

CHAPTER 7

GENERAL PURPOSES OF ZONES

SECTION:

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9-7-1: **RESIDENTIAL AGRICULTURAL ZONE (RA):**

A. Purpose: The purpose of this residential agricultural zone or district is to provide for and protect residential lands, conveniently located, in relation to urban centers, of substantial size for families who desire a single-family residential environment in an area in transition from agricultural uses and to provide for gardening and family recreation opportunities, the keeping of a limited number of livestock and poultry and similar endeavors.

B. Regulations: The minimum lot size and building locations in this zone must be such that water and sewer facilities and the place and locations for them can be easily provided on an individual basis on each lot, without affecting surrounding properties adversely. (Ord. 99-1-1, 1-4-1999)

9-7-2: **AGRICULTURAL RESIDENTIAL ZONE (AR):**

A. Purpose: The agricultural residential zone is intended to provide areas for low density or residential development and continuation of farm uses where compatible with each other.

B. **Lands Included:** The AR zone is appropriate to be applied to areas which have, by nature of uses and land division activity, already begun to some degree a conversion from agricultural to residential use, primarily in the outer portions of the rural-urban fringe areas where public facilities and services will be necessary before intensive residential use should occur, and in rural land with marginal suitability for agricultural production.

C. **Right To Farm:** Individuals desiring to obtain a permit to build a residence in this zone shall, as a condition of obtaining such a permit, sign and file with the county building inspector an acknowledgment and waiver statement, in which they acknowledge that they are seeking to establish a residence in a predominately agricultural area, and that they recognize that certain conditions are prevalent in such areas, i.e., dust, noise, odors, spraying, etc., and waiving their right to complain against such conditions as a nuisance when the conditions are created in the ordinary course of agricultural and livestock confinement operations. (Ord. 99-1-1, 1-4-1999)

9-7-3: **AGRICULTURAL PRIME ZONE (AP):**

A. **Purpose:** The purpose of this zone or district is to retain the economic base of Cassia County by preserving the irrigated productive lands for agricultural purposes and by identifying and protecting the farmlands lying in those portions of the county not likely to undergo intensive urban development.

B. **Lands Included:** The prime agricultural zone is characterized by farms, dairies and ranches devoted to the production of food, fiber, and animal products.

C. **Right To Farm:** Individuals desiring to obtain a permit to build a residence in this zone shall, as a condition of obtaining such a permit, sign and file with the county building inspector an acknowledgment and waiver statement, in which they acknowledge that they are seeking to establish a residence in a predominately agricultural area, and that they recognize that certain conditions are prevalent in such areas, i.e., dust, noise, odors, spraying, etc., and waiving their right to complain against such conditions as a nuisance when the conditions are created in the ordinary course of agricultural and livestock confinement operations. (Ord. 99-1-1, 1-4-1999)

9-7-4 **MULTIPLE USE ZONE (MU):**

A. **Purpose:** The purpose of the multiple use zone is to classify land which is considered to be of remote location, less productive land, or is otherwise situated or categorized so as to require no regulation at this time except that certain uses listed hereafter will not be permitted in said zone without first obtaining a conditional use permit.

B. Land Included: Much of the lands within Cassia County fall into this zone. Land within this zone is considered to be of such a location, condition and situation as to require substantially no zoning regulation at this time, except as to conditional uses described above and such as are made generally applicable to all lands within the county under this title.

C. Objective: The objective of this zone is to provide maximum opportunity for private property owners to make decisions for the development and management of the areas of the county which are not heavily populated, but are used for multiple uses, principally for agriculture and for producing forage for wildlife and livestock. These lands are also important as watersheds, mineral and recreation areas as well as for single-family dwellings dispersed over large distances.

D. Management; County Intent And Policy:

1. This zone includes most of the public lands administered by the bureau of land management and the forest reserve lands administered by the national forest service in Cassia County. It is considered that with minimal restrictions from governmental units, private property interests are best equipped to make decisions on the orderly and economically sound development of the private lands within these areas of the county.
2. Management of the federal and state public lands within this zone are matters of extreme import to Cassia County and its citizens. It is the intent of the county to be actively involved in all federal and state land use planning and land management planning on public lands which are in the county or which affect the economy of the county. The firm policy of Cassia County regarding these public lands is that all public lands are best administered by the cooperative efforts of local, state and federal governmental interests and active citizen input. (Ord. 99-1-1,1-4-1999)

E. Right To Farm: Individuals desiring to obtain a permit to build a residence in this zone shall, as a condition of obtaining such a permit, sign and file with the county building inspector an acknowledgment and waiver statement, in which they acknowledge that they are seeking to establish a residence in a predominately agricultural area, and that they recognize that certain conditions are prevalent in such areas, i.e., dust, noise, odors, spraying, etc., and waiving their right to complain against such conditions as a nuisance when the conditions are created in the ordinary course of agricultural and livestock confinement operations. [Ord. 2006-11-01, 11-07-06]

HISTORICAL PRESERVATION ZONE (HP):

A. Purpose: The purpose of the historical preservation zone is to designate the City of Rocks national reserve, as well as such other areas as are designated by the planning and zoning commission, as areas of great historical significance that should be preserved and protected for the benefit and education of future generations. A comprehensive planning process is under way at the present time involving federal, state, local and private interests regarding the long range use and development of these historically significant areas. The intent of the historical preservation zone is to preserve and protect the geologic features, the rocks and remnants associated with the California and other trails, the historic sites and current ranching activities that contribute to an historic western rural setting and the scenery, mystery, and silence of the landscape, as well as to manage recreation in these areas to ensure preservation and protection of resource values, while the planning process continues.

B. Land Included: Inclusions in the HP zone of lands outside the formal boundaries of the City of Rocks natural reserve is not intended nor is it to be construed as an attempt to link such lands with the reserve in any way.

C. Development Restrictions:

1. Areas Of Development: Development in these areas should be limited to those uses made of the areas during the period from 1850 to 1988. Construction and development that is permitted in these areas should be required to conform to and maintain the purpose of the reserve.

2. Public Facilities: Publicly maintained facilities for education, sightseeing and appropriately restricted recreational uses are permitted with a development permit.

3. Residential Development:

a. Residential development permits are limited to one residential permit for each original private landowner existing as of July 1, 1993. Residential development rights held by one of the original property owners may be transferred to the descendants of the owner with the transfer of the property, but shall not be transferable to third parties outside the owner's family upon the sale or transfer of the property.

b. Architectural design of said residences and all other developments should be subject to review and approval by the planning and zoning commission to assure its conformity to the purposes for which the reserve was established.

4. Compliance With Provisions: All development within the HP zones shall be required to meet the above criteria and shall require a development permit issued in accordance with the provisions of chapter 12 of this title. (Ord. 99-1-1,1-4-1999)

9-7-6: **IMPACT AREA ZONES (B):**

A. Purposes: The impact area or buffer zones are designed to be transition zones between the unincorporated areas of the county and the uses appropriate to the established urban communities in the county.

B. Lands Included: The boundaries of the impact area or buffer zones are established by mutual agreements between the various municipalities and the county.

C. Regulations: The permitted uses, densities, etc., in such zones are established by the county after consultation with the leaders and the planning boards of the cities. Great deference shall be given by the county to the needs and desires expressed by the cities for orderly growth and development within the impact area or the buffer zones. Impact area land use agreements and ordinances are attached to ordinance 99-1-1 as appendices 13 through 17, and are incorporated herein by this reference. (Ord, 99-1-1,1-4-1999)

9-7-7: **INDUSTRIAL COMMERCIAL ZONE (IC):**

A. Purpose: The purpose of the industrial commercial zone is to provide for and encourage the grouping together of business, public, quasi-public, and other related uses with industrial uses capable of being operated under such standards as to location and appearance of buildings and treatment of land around them so that they will be unobtrusive and not detrimental to surrounding commercial or residential uses.

B. Permitted Uses: The industrial uses permitted in this zone are manufacturing and wholesale business establishments and other industrial uses which are duly controlled operations that do not generate excessive smoke, noise, vibration, dust, odor, glare, gas, or light, such as warehouses, wholesale storage areas, packaging, processing and assembling plants. (Ord. 99-1-1, 1-4-1999)

9-7-8: **OUTDOOR RECREATION (OR):**

- A. Purpose: The outdoor recreation zone has been established as various areas in which the primary use of the land is for recreation.
- B. Characteristics: This zone is characterized by naturalistic land areas interspersed by low impact outdoor recreational facilities. (Ord. 99-1-1,1-4-1999)
- C. Objectives: The objectives of establishing this zone are:
1. Recreation: To promote the use of land for low impact recreational purposes.
 2. Public Services: To secure economy in the cost of supplying law enforcement, roads, and other public services.
 3. Natural Features: To preserve and protect natural scenic attractions, natural vegetation, and other natural features within the zone.
 4. Resource Conservation: To promote sanitation and protect and conserve the water supply and other natural resources.
- D. Regulations: In order to accomplish these objectives and purposes and to protect the essential characteristics of the zone, the following regulations shall apply to the OR zone:

No land shall be used and no building or structure shall be constructed, used, or occupied in the OR zone, except for one or more of the following uses:

1. Public parks.
2. The growing of crops, and buildings related thereto.
3. Grazing and pasturing of animals and buildings related thereto.
4. Public camps and historical markers.
5. Fences.
6. Signs marking roads, public facilities, and historical sites.
7. Low impact public sanitation facilities.
8. Hiking trails and markers.
9. Other uses similar to the above mentioned uses which are ruled by the planning and zoning commission to be in harmony with the intent of this zone. (Ord. 93-6-1, 6-28-1993)

9-7-9 ELECTRICAL TRANSMISSION CORRIDOR OVERLAY ZONE (EO):

A. Purpose: The purpose of this overlay zone is to allow for the siting of electrical transmission lines exceeding One Hundred Thirty Eight Thousand Volts (138,000 volts) within Cassia County's geographical boundaries and overriding contrary provisions that may exist in current regulations for any underlying zone.

B. Regulations: Regulations governing the establishment and operation of electrical transmission lines, for such lines exceeding One Hundred Thirty Eight Thousand Volts (138,000 volts) within Cassia County are hereafter set forth and established in Section 5, Chapter 9, Title 9 of this Code (9-9-5, Electrical Transmission Lines Siting and Performance Standards) (Amended June 16, 2014 Ordinance 2014-06-01)

C. Established: There is hereby established a corridor as set forth and as legally described and defined in Appendix 18, of Title 9 of the Cassia County Code, which shall hereafter be known as the Electrical Transmission Corridor Overlay Zone. (Ord. 2010-01-01, 1-25-10).