, the entire project shall be under single ownership or control and legal title must be presented with the Final Development Plan.

SECTION F. COMMON OPEN SPACE

A minimum of ten (10) per cent of the gross land area developed in any residential planned unit development project shall be reserved for common open space and recreational facilities for the residents or users of the area being developed.

The required amount of common open space land reserved under a planned unit development shall either be held in corporate ownership by owners of the project area for the use of each owner who buys property within the development or be dedicated to the public and retained as common open space for parks, recreation, and related uses.

Public utility easements are not acceptable for common open space dedication.

The developer before approval of the final development plan shall specify the responsibility for the maintenance of all open spaces.

Every property developed under the planned unit development approach should be designed to abut upon common open space or similar areas. A clustering of parcels and/or dwellings is encouraged. In areas where townhouses are used, there shall be no more than eight (8) townhouse units in any contiguous group.

SECTION G. UTILITY REQUIREMENTS

Underground utilities, including telephone and electrical systems, are required within the limits of all planned unit developments. Appurtenances to these systems, which can be effectively screened, may be excepted from this requirement if the Board finds that such exemption will not violate the intent or character of the proposed planned unit development.

SECTION H. INCREASED RESIDENTIAL DENSITY

To provide for an incentive for quality PUD, the Board may authorize an increased residential density of up to fifteen (15) per cent of the allowable number of dwelling units. Character, identity, and architectural and siting variation incorporated in a development shall be considered cause for density increases, provided these factors make a substantial contribution to the objectives of the PUD, which are as follows:

1. Landscaping (a maximum increase of five (5) per cent); streetscape; open spaces and plazas; use of existing landscaping; pedestrian/way treatment; and recreational areas.
2. Siting (a maximum increase of five (5) per cent); visual focal points; use of existing physical features such as topography, view; sun and wind orientation; circulation pattern; physical environment; variation in building setbacks; and building grouping (such as clustering).
3. Design features (a maximum increase of five (5) per cent); street sections; architectural styles; harmonious use of materials; parking areas broken by landscaping features; and varied use of housing types.

SECTION I. ARRANGEMENT OF COMMERCIAL USES

When planned unit development districts may include commercial uses, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations

at intersections. Planning screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas.

The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding non-commercial areas.

All areas designed for future expansion or not intended for immediate improvement or development shall be landscaped or otherwise maintained in a neat and orderly manner.

SECTION J. ARRANGEMENT OF INDUSTRIAL USES

Planned unit development districts may include industrial uses if it can be shown that the development results in a more efficient and desirable use of land.

Industrial uses and parcels shall be developed in park/like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks, and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and a compact grouping, in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order to reduce through traffic.

Project side yards of forty (40) feet and a rear yard of fifty (50) feet shall be required if the project is located adjacent to any residential uses. All intervening spaces between buildings, drives, parking areas, and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

SECTION K. PROCEDURE FOR APPROVAL OF A PUD

When the PUD also qualifies as a subdivision, the processing of the subdivision application shall occur at the same time.

SECTION L. PRE-APPLICATION MEETING

The developer shall meet with the Administrator prior to the submission of the preliminary development plan. The purpose of this meeting is to discuss early and informally the purpose and effect of this ordinance and the criteria and standards contained herein, and to familiarize the developer with the comprehensive development plan, zoning ordinance, subdivision ordinance, and such other plans and ordinances as deemed appropriate.

SECTION M. CONTENTS OF APPLICATION FOR APPROVAL OF PRELIMINARY

DEVELOPMENT PLAN

An application for preliminary planned unit development shall be filed with the Administrator by a property owner or person having existing interest in the property for which the planned unit development is proposed. At a minimum, the application shall contain the following information filed in triplicate:

1. Name, address, and telephone number of applicant.
2. Name, address, and telephone number of registered surveyor, registered engineer and/or urban planner assisting in the preparation of the preliminary development plan.
3. Legal description of property.
4. Description of existing use.
5. Zoning districts.
6. A vicinity map at a scale approved by the Administrator or Commission, showing property lines, streets, existing and proposed zoning, and such other items as the Commission may require to show the relationship of the planned unit development to the comprehensive plan and to existing schools and other community facilities and services.
7. A preliminary development plan at a scale approved by the Administrator or Commission showing topography at two (2) foot intervals or as required otherwise by the Commission; location and type of residential, commercial, and industrial land uses; layout, dimensions, and names of existing and proposed streets; right-of-ways; utility easements; parks and community spaces; layout and dimensions of lots and building setback lines; preliminary improvement drawings showing water, sewer, drainage, electricity, telephone, and natural gas; and such other characteristics as the Commission deems necessary.
8. Proposed schedule for the development of the site.
9. Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within two (2) years.
10. A written statement, by the developer, setting forth the reasons why, in his opinion, the planned unit development would be in the public interest, shall accompany the application for preliminary planned unit development.

SECTION N. PROCEDURE FOR PUBLIC NOTICE

The same provision for public hearing and legal notification as required for conditional use permits shall be followed. The Planning and Zoning Commission shall hold a public hearing on the preliminary

planned unit development plan and submit its recommendation to the Board.

SECTION O. APPROVAL IN PRINCIPLE BY THE BOARD

The Board shall review the preliminary development plan to determine if it is consistent with the intent and purpose of this ordinance; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses, and the inter-relationship with the land uses in the surrounding area justify the deviation from standard district regulations. The Commission's approval in principle of the preliminary development plan shall be necessary before an applicant may submit a final development plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility.

SECTION P. CONTENTS OF APPLICATION FOR APPROVAL OF FINAL DEVELOPMENT PLAN

Upon approval, in principle, of a preliminary development plan, an application, for approval of the final development plan, may be filed with the Administrator by at least one property owner or person having a presently existing interest in the property for which the planned unit development is proposed. Each application shall be signed by the owner or lessee, attesting to the truth and exactness of all information, supplied on the application for final development plan. Each application shall clearly state that the approval shall expire and may be revoked if construction on the project has not begun within two (2) years from the date of issuance of the approval. At a minimum, the application shall contain the following information unless not required by the Administrator:

1. A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including major wooded areas, structures, streets, easements, utility lines, and land uses.
2. All the information required on the preliminary development plan; the location and sizes of lots, location and proposed plan; the location and sizes of lots, location and proposed density of dwelling units, non-residential building intensity; and land use considered suitable for adjacent properties.
3. A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed project for various uses, the number of housing units

- proposed by type; estimated residential population by type of housing; estimated non-residential population; anticipated timing for each unit; and standards for height, open space, building density, parking areas, population density and public improvements proposed for each unit of the development whenever the applicant proposes an exception from standard zoning districts or other ordinances governing development.
4. Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, telephone, and natural gas installations; waste disposal facilities; street improvements, and nature and extent of earth work required for site preparation and development.
 5. Site plan, showing building(s), various functional use areas, circulation, and their relationship.
 6. Preliminary building plans, including floor plans and exterior elevations.
 7. Landscaping plans.
 8. Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained.

SECTION Q. RECOMMENDATION BY COMMISSION

Within sixty (60) days after receipt of the final development plan, the Commission shall hold a public hearing and recommend to the Board that the final development plan be approved as presented, approved with supplementary conditions, or disapproved. The Commission shall then transmit all papers constituting the record and the recommendations to the Board.

The Commission shall find that the facts submitted with the application and presented to them establish that;

1. The proposed development can be initiated within two (2) years of the date of approval.
2. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations.
3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such

amounts as to overload the street network outside the planned unit development.

4. Any proposed commercial development can be justified at the locations proposed.
5. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the planned unit development and the adopted policy of the Board.
6. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
7. The planned unit development is in general conformance with the comprehensive plan.
8. The existing and proposed utility services are adequate for the population densities and non-residential uses proposed.

SECTION R. ACTION BY THE BOARD

Within sixty (60) days after receipt of the final recommendation of the Commission, the Board may hold a public hearing and shall approve, approve with supplementary conditions, or disapprove the application as presented. If the application is either approved or approved with conditions, the Board shall direct the Administrator to issue permits only in accordance with the approved final development plan and the supplementary conditions attached thereto.

SECTION S. EXPIRATION AND EXTENSION OF APPROVAL PERIOD

The approval of a final development plan for a planned unit development shall be for a period not to exceed two (2) years to allow for preparation and recording of the required subdivision plat and the development of the project. If no construction has begun within two (2) years after approval is granted, the approved final development plan shall be void. An extension of the time limit or modification of the approved final development plan may be approved if the Board finds that such extension or modification is not in conflict with the public interest.

Chapter 12

NON-CONFORMING USES

SECTION A. INTENT

It is the intent of this ordinance to permit these non-conforming uses to continue until they are removed, but not to encourage their survival. It is further the intent of this ordinance that non-conforming uses shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

SECTION B. INCOMPATIBILITY OF NON-CONFORMING USES

Non-conforming uses are declared by this ordinance to be incompatible with permitted uses in the districts in which such use is located. A non-conforming use shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.

SECTION C. AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been carried on diligently.

SECTION D. SINGLE NON-CONFORMING LOTS

In any district in which single-family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any single lot, (see definition of lot), at the effective date of adoption or amendment of this ordinance, notwithstanding limitations imposed by other provisions of this ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.

SECTION E. NON-CONFORMING USES OF STRUCTURES OR OF STRUCTURES AND LAND IN COMBINATION

If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this ordinance that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. No non-conforming use shall be extended to occupy any additional land area.
3. If no structural alterations are made, any non-conforming use of a structure or structure and land, may, upon the issuance of a conditional use permit by the Board, be changed to another non-conforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board may require appropriate conditions and safeguards in accord with other provisions of this ordinance.
4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed.
5. When a non-conforming use of a structure, or structure and land in combination, is discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), the structure, or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
6. Where non-conforming use status applies to a structure and land in combination, and such structure is destroyed, the structure may be rebuilt provided that the new structure is located on the same footprint as the original structure; a building application is approved; and the new structure complies with the International Building Code.

SECTION F. REPAIRS AND MAINTENANCE

On any non-conforming structure, or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became non-conforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety upon order of such official.

Chapter 13

APPEAL AND VARIANCE

SECTION A. GENERAL

The Commission shall consider administrative appeals where it is alleged that an error has been made by the Administrator and variances from the terms of this ordinance.

SECTION B. ADMINISTRATIVE APPEALS

Appeals to the Commission concerning the interpretation or administration of this ordinance, may be taken by any person aggrieved, or by any officer or bureau of the legislative authority affected by any decision of the Administrator. Such appeal shall be taken within ten (10) days after the decision of the Administrator by filing with the Administrator and with the Commission a notice of appeal specifying the grounds upon which the appeal is being taken. The Administrator shall transmit to the Commission chairperson all the papers constituting the record upon which the action appealed from was taken.

SECTION C. HEARING

Upon receipt of the application for an appeal, the Commission shall hold a hearing, publish notice in a newspaper, and give written notice to all parties as required by Idaho Code Section §67-6509.

SECTION D. ACTION BY THE COMMISSION

Within forty-five (45) days after the hearing the Commission shall either approve or disapprove the request for appeal. The Commission shall further make a written finding that the reasons set forth in the application for an appeal justifies the granting or denial of the appeal.

SECTION E. SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

Under no circumstances shall the Commission grant an appeal to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district. In granting any appeal, the Commission may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the appeal is granted, shall be deemed a violation of this ordinance.

SECTION F. NOTIFICATION TO APPLICANT

Within thirty (30) days after a decision has been rendered the Commission shall provide the applicant with written notice of the action on the request.

SECTION G. APPEAL TO BOARD

Upon receipt of an appeal from a decision of the Commission, the Board shall set a hearing date within sixty (60) days to consider all information, testimony and the Commission's minutes of the public hearing to reach a decision to uphold or overrule the decision, provided the appeal is submitted to the Board within ten (10) days from the Commission's action. The Board shall only overrule the Commission by a majority vote of its members.

SECTION H. VARIANCE

The Commission may consider in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for consideration of a variance. Variances shall not be recommended on the grounds of convenience or profit, but only where strict application of the provisions of this ordinance would result in unnecessary hardship. Variances shall be in compliance with Title 67 6516 of the Idaho Code.

SECTION I. APPLICATION AND STANDARDS FOR VARIANCES

A variance, by the terms of this ordinance, shall not be considered by the Commission unless, and until, a written application for a variance is submitted to the Administrator and the Planning and Zoning Commission containing:

1. Name, address, and telephone number of applicant(s).
2. Legal description of property.
3. Description of nature of variance requested.
4. A narrative statement demonstrating that the requested variance conforms to the following standards:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

b. That a literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.

c. That special conditions and circumstances do not result from the actions of the applicant.

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

A variance shall not be recommended unless the Commission, through reasoned decision, based directly on the particular evidence presented to it, concludes that the above mentioned standards and conditions have been met by the applicant.

SECTION J. PUBLIC HEARING

Upon receipt of the application for a variance, the Commission shall hold a public hearing, publish notice in a newspaper, and give written notice to all parties as required by Idaho Code Section §67-6509

SECTION K. RECOMMENDATION BY THE COMMISSION

Within forty-five (45) days from the public hearing, the Commission shall transmit its recommendation to the Board. The Commission may recommend that the variance be granted as requested, or it may recommend a modification of the variance requested, or it may recommend that the variance be denied. The Commission shall insure that any favorable recommendations for variances are in accordance with the Comprehensive Plan and established goals and objectives.

SECTION L. ACTION BY THE BOARD

Within sixty (60) days following receipt of the recommendation of the Commission, the Board shall approve, disapprove, or conditionally approve the application. The Board shall make a written finding that the reasons set forth in the application for a variance justifies the granting or denial of the application. If the application is approved or approved with modifications, the Board shall adopt the variance and direct the Administrator to issue a variance permit listing the specific conditions specified by the Board for approval.

SECTION M. SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

Under no circumstances shall the Board grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited

by the terms of this ordinance in said district. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

SECTION N. NOTIFICATION TO APPLICANT

Within thirty (30) days after a decision has been rendered the Administrator shall provide the applicant with written notice of the action on the request.

SECTION O. RESUBMISSION OF APPLICATION

No application which has been denied by the Board shall be resubmitted in either substantially the same form or with reference to substantially the same premises for the same purposes within a period of one (1) year from the date of such final action.

Chapter 14

BUILDING PERMITS

Section A. Building Permit 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 therefore issued by the Building Administrator. Building permits shall be issued only in conformity with the provisions of this ordinance, or, unless exempted from a permit by the International Building Code.

1. Work Commencing Before Permit Issuance

Pursuant to the International Building Code, any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees.

Section B. Contents of Application for Building Permit

The application for a building shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun or is substantially completed within one hundred and eighty (180) days. At minimum, the application shall contain the following information; the Commission or the Building Administrator may waive any of the following items if it is determined that such information is not needed to evaluate a particular application:

1. Name, address, and telephone number of applicant.
2. Legal description of property.
3. Existing use.
4. Proposed use.
5. Zoning district.
6. Two (2) sets of plans, drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration.
7. Building heights.
8. Number of off-street parking spaces or loading berths.
9. Number of dwelling units.
10. Proposed sewer and water facilities.
11. Approximate locations of any existing sewer and water services.

12. Such other matters as may be necessary to determine conformance with, and provide for, the enforcement of this ordinance.
13. Original parcel or first split proven by applicant if not in subdivision or PUD.
14. Wildland Fire Hazard Mitigation Plan requirements
15. Weed Management Plan will be submitted to Camas Creek Cooperative Weed Management Area.
16. Residential Energy Code Certification or Reschek.

Section C. Approval of Building Permit

Within thirty (30) days after the receipt of an application, the Building Official shall either approve or disapprove the application in conformance with the provisions of this ordinance. All building permits shall, however, be conditional upon the commencement of work within one hundred and eighty (180) days. One copy of the plans shall be returned to the applicant by the Building Official after the Building Official has marked such copy either as reviewed for compliance with the appropriate codes and attested to same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Building Official. The Building Official shall issue a permit, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this ordinance and appropriate codes.

Section D. Expiration of Building Permit

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section E. Record of Building Permits and Certificates of Occupancy

The Building Official shall maintain a record of all building permits and certificates of occupancy and copies shall be furnished upon request to any person.

Section F. Failure to obtain a building permit or certificate of occupancy or letter of compliance shall be a violation of this ordinance.

Section G. All building permits, excluding agricultural buildings, shall include a monetary deposit in addition to any other required costs and fees for all necessary inspections or certifications.

a. The deposit shall be equal to ten percent (10%) of final value of the building permit. The minimum deposit shall be one hundred dollars (\$100.00), and the maximum deposit shall be five hundred dollars (\$500.00).

b. The deposit shall be returned to the applicant once the Camas County Building Official has issued a final inspection certificate (agricultural building) Certificate of Occupancy or letter of completion to the applicant. If one of these certificates has not been issued within thirty-six (36) months after the issuance of the building permit, said deposit shall be forfeited to Camas County without further notice or hearing.

c. An applicant may make a written appeal to the Planning and Zoning Commission to show just cause why the deposit should not be forfeited. Such an appeal shall be made to the Camas County Planning and Zoning Administrator no later than thirty (30) days after the deposit is forfeited. The Planning and Zoning Commission shall consider the appeal at its next regularly scheduled meeting after the filing of such appeal and as required by the notice requirements of the Zoning Ordinance and the Idaho Code. The Planning and Zoning Commission shall make a final decision on the appeal within forty-five (45) days of considering the appeal. The standards used by the Planning and Zoning Commission to grant appeals are as follows:

1. The construction status of the building(s) at issue;
2. The likelihood of completion of construction in a timely fashion;
3. Whether the failure to obtain a final inspection certificate, Certificate of Occupancy or letter of completion is due to the fault, negligence, carelessness, or delay of the applicant, third parties, or natural disasters.

d. If the Planning and Zoning Commission finds that the applicant has shown good cause for the delay in obtaining the required certificate, an extension to obtain such a certificate shall be granted. Any such extension shall be for a period of time not to exceed twelve (12) months from the original date of forfeiture. There shall be a maximum of two (2) extensions granted.

e. An applicant may appeal the decision of the Planning and Zoning Commission to the Camas County Board of Commissioners.

Section H. Construction and Use To Be As Provided In Applications, Plans, Permits, and Certificates.

Building Permits or Certificates of Occupancy issued on the basis of plans and applications approved by the Building Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this ordinance.

Sections I. Complaints Regarding Violations

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the Building Official. The Building Official shall record properly such complaint, investigate, and take action if necessary at his discretion thereon as provided by this ordinance.

Section J. Penalties

The County Attorney may, in addition to taking whatever criminal action deemed necessary, take steps to civilly enjoin any violation of this ordinance. Penalties for failure to comply with or violate the provisions of this ordinance shall be as follows:

"Violation to any of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense. The land owner, tenant, sub-divider, builder, public official, or any other person, who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense. Nothing herein contained shall prevent the Board or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this ordinance or of the Idaho Code."

Section K. Schedule of Fees, Charges, and Expenses

The Board shall establish by resolution a schedule of fees, charges, and expenses and a collection procedure for building and zoning permits,

amendments, appeals, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this ordinance requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Administrator, and may be altered or amended only by the Board. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Chapter 15

AMENDMENT

SECTION A. GENERAL

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board may by ordinance after receipt of recommendation thereon from the Commission, and subject to procedures provided by; law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

SECTION B. INITIATION OF ZONING AMENDMENTS

Amendments to this ordinance may be initiated in one of the following ways:

1. By a recommendation by the Commission.
2. By a recommendation by the Board.
3. By the filing of an application by a property owner or a person who has existing interest in property within the area proposed to be changed or affected by said amendment.

SECTION C. CONTENTS OF APPLICATION

Applications for amendments to the Official Zoning Map adopted as part of this ordinance shall contain at least the following information:

1. Name, address, and telephone number of applicant.
2. Proposed amending ordinance, approved as to form by the Board.
3. Present land use.
4. Present zoning district.
5. Proposed use.
6. Proposed zoning district.
7. A vicinity map at a scale approved by the Administrator showing property lines, thoroughfares, existing and proposed zoning and such other items as the Administrator may require.
8. A list of all property owners and their mailing addresses who are within 300 feet, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest.
9. A statement on how the proposed amendment relates to the comprehensive plan, availability of public facilities and

- compatibility with the surrounding area.
10. A fee as established by the Board.

SECTION D. TRANSMITTAL TO COMMISSION

Immediately after the adoption of a recommendation by the Commission or Board, or the filing of an application by a property owner or a person who has existing interest in the property, said recommendation or application shall be transmitted to the Commission.

SECTION E. COMMISSION PUBLIC HEARING

The Commission shall hold a public hearing on the proposed amendment and provide for public notification in the following manner:

1. Notice of public hearing in Newspaper - Notice of the public hearing shall be given in at least one publication of the official newspaper. Said notice shall be published at least fifteen (15)

days before the date of the required hearing. The published notice shall set forth the time and place of the public hearing and a summary of the proposed amendment. Notice shall be provided as set forth in Idaho Code 67-6509

2. Notice to Property Owners - Written notice of the hearing shall be mailed, by first class mail, at least fifteen (15) days before the day of the public hearing to all owners of property within, contiguous to, and directly across the street from such area proposed to be rezoned to the address of such owners appearing on the County Assessor's current tax list. The failure to deliver the notification, as provided in this section shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspapers. Notice shall be provided as set forth in Idaho Code 67-6509 and 67-6511.

SECTION F. RECOMMENDATION BY COMMISSION

Within sixty (60) days from the receipt of the proposed amendment, the Commission shall transmit its recommendation to the Board. The Commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied. The Commission shall insure that any favorable recommendations for amendments are in accordance with the comprehensive plan and established goals and objectives.

SECTION G. ACTION BY BOARD

The Board, after the receipt of the Commission's recommendation, may conduct a public hearing pursuant to Idaho Code Section 67-6511. The Board may accept or reject, in all or in part, the recommendation of the Commission.

Notice shall be provided as set forth in Idaho Code 67-6509.

SECTION H. RESUBMISSION OF APPLICATION

No application for a reclassification of any property which has been denied by the Board shall be resubmitted in either substantially the same form or with reference to substantially the same premises for the same purposes within a period of one (1) year from the date of such final action, unless there is an amendment in the comprehensive plan which resulted from a change in conditions as applying to the specific property under consideration.