







## Chapter 13 RECREATION DEVELOPMENT DISTRICT (RD)

#### 9-13-1: PURPOSE:

The recreation development district is a special use district designated to guide recreation development adjacent to specific recreational access points and to provide for public facilities when located adjacent to residentially zoned lands. (Ord. 98-6, 7-7-1998; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-13-2: **DEFINITIONS**:

The following terms are defined:

PRIMARY RECREATION DEVELOPMENT: Those facilities and structures directly related to use of the specific recreational resource.

RECREATION DEVELOPMENT PLAN: A master plan consisting of both a short term plan and a long term plan.

Long Term Plan: The long term plan shall present nondetailed plans of logical maximum development within the district.

Short Term Plan: A short term plan must specify all development planned within the following three (3) years.

SECONDARY RECREATION DEVELOPMENT: Those facilities or structures not vital to use of the specified recreational resource, but justified by their relation to the recreational resource itself and primary recreational development. (Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-13-3: DEVELOPABLE DENSITY:

There is no base density assigned for this district. The board may, after considering the recommendation of the commission, allow whatever developable density it deems justifiable inrelation to the recreation resource and primary recreational development; provided, however, that

the total developable density within this district shall never exceed one unit for one-fourth  $\binom{1}{4}$  acre. (Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-13-4: SUBMISSION AND CONTENTS OF A PLAN:

#### A. Recreation Development Plan:

- Description Of Plan: The developer(s) shall describe the recreation resource itself, together
  with present and potential utilization. The recreation development plan shall include a short
  term plan and a long term plan and distinguish between anticipated primary and secondary
  recreational development.
- 2. Review By Administrator: The administrator shall review all recreation development plan applications for conformance to this title, as amended, and the county comprehensive plan. The administrator may refer recreation development plan applications to the county engineer for technical review and local, state or federal agencies as deemed appropriate by the administrator, based upon the proposed use and the potential impact on ground water, potable water sources, infrastructure, and agencies' ability to provide public services. Such review shall be at the applicant's expense and shall be paid by the applicant prior to public hearing.
- B. Public Facility: A conditional use permit shall be required for a public facility. The submittal requirements for a conditional use permit application shall be as specified in subsections <u>9-25-2A</u> and F of this title.
- C. Wireless Communication Facilities: A conditional use permit shall be required for wireless communication facilities (see section <u>9-3-16</u> of this title). (Ord. 2006-13, 10-26-2006; Ord. 2001-10, 10-1-2001; Ord. 98-6, 7-7-1998; Ord. 93-6, 7-19-1993; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

### 9-13-5: CERTIFICATION; PUBLIC HEARING AND NOTIFICATION:

A. Certification Of Application: Upon receipt of the plan and all other required data, the administrator shall certify the application as complete and affix the date of application acceptance thereon.

B. Hearing Scheduled: Allowing sufficient time to conduct a site visit and write staff reports, the administrator shall then schedule the plan for the commission's next available hearing time wherein the legal notice requirements can be met. If no regular meeting time is available within one hundred eighty (180) days of certification, the administrator shall call a special commission meeting to be held not more than three (3) weeks after the end of the one hundred eighty (180)days, to hear the application.

C. Notice Of Hearing: Notice of the time, date and place of hearing shall be as set forth in subsection <u>9-25-4C</u> of this title. (Ord. 98-6, 7-7-1998; Ord. 95-2, 3-6-1995; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-13-6: ACTION BY COMMISSION:

- A. Recreation Development Plan: The commission shall consider the development plan and take public input at a duly noticed public hearing as set forth hereinabove. The commission shall recommend approval, conditional approval or disapproval, making appropriate findings to support its decision.
- B. Public Facility Conditional Use Permit Application: Action by the commission shall be as specified in section <u>9-25-5</u> of this title.
- C. Continuance Of Hearing: The commission may order the hearing to be continued up to thirty one (31) days at the same place, in which case no further published notice shall be required other than that requested by the commission. Continuation beyond thirty one (31) days shall require further published notice, according to section 9-13-5 of this chapter. The commission shall adopt its written findings of fact and recommendation on a recreation development plan or its written findings of fact and decision on a public facility conditional use permit application within thirty one (31) days after the decision by the commission.

#### D. Factors To Be Considered:

1. For a recreation development plan: The commission shall include any conditions of approval, recommendations for change of the plan or reasons used in coming to its decision. Factors that must be addressed by the commission and board in evaluating a proposed plan include:

a. The proposed development and its relationship to the specified recreation resource. The proposed development shall not degrade the recreation resource.

- b. The design of transportation facilities shall ensure minimum impact on existing and proposed development, topography and vegetation.
- c. The quality of site design and planning demonstrated and the extent that the plan preserves existing natural features, including air and water quality.
- d. Secondary development will not adversely affect utilization of the recreation resource.
- e. The impact of the proposed uses on potable water sources.
- 2. For a public facility conditional use permit: The standards of evaluation shall be as set forth in section <u>9-25-3</u> of this title. The commission may attach conditions of approval as specified in subsection <u>9-25-5A</u> of this title. (Ord. 2006-13, 10-26-2006; Ord. 98-6, 7-7-1998; Ord. 95-2, 3-6-1995; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-13-7: NOTIFICATION BY ADMINISTRATOR:

The administrator shall give the applicant written notice of the commission's recommendation on a recreation development plan or its written findings of fact and decision on a public facility conditional use permit application within ten (10) days after the commission has signed written findings of fact and decision. (Ord. 98-6, 7-7-1998; Ord. 95-2, 3-6-1995; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-13-8: ACTION BY BOARD:

- A. Public Hearing: The board shall hold a public hearing on a proposed recreation development plan at its earliest convenience. Public notice of the time and place of this hearing shall be published in a newspaper of general circulation at least fifteen (15) days in advance.
- B. Commission's Recommendation: At its next regular meeting after the hearing, the board shall approve, disapprove or modify the commission's recommendation on a proposed recreation development plan. If the board disapproves the commission's recommendation, it shall give the reasons used to come to that decision. (Ord. 98-6, 7-7-1998; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-13-9: **RESUBMITTAL**:

No recreation development plan which has been denied by the board or withdrawn by the applicant shall be resubmitted within less than one year from the date of final action thereon. (Ord. 77-5, 3-28-1977, eff. 4-7-1977)

## Chapter 7 RESIDENTIAL/AGRICULTURAL DISTRICT (R-5)

#### 9-7-1: **PURPOSE**:

It is recognized that limited residential use has begun, or is anticipated to begin, on lands primarily in agricultural use due to their proximity to incorporated areas, the availability of services and prior zoning. The purpose of this district is to ensure that residential uses are located in an optimally compatible manner with respect to agricultural uses, to preserve the county's rural character and to protect the scenic value of open space. The use of PUDs to achieve these goals is encouraged. (Ord. 2014-06, 12-2-2014)

#### 9-7-2: DEVELOPABLE DENSITY:

- A. Minimum Lot Area: The minimum lot area in a subdivision shall be five (5) acres.
- B. Base Density: The base density for PUDs shall be one unit per five (5) acres.
- C. Maximum PUD Density Bonuses: Maximum PUD density bonuses shall be thirty percent (30%). (Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-7-3: PERMITTED USES:

Permitted uses in this district are limited to the following:

A. Agricultural uses.

- B. Single-family residential use.
- C. Duplexes on double lots. (Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-7-4: ACCESSORY USES:

The accessory uses for this R-5 district include, but are not limited to, the following:

- A. Storage of boats, campers and travel trailers by residents.
- B. Farm and garden buildings.
- C. Keeping of riding horses; provided, that at least one-third  $\binom{1}{3}$  acre is available for each horse.
- D. Livestock enclosures (animal runs, barns, pens for fowl), no closer than fifty feet (50') to any neighboring residence, and in compliance with health department regulations.
- E. Accessory dwelling unit (see section <u>9-3-11</u> of this title). (Ord. 95-5, 4-3-1995; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

#### 9-7-5: CONDITIONAL USES:

Conditional uses for this district are limited to the following:

A. Temporary use of a mobile home during construction of a dwelling, for a period not to exceed twelve (12) months.

B. Outdoor recreational facilities.
C. Public utility or public service facilities, not including business offices, repair, or vehicle or structural storage facilities.
D. Home occupations.
E. Commercial riding stables when set back at least one hundred feet (100') from all property lines
F. Public campgrounds when screened or hidden from view from public highways.
G. Public facilities.
H. Accessory dwelling unit (see section <u>9-3-11</u> of this title).
I. Retreat (in the R-5 district only).
J. Group daycare facilities.
K. Public works gravel or shale pits and public works asphalt plants.
L. Wireless communication facilities (see section <u>9-3-16</u> of this title).
M. Animal shelter. (Ord. 2014-06, 12-2-2014; Ord. 2009-07, 9-8-2009; Ord. 2001-10, 10-1-2001; Ord. 95-5, 4-3-1995; Ord. 92-5, 9-14-1992; Ord. 90-4, 6-11-1990; Ord. 88-5, 1-12-1989; Ord. 79-4, 9-11-1979; Ord. 77-5, 3-28-1977, eff. 4-7-1977)

### 9-7-6: DIMENSIONAL STANDARDS:

The dimensional standards for this district are the same as those specified for the A-20 district. (Ord. 77-5, 3-28-1977, eff. 4-7-1977)

# Chapter 6 RURAL RESIDENTIAL DISTRICT (R-10)<sup>1</sup>

#### 9-6-1: PURPOSE:

This district permits limited development of those lands that are not well suited for long term intensive agricultural production due to such factors as soil characteristics, topography, water availability, the cost of applying water and microclimate, and which, in addition, are not well suited for residential use except for very low density due to such factors as access problems, slope, soil characteristics and presence of sensitive natural resources. (Ord. 2006-04, 6-29-2006)

#### 9-6-2: LOCATION/APPLICABILITY:

This R-10 district shall only apply to lands designated A-10 prior to July 5, 2006, and that meet the following criteria:

- A. Location within an urban influence boundary, as defined by the following criteria:
  - 1. Within three (3) miles from the incorporated boundaries of Ketchum, Hailey, or Bellevue; or
  - 2. Within one mile from the incorporated boundaries of Carey or Sun Valley, or
  - 3. Within three-fourths  $(^{3}/_{4})$  of a mile from the boundary of the platted townsites of Picabo or Gannett; or
- B. Location within one-half (1/2) mile from the R-5 zoning district. (Ord. 2006-04, 6-29-2006)

#### 9-6-3: DEVELOPABLE DENSITY AND LOT SIZE:

A. Minimum Lot Area: The minimum lot area in a subdivision shall be ten (10) acres, except:

1. Within an R-10 cluster development when	authorized pursuant to Blaine County ordinance
77-6, as amended (subdivision ordinance)	

- 2. Within a TDR receiving area.
- B. Base Density: The base density for PUDs shall be one unit per ten (10) acres. (Ord. 2006-04, 6-29-2006)

#### 9-6-4: PERMITTED USES:

Permitted uses for this district are limited to the following:

- A. Timber production, mining, grazing and other agricultural purposes, except as provided in subsection <u>9-6-6</u>M of this chapter.
- B. Open space recreational use.
- C. Wildlife reserves.
- D. Single-family residential use. (Ord. 2006-04, 6-29-2006)

#### 9-6-5: ACCESSORY USES:

The accessory uses in this district shall include, but not be limited to, those specified for the A-20 district. (Ord. 2006-04, 6-29-2006)

#### 9-6-6: CONDITIONAL USES:

Conditional uses for this district are limited to the following:
A. Public outdoor recreational facilities.
B. Sanitary landfills.
C. Public or private airfields.
D. Public utility installations, not including business offices, repair or storage facilities.
E. Temporary use of a mobile home during construction of a permanent dwelling for a period not to exceed one year.
F. Mills for refining mining ore.
G. Public campgrounds when screened or hidden from view from public highways.
H. Gravel or shale pits, and asphalt batch plants.
I. Retreats.
J. Mobile homes and trailers on patented mining or mill site claims. Mobile homes or trailers will be allowed for purposes of a shop, office or for housing for a caretaker or watchman. The number of mobile homes and trailers to be allowed shall be determined by those considerations which include, but are not limited to:
1. The size of the mining operation.

2. The number of employees required by the mining operation.

3. The need for twenty four (24) hour protection or monitoring of the mining operation.

A conditional use permit will be issued on a year to year basis, renewable if the mining or mill site claim on which the structures are located is still under development or extraction is occurring. All South Central health department requirements must be met.

Upon expiration of the conditional use permit, all mobile homes and trailers allowed under this provision must be removed. Their removal and any required reclamation will be guaranteed through posting a performance bond, cash deposit, certified check, negotiable bond or other acceptable financial guarantee with the board of county commissioners.

- K. Group daycare facilities.
- L. Public works gravel or shale pits and public works asphalt plants.
- M. Mining activity on private property within the mountain overlay district is subject to a mountain overlay district (chapter 21 of this title) site alteration permit.
- N. Accessory dwelling unit (see section <u>9-3-11</u> of this title).
- O. Wireless communication facilities (see section <u>9-3-16</u> of this title).
- P. Animal shelter. (Ord. 2009-07, 9-8-2009; Ord. 2006-04, 6-29-2006)

#### 9-6-7: DIMENSIONAL STANDARDS:

The dimensional standards for this district are the same as those specified for the A-20 district. (Ord. 2006-04, 6-29-2006)

#### 9-6-8: CLUSTER DEVELOPMENTS:

A. Criteria: Cluster developments (CDs) shall be allowed in the R-10 district if the parent tract is located within one mile of a paved state, federal, or county road or a paved road constructed to county standards in existence as of July 5, 2006; and if they meet the criteria set forth in section 10-9-6, "Density, Lot, And Development Standards", of this code.

- B. Minimum Lot Size: The minimum lot size for a CD shall be two and one-half (2<sup>1</sup>/<sub>2</sub>) acres except in a TDR receiving area.
- C. Maximum Number Of Lots In Cluster Tract: The maximum number of lots in a CD cluster tract shall be five (5) except if the standards set forth in subsection <a href="10-9-6">10-9-6</a>D4 of this code are met. (Ord. 2006-04, 6-29-2006)