

## CHAPTER 3 – ZONING DISTRICTS

### 1.0 Dubois/Spencer Residential Zoning District

- A. Purpose.** The purpose of the Dubois Residential Zoning District (DRZD) and Spencer Residential Zoning District (SRZD) is to provide areas in which existing and new single family dwellings will be free of conflicts that arise where residential uses are mixed with commercial or industrial enterprises,
- B. Permitted Uses.** See Land Use Chart, Table 1:
- C. Conditional Uses.** See Land Use Chart, Table 1:
- D. Performance Standards.** Development in the DRZD and the SRZD shall be subject to the general performance standards.

### 2.0 Rural Zoning District

- A. Purpose.** The purpose of the Rural Living Zoning District (RLZD) is to promote continued agricultural use of most rural private lands within Clark County, while also providing for other traditional rural activities, including small-scale mining (large mining operations are industrial uses), logging, and home businesses that are compatible with farm and ranch operations. This zoning district also permits limited development of rural residences and commercial uses.
- B. Permitted Uses.** See Land Use Chart, Table 1:
- C. Conditional Uses.** See Land Use Chart, Table 1:
- D. Specification Standards.**

**Density Factors in Rural Clark County**

Column 1 Planning Area	Column 2 Density : Acreage
Kilgore	1:40
Spencer	1:20 (outside of City Area of Impact)
Medicine Lodge Crooked Creek	1:20
Birch Creek	1:20
Snake River Plain	1:20
Rural Residential Zoning District	1:2.5

- E. Non-Conforming Lots** - Parcels or Lots existing in the RLZD prior to January 1, 2011 (the official adoption date of this Code) which do not meet the density requirements stated above shall retain a vested right of one (1)

building permit on said property. That vested right shall be transferable upon sale of the property to another. The parcel may not be split to form two non-conforming parcels. The parcel in question shall meet the minimum lot size of 2.5 acres and all other development requirements of this title

#### **F. Transfer of Development Rights**

1. The development rights may be transferred to any suitable site and need not be contiguous. Both a plat map and a full legal description of the lands from which any such transfer is proposed shall accompany the application for a permit.
2. The development rights may be transferred to other properties within the same planning area (see Planning Area Map for area boundaries). Both a surveyed plat map and a full legal description of the lands from which any such transfer is proposed shall accompany the application for a permit, as shall a statement of consent to the transfer signed by the owners involved. The instruments necessary for transfer of development rights shall be recorded with the Clark County Clerk and Assessor's Offices before a certificate of compliance is issued.

#### **3.0 Commercial Zoning District**

- A. Purpose.** The purpose of the Commercial Zoning District (CZD) is to provide a place for existing and new commercial uses.
- B. Permitted Uses.** See Land Use Chart, Table 1:
- C. Conditional Uses.** See Land Use Chart, Table 1:
- D. Performance Standards.** Development in the CZD shall be subject to the general performance standards.

#### **4.0 Industrial Zoning District**

- A. Purpose.** The purpose of the Industrial Zoning District (IZD) is to provide places where industrial uses can operate with minimal conflict with less intensive uses.
- B. Permitted Uses.** See Land Use Chart, Table 1:
- C. Conditional Uses.** See Land Use Chart, Table 1:
- D. Performance Standards.** Development in the IZD shall be subject to the general performance standards.

#### **5.0 Rural Residential Zoning District**

- A. Purpose.** The purpose of the Rural Residential Zoning District (RRZD) is to provide for a density of 1:2.5 acres for rural residential development in Clark County. See inserted map of the RRZD area (Clark County 2 Mile Buffer).
- B. Permitted Uses.** See Land Use Chart, Table 1:
- C. Conditional Uses.** See Land Use Chart, Table 1:
- D. Performance Standards.** Development in the RRZD shall be subject to the general performance standards. See Specifically Chapter 4, Section 5.0 Access

**Table 1: Permitted and Conditional Land use in Clark County**

<b><u>RESIDENTIAL USES</u></b>	<b>D R Z D</b>	<b>S R Z D</b>	<b>R L Z D</b>	<b>R R Z D</b>	<b>C Z D</b>	<b>I Z D</b>
Construction or relocation of roads on new alignments, or the addition of general purpose travel lanes to an existing road requiring new right-of-way.	C	C	C	C	C	C
Planned Unit Developments	C	C	C	C	C	C
Dwelling, Single Family Detached	P	P	P	P	C	
Dwelling, Two Family	P	P	C	P	C	
Dwelling, Single Family Attached	C	C	C	P	C	
Dwelling, Multiple Family – Condos	C	C	C	C	C	
Home Business	P	P	P	P	C	
Lot Split	P	P	P	P	P	P
Manufactured Home (meeting Performance Standards)	P	P	P	P	C	
Mobile Home Park	C	C	C	C		
Mobile Home Single (meeting Performance Standards)	P	P	P	P	C	
Other Residential Accessory and Incidental Uses	P	P	P	P	C	
Private Swimming Pool/Tennis Court	P	P	P	P	C	
Secondary Residential or Caretaker housing (Meet Performance Standards)	P	P	P	P	C	
Shelter Homes with 8 or less clients	C	C	C	C	C	
Subdivision	C	C	C	C	C	
<b><u>AGRICULTURAL USES</u></b>						
Agriculture general ( farming & ranching)	P	P	P	P		C
Beekeeping			P	P		C
Breeding or raising domestic animals for sale, food or pleasure	P	P	P	P		
Chicken / Turkey Farm			C	C		
Commercial Feedlot			C	C		
Confined Animal Feeding Operation (CAFO)			C	C		
Dairy Business			P	C		
Dude Ranch		P	P	C		
Gardens and orchards home use	P	P	P	P		
Hog Farm			C	C		
Kennel	P	P	P	P		
Orchard Commercial	P	P	P	P	P	C
Orchard Home business	P	P	P	P	P	
Raising of fur-bearing animals	C	C	P	C		C
Sales stands for produce grown on premises	P	P	P	P	P	P
Stables, Riding academies	C	P	P	P	C	
Wildlife reserve			P	C		
Wildlife game farm			P	C		

<u>COMMERCIAL USES AND SERVICES</u>	<b>D R Z D</b>	<b>S R Z D</b>	<b>R L Z D</b>	<b>R R Z D</b>	<b>C Z D</b>	<b>I Z D</b>
Administration & Business Offices				C	P	P
Animal Clinic or pet hospital			P	P	P	P
Antique/Collectable/Handicraft/Hobby Sales			C	P	P	P
Auto/truck wash				C	P	P
Auto/truck Salvage (junkyard) & metal, rag, glass, paper, and plastic recycling operation			C	C	C	C
Auto/truck parts, tires & Accessories				C	P	P
Auto/truck used parts and/or rebuilding				C	C	C
Auto/truck repair, towing				C	P	P
Auto/truck/trailer/farm equipment Sales				C	P	P
Bakery/confectionery/Deli			C	P	P	P
Bank/ Financial institutions			C	C	P	P
Barber/Beauty Shop	C	C	C	P	P	P
Bed & Breakfast Facilities (Inn)less than 6 rooms	C	C	C	P	P	
Billboards (Outdoor Advertising)			C	C	P	P
Boat/Recreation Vehicle Sales, Service and rental			C	C	P	P
Book/Stationery/print shop/Music store				C	P	
Building Material/Home Improvement/Hardware Sales				C	P	P
Building/yard maintenance Service			C	C	P	P
Cabinet / Furniture Sales/Repair				P	P	P
Commercial parking				C	P	P
Contractor, Pump and Well Drilling				C	P	P
Contractor, General			C	C	C	P
Contractor, Excavation/ Heavy Equipment/ storage yard			C	C	C	P
Contractor , Building			C	C	P	P
Convenience Store w/o gasoline sales	C	C	C	P	P	P
Convenience Store with gasoline sales	C	C	C	P	P	P
Day Care Center	C	C	C	P	P	
Day Care Home 1-6 Children	P	P	P	P		
Department Store				C	P	
Garden/Nursery Store				P	P	P
Gasoline Service Station				P	P	P
Grocery Store				C	P	C
Hotel/Motel		C		C	P	
Laundry/dry cleaning/Laundromat	C	C	C	P	P	C
Leather Goods Sales/Repairs	C	C		P	P	P
Liquor Sales	C	C		P	C	
Medical/Dental Clinic-Offices	C	C		C	P	
Mini/Self Storage Units	C	C		C	P	P
Mobile Home/Manufactured Home Sales				C	C	C
Mortuary	C	C		C	P	P
New/Use Vehicle Sales				C	P	P
Adult Material sales/rental				C	C	
Pawn Shop				C	P	P
Pet Shop			C	C	P	P
Pharmacy				C	P	

	<b>D R Z D</b>	<b>S R Z D</b>	<b>R L Z D</b>	<b>R R Z D</b>	<b>C Z D</b>	<b>I Z D</b>
Restaurant/ Quick food establishment	C	C	C	C	P	C
Retail Sales		C	C	C	P	C
Small Appliance/Computer sales and Repair			C	P	P	C
Sporting Goods		C	C	C	P	C
Storage of Boats/RV's/Autos/Trucks				C	P	P
Studio - Health, Exercise, Massage	C	C	C	C	P	
Studio - Art/photo/drama/dance	C	C		P	P	
Tavern, Dance Hall, Night Club	C	C	C	C	C	C
Theater, outdoor		C	C	C	C	
Theater, indoor			C	C	P	C
Truck Stop		C	C	C	C	P
Variety Store				C	P	
Railroad Car/cargo containers as storage		C	C	C	C	C
Buses and truck trailers as storage			C	C	C	C
<b><u>INSTITUTIONAL / SPECIAL USES</u></b>						
Airport/Heliport , Private			C	C	C	C
Airport/Heliport, Public			C	C	C	C
Cemetery	C	C	C	C		
Church/ Religious Assembly	C	C	C	C	C	
Fire Station	C	C	C	C	P	P
Preschool (See Day Care Center)	C	C	C	C	C	
Private School	C	C	C	C	C	
Public Park	P	P	P	P	P	C
Public School	C	C	C	C	C	
Public Building	C	C	C	C	P	P
Trade , Vocational or commercial schools	C	C	C	C	P	P
Zoo	C	C	C	C	C	
<b><u>INDUSTRIAL USES</u></b>						
Chemical storage distribution				C	C	C
Component assembly				C	C	C
Concrete Batch Plant			C	C		C
Contractor, Landscape/Fencing		C	C	C	C	P
Energy Production Facilities			C	C	C	P
Freight Terminal			C	C	C	P
Fuel / coal/ firewood/propane dealer		C	C	C	C	P
General Warehousing			C	C	C	P
Lumber/sawmill plant/ Lumber yard		C	C	C	C	P
Manufacturing plants				C		P
Petroleum bulk plants			C	C	C	P
Processing plant for agricultural products			C	C		P
Quarry/gravel pit/rock crushing/mining		C	C	C		C
Sheet metal/roofing/sign/fabrication shop				C	C	P
Welding/ Machine Shop			C	C	C	P
Wholesale outlets/storage and sales				C	P	P

<b><u>UTILITY &amp; RELATED SERVICE USES</u></b>	<b>D R Z D</b>	<b>S R Z D</b>	<b>R L Z D</b>	<b>R R Z D</b>	<b>C Z D</b>	<b>I Z D</b>
Hospital , Ambulance garage	C	C	C	C	C	
Irrigation Canals and facilities	P	P	P	P	C	C
Railroad tracks, right-of-way related facilities	C	C	C	C	C	C
Recycle bin for collection	P	P	P	P	P	P
Sewage, pumping, treatment	C	C	C	C	C	C
Water facilities, pumping , treatment, storage , well	C	C	C	C	C	C
Utilities Transmission line	C	C	C	C	C	C
Utilities, public or private other than listed	C	C	C	C	C	C
Utility Shops, Storage Yards and buildings	C	C	C	C	C	P
Utility Installation & Public Service Facility/Clark substation/gas metering-pumping station/Telephone switching- relay and Transmitting equipment	C	C	C	C	C	C
Wind Turbine Towers Personal and hobbyist private pole mounted non-guyed	C	C	C	C	C	C
Wind Turbines Commercial Wind Farms			C			
Wind Anemometers (for Wind Measurement Only)	C	C	C	C	C	C
Wireless communication facilities and tower/ Radio, Television or Microwave towers	C	C	C	C	C	C
<b><u>RECREATIONAL USES</u></b>						
Campground	C	P	P	P	C	
Golf Course	P	P	P	P	P	
Hunting lodge and rental cabins	C	C	P	P	C	
Indoor Entertainment, Sports and Recreation	C	C	P	P	P	
Marina			P	P	C	
Noise Park/ Dirt Bike track/ Outdoor Entertainment, Sports and Recreation		C	C	C	C	C
Public Swimming pool	P	P	P	P	P	
Public Riding stables	C	P	P	P	C	
Recreational Vehicle Park	C	C	P	P	C	
Shooting Preserve/ Hunting Farm			P	C		
Snowmobile rental		P	P	P	P	C
Theatrical shows, wagon rides, dinner theater indoor or outdoor	C	C	P	P	P	
Watercraft rental			C	C	P	
Winter sports facilities		C	C	P	P	

<u>TEMPORARY USES</u>	<b>D</b>	<b>S</b>	<b>R</b>	<b>RR</b>	<b>C</b>	<b>I</b>
	<b>R</b>	<b>R</b>	<b>L</b>	<b>RZ</b>	<b>Z</b>	<b>Z</b>
	<b>Z</b>	<b>Z</b>	<b>Z</b>	<b>ZD</b>	<b>D</b>	<b>D</b>
	<b>D</b>	<b>D</b>	<b>D</b>	<b>D</b>		
Carnival or Circus	C	C	C	C	C	
Christmas Tree Sales	P	P	P	P	P	P
Contractor's Office and construction equipment sheds and staging area		C	C	C	C	C
Fireworks Stand		C	C	C	C	
Real Estate sales office on land for sale	C	C	C	C	C	
Religious tent meeting	C	C	C	C		

**6.0 Uses Not Listed:**

Because listed uses can be incomplete, decisions on specific uses not listed will be rendered by the Planning and Zoning Administrator with appeal to the Planning and Zoning Commission. The planning department will maintain a copy of the new classification action and treat all subsequent requests for said use accordingly.

RRZD was approved and added to the Development Code January 11, 2016.

RRZD additional conditional uses approved January 9, 2017.

