

DECISION MAKING CHECKLIST

CHAPTER 6 LARGE SCALE DEVELOPMENT

6.3. Large-Scale Developments Shall Fall Into Five Categories:

6.3.1. Agriculture – Defined as developments for agricultural purposes that involve a Confined Animal Feeding Operation; recreational uses on the property that require multiple living dwellings; processing plant involving agricultural products (not a home occupation); and service facilities such as a tourist ranch, or similar uses.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.3.2. Residential – Defined as developments for residential use over four lots in size.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.3.3. Commercial – Defined as developments for any commercial use (Lemhi County Development Code 12.19) including a junk or salvage yard.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.3.4. Industrial – Defined as developments for any industrial use (Lemhi county Development Code 12.33).

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.3.5. Mixed Use – Defined as development in which a variety of residential, commercial, industrial and other land uses are provided for (similar to a Planned Unit Development under state law 67-6515)

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

DIVISION 1 – OVERALL PERFORMANCE STANDARDS FOR PROTECTING NATURAL ASSETS

6.4. Water Quality. All developments shall demonstrate continuing compliance with state and federal water quality regulations.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.5. Runoff and Erosion Control. A professionally prepared runoff and erosion control plan shall be implemented by developments where a cumulative total of more than one acre of land with a slope of more than eight (8) percent will be disturbed, or where more than twenty-thousand (20,000) square feet of contiguous impervious surfaces will be created. That plan shall:

6.5.1. identify runoff and erosion hazard areas on the site;

6.5.2. identify areas and facilities, both on and downstream from the site, that are vulnerable to damage from accelerated runoff or erosion;

6.5.3. show how the retention of existing vegetation will be maximized and land disturbance minimized;

6.5.4. show how existing trees that are to be retained will be protected from damage during construction;

6.5.5. show how the area disturbed by construction at any one time will be minimized and how disturbed areas will be stabilized during the construction period;

6.5.6. show how disturbed areas will be promptly, permanently stabilized by re-vegetation or structural techniques;

6.5.7. show how runoff velocities will be minimized and drainage ways will be prepared to handle any acceleration in or increase of runoff;

6.5.8. show how any additional runoff generated will be retained on-site and absorbed, evaporated, or released from the site at a rate not exceeding the pre-development rate of release;

6.5.9. show how sediment resulting from accelerated soil erosion will be retained on site; and

6.5.10. show how water quality in adjoining or nearby streams and wetlands will be protected by retention of existing vegetation, installation of vegetative filter strips, and similar means.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.6. Wetlands. All developments shall demonstrate compliance with state and federal wetlands protection requirements.

- Complies with code

- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.7. Stream Corridors. Minimum development setbacks shall be required along all streams, as shown in Table 6.1 or 7.2. The use of buffers created by this requirement shall be compatible with the protection of stream corridor values.

6.7.1. 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.) may be placed in stream corridors, as may hydroelectric power generation facilities, upon issuance of a special use permit and all required state and federal permits.

6.7.2. Boat ramps, docks, and piers may be installed within stream corridor buffers, but shall occupy no more than ten (10) percent of the stream frontage on any lot or site, with a minimum disturbance of twenty (20) feet being permitted for any site and must comply with all other regulations of local, state and federal agencies.

6.7.3. Stream corridor buffers may be left in, or restored to, native riparian or wetlands vegetation or planted as lawns or pasture. They may not be developed, except as permitted by 6.7.1 and 6.7.2 (pages 3 & 3).

6.7.4. The development setbacks required here shall be clearly shown on final site plans and final subdivision plats. In subdivisions, the setback line shall be located by a permanent monument on each lot line that runs more or less perpendicular to the stream or lake and at the center of each lot that borders the stream or lake.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.8. Floodplains. Developments in the special flood hazard area overlay zoning district shall comply with the detailed performance standards of Chapter 9

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.9. Slopes. No development shall be permitted on slopes of 30% or more, or other slopes identified as unstable, unless a geotechnical engineer certifies that such development creates no significant hazard of slope failure or accelerated soil erosion.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.10. Expansive Soils. No development shall be permitted on soils identified by the NRCS as soil types that may require engineering for such development, except where a geotechnical engineer certifies that the development has been properly designed to prevent damage from soil expansion.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.11. Wildfire Hazards. All developments that are in or adjacent to forested areas, or areas of flammable brushy vegetation shall be required to:

6.11.1. for individual homes and other structures: provide a fire defensible space of at least 30 feet around the home or structure. A defensible space is one in which trees are thinned so that crowns do not overlap or touch, woody brush is removed or substantially thinned, and dead fuel is removed. Maintenance of the defensible space is a requirement for continuing compliance with this ordinance.

6.11.2. for subdivisions or any other multiple unit development: thin timber on and remove dead fuel from the site, and provide appropriate perimeter and, in larger developments, internal fuel breaks. A fuel break is a strategically located strip of land in which the timber has been thinned and fuel removed to create an open “park-like” appearance. Fuel breaks either include roads or are accessible to fire fighting apparatus. Fuel breaks are generally at least twelve (12) feet in width, with the width increasing on slopes over ten (10) percent.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.12. Air Quality. All developments shall demonstrate continuing compliance with state and federal air quality regulations.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

DIVISION 2 - PERFORMANCE STANDARDS ENSURING LAND USE COMPATIBILITY

6.13. Nuisances. Potential nuisances and hazards shall be mitigated by appropriate means.

6.13.1. No development shall create excessive levels of noise or vibration beyond its property line. Excessive noise, measured at the property line, exceeds the standards of Table 6.2

6.13.2. No development shall direct light, glare, or heat beyond its property line in accordance with Appendix I, Lighting Standards of this code. Yard and Security lights shall be hooded, and placed in such a manner as to not cause glare or directly shine onto other property or any public way. Welding equipment and other sources of intense light or heat shall be shielded from neighboring properties or public ways by enclosure in a building, location on the site, or the construction of a fence or wall.

6.13.3. No development shall create electrical interference that adversely affects other uses.

6.13.4. Except at designated landfills or waste management facilities, solid waste shall be stored in an enclosed building or in bear-proof containers and handled in a manner that does not:

6.13.4.1. attract bears, rodents, flies, or other animals;

6.13.4.2. generate odors perceptible beyond the property line or liquid runoff; or

6.13.4.3. permit the blowing of paper and other lightweight waste.

6.13.5. Industrial or commercial solid waste handling and storage areas shall be effectively screened from the public view by enclosure in a building, location on the site, or the construction of a fence or wall.

6.13.6. No development shall channel storm water or snow melt runoff in a way that adversely impacts neighboring properties or public ways.

6.13.7. As required by I.C. 22-2407, it shall be the duty and responsibility of all persons and non-federal agencies to control noxious weeds on land and property that they "own". Weed control is a requirement for continuing compliance with this ordinance.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.14. Hazardous Substances. Any development that is, or that may reasonably be expected to be, subject to the reporting requirements of EPCRA (Emergency Planning and Community Right-To-Know Act of 1986) shall demonstrate continuing compliance with state and federal requirements for the storage and handling of hazardous substances.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.15. Livestock on Residential Lots. All areas in which livestock or domestic animals are kept shall be maintained so as not to create a nuisance impacting neighboring properties with noise, odors, insects, or dust.

- Complies with code
- Complies with code and special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.16. Protecting Irrigation Systems. All developments including or adjoining irrigated lands, or including or adjoining any irrigation works (diversions, head gates, canals, pumps, drains, etc.) shall be reviewed by the responsible irrigation entity.

6.16.1. No development shall be permitted to adversely impact operation of any irrigation system. Minimum requirements for compliance shall include:

6.16.1.1. providing gates through all fences placed across any irrigation right-of-way or easement.

6.16.1.2. placing all ditches, drains, etc. in a pipe or culvert, the design and construction of which is subject to the approval of and inspection by the responsible irrigation entity. The commission may waive this requirement where it determines that the proposed development will not create the problems this requirement addresses, including liability, unlawful diversion, and the possibility of flooding or seepage.

6.16.1.3. For multiple occupancy developments, provide for installation of an irrigation system maintained by the owner or a community association. Community associations shall appoint a single representative to attend and vote at business meetings of the responsible irrigation entity.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.16.2. No development shall channel storm water or snow melt runoff into any irrigation system without written consent of the responsible irrigation entity.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.16.3. See Chapter 10 for additional requirements affecting the subdivision of irrigated lands.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.17. Land Use Compatibility Factors. Compatibility with neighboring land uses shall be strongly encouraged. Compatibility shall be assessed using the following factors.

6.17.1. Is the proposed lot coverage and landscaping compatible with neighboring uses? For single family dwellings, subject to building permit review only, it shall be assumed that any lot coverage of less than fifty (50) percent is compatible, provided that the setbacks of Table 5.2 are maintained from all property lines.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.17.2. Is the proposed building height compatible with neighboring uses? For single family dwellings, subject to building permit review only, it shall be assumed that any building height of thirty-five (35) feet or less is compatible.

- Complies with code

- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.17.3. Is the proposed building bulk compatible with neighboring uses?

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.17.4. Is the proposed activity level compatible with neighboring uses? The level of activity shall be measured by the projected traffic generation and noise levels, proposed hours of operation, proposed size and number of signs, and similar factors.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.17.5. Does the proposed development block scenic views from existing uses or public recreation areas?

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.17.6. Buffers and Landscaping shall be provided as outlined in Appendix F of this Code.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.17.7. Requirements of Chapter 13 are met. The development must mitigate the cumulative effects upon the environment as required.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.18. Connections. All developments shall be designed to optimize functional connections with adjoining developments, including shared access to arterial roads, shared parking and service access, shared buffers and open space, and shared pedestrian circulation.

- Complies with code

- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.19. Signs. All signs shall comply with the detailed performance standards of Appendix A

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.20. Salvage and Junk Yards. All new salvage **and junk** yards shall meet the conditions below immediately upon approval. Existing salvage and junk yards shall be considered a nonconforming use and shall adhere to the guidelines found in section 1.6 (page 2). Such uses shall:

6.20.1. conform to time limits for daily operation as defined by the Board;

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.20.2. have a minimum six (6) foot high sight-obscuring fence along the property lines or other site obscuring properties such as an earth berm or landscaping.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.20.3. divert the direction of night lighting from any residence or public road.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.20.4. be effectively screened from public view and will not result in the storage of automobiles or other products that exceed the height of the fence;

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.20.5. have such landscaping that is appropriate with the surrounding area as determined by Commissioners;

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.20.6. meet the minimum health standards as set forth by the Eastern Idaho Health.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

DIVISION 3 – OVERALL PERFORMANCE STANDARDS ENSURING ADEQUATE PROVISION OF FACILITIES

6.21. Safe Access. All developments and every lot in all developments shall have safe direct access to a maintained public or private road. Safe access shall be defined as:

6.21.1. approaching the road at an angle of ninety (90) degrees (10± degrees) for at least fifty (50) feet before intersecting that road;

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.21.2. approaching the road at a grade of three (3) percent or less for at least fifty (50) feet before intersecting that road;

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.21.3. maintaining a clear vision triangle as defined in this ordinance; and

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.21.4. being at least one hundred (100) feet from any other point of access (measured centerline to centerline, on either side of the public road), except on state and federal highways, where the minimum distance between points of access shall be one-thousand feet (1,000) feet (See Appendix D, Page 97).

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code

- Does not Comply with Code without Special Conditions
 - As allowed by section 6.21.7 of the Lemhi County Development Code
- Not applicable

6.21.5. Where individual driveways access a state or federal highway, an access permit shall be obtained from the Idaho Transportation Department. Where individual driveways access a county road they shall be constructed in compliance with the standards of Appendixes D and E.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.21.6. These standards apply both to individual driveways and to any roads (private or public) created by the developer.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.21.7. Any of the safe access standards adopted here may be modified as a result of a facilities study required by 6.32 (page 12)

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.22. Access to Arterials. All developments shall minimize the number of points of access to arterial roads and highways, while still complying with 6.21 (page 9).

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.23. Alternate Points of Access. All developments containing ten (10) or more dwelling units, or are projected to generate a traffic flow of one hundred (100) ADT or more, or with a distance of more than six hundred (660) feet from a public road that is maintained on a year round basis, shall provide a minimum of two (2) points of ingress and egress from a public road or highway serving the development unless otherwise determined to be inadvisable due to land shape or conditions that may be hazardous. "Loop" systems that return to a single point of access to the public road or highway may be acceptable for generating one thousand (1,000) or less projected ADT.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.24. Roads. The design and construction of all roads (private or public) shall be in compliance with the detailed performance standards of Appendix D

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

Off-Street Parking and Loading Areas. Off-street parking and loading areas shall be provided as required by Appendix E. Snow storage shall not be permitted to reduce the size of any required off-street parking or loading area.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.25. Utilities. All developments, and all lots within any development, shall have direct access to power and telephone service, and, where available, a connection to a central water and/or sewer system that complies with state design and construction requirements.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.26. Individual Water Supplies. Where reliance on individual water supplies is proposed, evidence shall be provided that an adequate quantity and quality of water is available for the proposed development. The required evidence may be in the form of documented experience with existing wells at geologically similar, neighboring sites or records of on-site well tests.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.27. On-Site Sewage Disposal. All on-site sewage disposal systems shall be sited, designed, and constructed in compliance with state standards. Before any permit for a change in the use of a property (i.e. a house is converted to commercial use) is approved, the on-site sewage disposal system shall be inspected and, if necessary, brought into compliance with the current standards for the proposed use.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.28. Private Utilities. Adequate rights-of-way or easements for service by proposed private utilities shall be provided. A written statement of compliance with this performance standard and certification that capacity to serve the proposed development is available shall be obtained from each utility.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.29. Construction in Utility Easements. No building shall be placed in any utility or irrigation easement, public or private. Wire or rail fences, or solid wood fences with a gate or removable section across the easement may be constructed across utility easements. Note that some utilities and irrigation entities may prohibit the fences permitted by this ordinance.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.30. Public Access. No development shall eliminate historically existing public access through private lands to trail heads on public lands.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.31. Fire Protection. All developments not presently in a fire protection district shall petition for addition to the appropriate district, as provided by I.C. 31-1401, et. seq.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.32. Additional Facilities Needs.

6.33.1. In addition to facilities required by 6.21 through 6.31, large-scale developments shall provide all additional on and off-site public facilities necessitated by their development. Provision of such facilities may be based on a facilities needs study and in compliance with all requirements of this ordinance. Facilities required may include: off-site runoff and erosion control measures; central water and/or sewerage systems; off-site road improvements such as deceleration or acceleration lanes, left turn lanes, signs or signals, bridges or culverts, and road extensions or loops to provide adequate emergency access; fencing; solid waste transfer stations; emergency services buildings and apparatus, including fire engines or ambulances; a water supply adequate for fire-fighting purposes, as required by NFPA 1231; neighborhood parks (including space used for recreational trails) at a rate of two acres per thousand population; and schools.

6.33.2. The public facilities needs of the large scale development shall be determined through a fact-finding process conducted by the commission, at the expense of the developer. The commission may retain planners

and/or engineers to conduct a facilities needs study, the purpose of which shall be to determine what new facilities needs may be attributed to the proposed development. The study process shall be conducted as follows:

6.33.2.1. The commission may require a Facilities Needs Study for all proposed developments that:

6.33.2.1.1. include ten (10) or more residential lots or units, or

6.33.2.1.2. are projected to generate a traffic flow of one hundred (100) ADT or more

6.33.2.1.3. is located within an Area of Concern as defined within Chapter 13

6.33.3. The Commission may require a facilities needs study for developments that do not meet these criteria, but are located in areas where a minimal current level of facilities provision means that smaller developments may create major facilities needs.

6.33.4. When a large scale development study is required, the developer shall place a deposit with the county in the amount provided in the ordinance establishing fees for administration of this ordinance. The commission shall retain appropriate professional assistance for the study, drawing against the required deposit as necessary. All unused funds shall be returned to the developer upon completion of the study.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

6.33.5. The application shall be considered complete and a hearing scheduled only after completion of the facilities needs study.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

CHAPTER 7

PERFORMANCE STANDARDS FOR SPECIFIC ZONING DISTRICTS

DIVISION 1 - PERFORMANCE STANDARDS FOR MAINTAINING WORKING LANDSCAPES

7.3. Protecting Irrigation Systems. This is a concern in all zoning districts:

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

7.4. Fencing/Stock Driveways.

7.4.1. All developments shall be fenced to prevent conflict with livestock on neighboring pasture or range lands. Providing legally adequate fencing shall be the responsibility of the developer, and the continuing maintenance of all such fencing shall be the responsibility of the owner or, in the case of subdivisions and other multiple-occupancy developments, a community association created by the developer.

7.4.2. Where a development will generate or attract traffic on a road that passes through an open range area, the developer may be required to fence that road and provide cattle guards. This requirement shall be applied to all developments subject to the requirements of 6.32 (page 12), where it is relevant, and may be applied to other developments where the commission determines the conflict between livestock and traffic presents a serious safety hazard.

7.4.3. No development shall be sited or designed so as to interfere with the continuing use of any historically established livestock trail or driveway.

7.4.4. Fencing may be constructed on the front of the property line or on the easement line but in no instance may be built on the road right of way.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

7.5. Protecting Productive Lands. Density assigned to irrigated croplands and pasture may be transferred to cluster developments on non-irrigated sites. **EXCEPTION:** Where an owner's entire holdings consist of irrigated cropland or pasture, and/or offer no site suitable for a cluster development that meets the requirements of this ordinance, the commission may permit development of a portion of the irrigated area.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

7.6. Limiting Conflict with Mining Operations.

7.6.1. Development of other uses should not limit the viability of mining operations, including normal mining activities (blasting, heavy truck traffic, etc.) that may, at times, be perceived as a nuisance by inhabitants of nearby residences.

7.6.2. See also

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

7.7. Limiting Conflict with Logging Operations.

7.7.1. Development of other uses should not limit the viability of logging operations, including normal logging activities (heavy truck traffic, etc.) that may, at times, be perceived as a nuisance by inhabitants of nearby residences.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

7.8. Farm Roads in Riparian Areas.

7.8.1. Farm exemption roads in a riparian area are limited in width to sixteen (16) feet. If the status of the road is later changed to residential or a private road or public right of way, the landowner must get upgrade approval from Army Corp of Engineers to improve the road to standard size. Failure to obtain such approval shall limit the road's use to farm use only.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

DIVISION 2 - COMMERCIAL DEVELOPMENT.

7.9. Large Scale Development Locations. Large scale developments should be buffered and landscaped when located along local, state or federal highways, with the exception of home occupations that must comply with Large scale development storage areas shall be effectively screened from view.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

DIVISION 3 - PERFORMANCE STANDARDS APPLICABLE IN INDIVIDUAL ZONING DISTRICTS.

7.10. Airport Zoning District.

7.10.1. Land Use. Land use in the Airport Zoning District shall be compatible with the continued operation of the Lemhi County Airport and the comprehensive plan designation of the airport area as an industrial park site.

7.10.2. Landscaped Buffers. Landscaped buffers shall be provided as required by Appendix F

7.10.3. Signs. Signs shall be limited to those permitted in Appendix A

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

7.11. Area of City Impact. Land Use. Development (large or small scale) in the Salmon Area of City Impact shall follow the land use pattern established in the future land use map adopted in the comprehensive plan.

- Complies with code
- Complies with code with special conditions

- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

**CHAPTER 9
SPECIAL FLOOD HAZARD AREAS**

9.4. Warning/Disclaimer of Liability. All applicants for special use permits in this overlay zoning district shall sign an acknowledgment stating:

9.4.1. I understand that, while the degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations, larger floods can and will occur.

9.4.2. I understand that projected flood levels may be increased by man-made or natural causes.

9.4.3. I understand that this ordinance does not imply that land outside the area of special flood hazard or uses permitted within such areas will be free from flooding or flood damage.

9.4.4. I understand that this ordinance does not create any liability on the part of the county or any officer or employee thereof, or on the part of the Federal Insurance Administration, for flood damages.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.5. Additional Application Requirements. All applications for permits in this overlay zoning district shall be accompanied by the following information:

9.5.1. the elevation of the lowest floor of all proposed buildings;

9.5.2. the elevation to which any existing or proposed building has been or will be flood proofed;

9.5.3. for all buildings other than a single family dwelling: certification by an engineer or architect that the flood proofing methods used comply with these performance standards; and

9.5.4. where alteration of a watercourse is proposed: a description of the extent to which the watercourse will be altered or relocated as a result of the proposed development and proof that all state or federal permits required for that alteration have been approved.

9.5.5. the base flood elevation data for all subdivisions or special uses that include fifty (50) or more lots or dwelling units or five (5) or more acres.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

DIVISION 2 - PERFORMANCE STANDARDS FOR SPECIAL FLOOD HAZARD AREAS.

9.7. Anchoring.

9.7.1. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement.

9.7.2. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, the use of over-the-top or frame ties to ground anchors.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.8. Construction Materials and Methods.

9.8.1. New construction and substantial improvements shall be constructed with materials and utility equipment that is resistant to flood damage, and using methods and practices that minimize flood damage.

9.8.1.1. All electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities shall be designed, or elevated, or located, so as to prevent water from entering or accumulating within their components during flooding.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.9. Utilities and Solid Waste.

9.9.1. New and replacement potable water systems shall be designed to eliminate infiltration of flood waters into the system.

9.9.2. New and replacement sewage disposal systems shall be designed to eliminate infiltration of flood waters into the system and discharge from the system into flood waters.

9.9.3. Solid waste handling and storage facilities shall not be located in this overlay zoning district.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.10. Hazardous Substances. Storage and handling of hazardous substances in this overlay zoning district is prohibited.

- Complies with code

- Complies with code with special conditions
 - As per the Lemhi County Planning & Zoning Commission's interpretation of section 9.10 of the Lemhi County Development Code
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.11. Site Planning. Design and construction of all subdivisions and uses for which a special use permit is required shall minimize flood damage. Utilities shall be located and designed to minimize flood damage, and the site shall be graded and drained to guide flood waters around and away from existing and/or proposed buildings.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.12. Residential Development. 9.12.1 and 9.12.2 apply only where base flood elevations have been established.

9.12.1. Construction or substantial improvement of any dwelling shall result in the lowest floor being elevated to or above base flood elevation.

9.12.2. Fully enclosed areas below the lowest floor are prohibited, except where designed to automatically equalize hydrostatic forces on exterior walls by allowing for entry and exit of flood waters. Designs for meeting this requirement shall either be certified by an engineer or architect, or meet the following minimum standards:

9.12.2.1. a minimum of two (2) openings, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding, shall be provided;

9.12.2.2. the bottom of such openings shall be no higher than one (1) foot above grade; and

9.12.2.3. such openings may be equipped with screens, louvers, or other coverings or devices, provided they permit automatic entry and exit of flood waters.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.12.3. Where base flood elevation data are not available through the flood insurance study or from another authoritative source, applications must be reviewed to assure that the proposed construction will be reasonably safe from flooding. This determination of reasonable safety shall be based on evidence submitted with the application by the developer, including historical flood records, including photographs of past flood events and similar documentation. The minimum elevation above grade in such cases shall be two (2) feet.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.13. Nonresidential Development. Construction or substantial improvement of any nonresidential building shall result in the lowest floor being elevated to or above base flood elevation or, together with the attendant utility and sanitary facilities, shall:

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.13.1. be flood proofed so that below base flood level, the building is watertight, with walls substantially impermeable to the passage of water;

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.13.2. be designed and constructed to resist hydrostatic and hydrodynamic loads and the effects of buoyancy;

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.13.3. present a certification from an engineer or architect that the design and methods of construction comply with accepted standards of practice for meeting the performance standards of this ordinance; and

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.13.4. meet the requirement 9.12.2 (page 18) of for enclosed spaces below the lowest floor.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.13.5. Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood proofed level.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.14. Manufactured Homes. Manufactured homes that are placed, replaced, or substantially improved within this overlay zoning district shall be elevated on and securely anchored to a permanent foundation, so that the lowest floor is at or above base flood elevation. Manufactured home (mobile home) parks are not permitted in this overlay zoning district.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.15. Floodways. The floodway is a hazardous area due to the velocity of flood waters which carry debris and potential projectiles, and due to the high erosion potential. Encroachments into the floodway, including fill, new construction, substantial improvements, and other development is prohibited, unless an engineer or architect certifies that the encroachment will not result in any increase in the flood level during the base flood discharge.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.16. Maintenance of Flood Capacity. Continuing maintenance to prevent the reduction of flood carrying capacity in altered or relocated watercourses shall be required.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.17. Areas of Shallow Flooding (AO Zones).

9.17.1. Construction and substantial improvement of dwellings in AO zones shall result in the lowest floor being elevated above the highest adjacent grade of the building site to or above the depth number specified on the FIRM or to at least two (2) feet, where no depth number is specified.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

9.17.2. All new construction and substantial improvement of nonresidential buildings in AO zones shall:

9.17.2.1. be graded and drained to guide flood waters around and away from existing and/or proposed buildings; and

9.17.2.2. have the lowest floor elevated above the highest adjacent grade of the building site to or above the depth number specified on the FIRM or, where no depth number is specified, to at least two (2) feet above the highest adjacent grade; OR

9.17.2.3. together with its attendant utility and sanitary facilities, be flood proofed so that any space below that level is watertight, with substantially impermeable walls and structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Compliance shall be certified by an engineer or architect.

- Complies with code
- Complies with code with special conditions
- Does not Comply with Code
- Does not Comply with Code without Special Conditions
- Not applicable

**CHAPTER 10
ADDITIONAL PERFORMANCE STANDARDS FOR LOT SPLITS, SUBDIVISION, AND
MANUFACTURED HOME PARKS**

- Complies with Code
- Complies with Code with special conditions-
- Does not Comply with Code
- Does not Comply with Code without with special conditions-
- Not applicable

**CHAPTER 11
REQUIRED IMPROVMENTS**

- Complies with Code
- Complies with Code with special conditions-
- Does not Comply with Code
- Does not Comply with Code without with special conditions-
- Not applicable

**CHAPTER 13
AREAS OF CONCERN**

- Complies with Code
- Complies with Code with special conditions-
- Does not Comply with Code
- Does not Comply with Code without with special conditions-
- Not applicable

Signed on this _____ day of _____, 2010

Roy Barrett, Lemhi County Planning Zoning Chairman