

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS
TO THE CASSIA COUNTY CODE'S ZONING REGULATIONS
BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR CASSIA COUNTY, STATE OF IDAHO**

BE IT KNOWN that on Monday, the 29th day of July, 2019 at 10:00 a.m., or as soon thereafter as the matter may be heard, the Board of County Commissioners for Cassia County, Idaho shall hold public hearing on the proposals and recommendations to repeal, amend and add provisions to the current Cassia County Zoning Regulations.

The proposed amendments were heard before the Planning and Zoning Commission on the 16th Day of May, 2019. Following public hearing the Planning and Zoning Commission recommended that all proposed amendments to Titles 9 sections 9-8-2 and 9-13-2 be adopted by the Board. Written recommendation was received by the Board on Monday, May 31, 2019 from the Planning and Zoning Commission requesting that the Board hold public hearing on the matter, and further making the recommendation that the Board adopt the amendments that were proposed.

Thereafter, several items were discussed between the Board and the Commission, resulting in additional changes to be considered at the hearing before the Board of Commissioners: Automobile Rentals being removed as permitted and recommended to not be allowed; and, Landscaping to not be removed, but continue to be allowed as a conditional use permit.

This hearing before the Board of County Commissioners will be held at the Cassia County Courthouse, Room 206 at 1459 Overland Avenue, Burley, Cassia County, Idaho. All interested persons and citizens shall have an opportunity to be heard on this matter. At the public hearing, those signing up to testify concerning the proposed amendments will be allotted time to do so, with the total hearing time being divided in equal measures amongst those signing up. The Board reserves the right to limit repetitive testimony and to halt irrelevant testimony. Spokespersons for those groups sharing the same or similar testimony are encouraged.

Written testimony concerning the proposed amendments may also be submitted to the Board up to the time that the hearing is closed, after which time no additional written or oral testimony will be received, unless specifically requested and invited by the Board hereafter.

A Summary of the proposed changes to Title 9 of the Cassia County Code is found hereafter:

ARTICLE 1: Cassia County Code, Title 9, Chapter 8 is proposed for amendment to repeal allowance, by conditional use permit, of some commercial or industrial uses in the Residential Agricultural zone (RA), by removal of the "C" designation under RA in the zoning chart. These proposed changes are as indicated in zoning charts with red-lined proposed changes associated with this proposed amendment, and located on the Cassia County website as hereafter set forth.

ARTICLE 2: Cassia County Code, Title 9, Chapter 13, Section 2, by amending the section to specify who may make application and providing for proof of authority to represent applicant in making application for a conditional use permit.

ARTICLE 3: A full text of the Proposed amendments to Title 9, Cassia County Code will be available at the Cassia County Courthouse, at the Zoning and Building Office, Room #210, and will be provided to any citizen without charge upon personal request during normal office hours, or the full text of the proposal may be found on the Cassia County Website www.cassiacounty.org, under the heading: “Public Notices”.

DATED this 3rd day of July, 2019.

Board of Commissioners for
Cassia County, Idaho

By: /s/ Leonard M. Beck
Leonard M. Beck, Chair

ZONING CHARTS

	RA	AR	AP	HP	OR	IC	MU
Agricultural Activities							
Animal product processing and rendering							C
Composting Operations if not part of CAFO			C				C
Confined animal feeding operation "CAFO"		C	C			C	C
Enclosed & Totally Confined Poultry Operations			P ² / C ³				P ² / C ³
Hatcheries			P			C	P
Dairy product processing		C	C			P	P
Grain and seed processing		C	C			P	P
Greenhouses	P	P	P			P	P
Livestock feed processing		C	C	C	C	C	C
Livestock sales yard		C	C			P	P
Meat product processing		C	C			P	P
Agriculture							
Farms – animals on pasture	P	P	P	P	P	P	P
Farms – plants and trees	P	P	P	C	P	P	P
Farms – poultry, fur	€	P	P		C	C	P
Communications and Utilities							
Gas and fuel transmission lines	C	C	C	C	C	C	C
Radio and television studios	C	C	C			C	C
Telecommunications facilities	C	C	C	C	C	C	C
Telephone centers and stations	C	C	C	C	C	C	C
Telephone exchange stations	C	C	C	C	C	C	C
Transmission lines (above or below ground and in excess of 2 miles in length)	C	C	C	C	C	C	C
Transmission Towers	C	C	C	C	C	C	C
Utility building and structures	C	C	C	C	C	C	C
Wind farms, turbines and associated structures	€	C	P			C	P

	RA	AR	AP	HP	OR	IC	MU
Manufacturing							
Apparel and related products	C	C				P	P
Asphalt plant (temporary or permanent)	€	C	C		C	C	C
Beverage bottling plant	€	C				P	P
Building materials	C	C				C	C
Chemicals and chemical products		C	C			C	C
Concrete products	€	C	C			P	P
Equipment, Trailer manufacture or repair	€	P	P			P	P
Food products and food processing	€	C	C			C	C
Furniture and fixtures	C	C				C	C
Gravel pits, rock quarries, sand and clay pits	€	C	C		C	C	C
Ice manufacturing	C	C				P	P
Metal products	C	C				P	P
Mineral products	€	C	C		C	C	C
Paper products	C	C				P	P
Petroleum products		C	C			C	C
Printing and publishing	C	P				P	P
Professional and scientific	C	P				P	P
Rubber products	€	C				P	P
Textile products	€	C				P	P
Public Assembly							
Amusement parks	€	C				C	C
Auditoriums	C	C		C	C	C	C
Concessions	C	C			C	C	C
Drive in theaters	€	C				C	C
Exhibition halls	C	C				C	C
Fairgrounds	€	C			C	C	C

	RA	AR	AP	HP	OR	IC	MU
Public Assembly (cont.)							
Sports arenas	C	C			C	C	C
Theaters	C	C		C	C	C	C
Residential							
Condominium	P	C	C				C
Hotel and motel	P					P	C
Mobile home park	C	C					C
Multi-family dwelling (3 or more units)	C	C	C				C
One-family dwelling/duplexes	P	P	P	C	C	P	P
Permanent mobile home	P	P	P	C	C	P	P
Planned unit development	C	C				C	C
Standard subdivision	C	C				C	C
Minor subdivision	p ⁵	p ⁵				p ⁵	p ⁵
Temporary dwellings > 14 days < 1 year	TP	TP	TP	TP	TP	TP	TP
Temporary mobile home (less than 1 year)	TP	TP	TP	TP	TP	TP	TP
Transient worker lodging	C	C	C				C
Services							
Academic and vocational schools – public	C	C	C				P
Advertising						P	P
Animal clinic and hospital – veterinary	C	C	C			P	P
Apparel repair and alteration	C	C				P	P
Automobile rentals	P	P				P	P
Automobile repairs	€	P	P			P	P
Beauty and barber	C	C				P	P
Building care contracting	C	C				P	P
Car wash	C					P	P
Cemetery	C	C	C				C

	RA	AR	AP	HP	OR	IC	MU
Services (cont.)							
Civic, social and fraternal organizations	C	C	C			C	C
Clubs and camps	€	C	C	C	C	C	C
Construction trades	€	C	C			P	P
Consumer, credit collection						P	P
Dance, music, voice studio	P	C				P	P
Daycare facilities	C	C	C		C	C	C
Duplicating, stenographic						P	P
Employment	C	C				P	P
Equipment rentals	€	C				P	P
Equipment repairs	€	P	P			P	P
Finance and investment	C	C				P	P
Frozen food locker	€	C				P	P
Funeral	C					P	P
Governmental facilities	C	C	C	C	C	P	P
Hospitals, clinics and related services	C	C				P	P
Insurance related	C	C	C			P	P
Landfills, recycling operations, incinerators and solid waste facilities and solid waste transfer stations ⁶			C				C
Landscaping	C	C				P	P
Laundering and dry cleaning	C					P	P
Laundromats	C					P	P
Nursing homes and rest homes	C	C				P	P
Photographic	C	C				P	P
Professional	C	C				P	P
Publishing		C				P	P
Real estate and related	C	C				P	P
Reducing salon – health club	C	C				P	P

	RA	AR	AP	HP	OR	IC	MU
Services (cont.)							
Religious facilities	C	C	C			C	C
Rendering plant (animal products)						C	C
Salvage yard or junkyard						C	C
Schools - commercial	C	C				P	P
Schools – public	C	C					P
Sewage lagoons	C	C	C	C	C	C	C
Shelter homes	C	C	C			C	C
Small appliance repair	C	C	C			P	P
Small engine repair	C	C	C			P	P
Storage rentals	€	C				P	P
Tire shop						P	P
Truck and tractor repair	€	C	C			P	P
Upholstery and repair	C	C				P	P
Sports Facilities and Parks							
Athletic fields	C	C					P
Bicycle track						C	P
Bicycle way	C	C	C	C	C	C	P
Car racing track							P
Golf courses and country clubs	C	C				P	P
Golf driving range	C	C				P	P
Ice and roller skating	C	C				P	P
Indoor recreational facility	C	C	C			P	P
Miniature golf	C	C				P	P
Motorcycle track						C	P
Public parks and playgrounds	P	C	C	C	C	C	P
Recreational vehicle parks	C	C	C	C	C	C	C
Riding stables and schools	C	C	C	C	C		P

	RA	AR	AP	HP	OR	IC	MU
Sports Facilities and Parks (cont.)							
Rifle and pistol ranges	€	C	C		C	C	C
Ski and water sports	C	C	C	C	C	C	C
Trade And Retail							
Adult entertainment						C	
Alcoholic beverages	C	C				P	P
Apparel and accessories	C					P	P
Building materials and hardware	C	C				P	P
Drive in establishments/fast food	P	P	P		C	P	P
Farm and garden supplies	C	C				P	P
Food, drugs, liquor, etc.	C	C				P	P
Gasoline service stations	C	C				C	P
General merchandise	C	C				P	P
Home furnishings and equipment	C					P	P
Irrigation sales	€	C	P			P	P
Large implements and heavy equipment		C	C			P	P
Mobile home sales						P	P
Petroleum						C	P
Recreational vehicles	€	C				P	P
Restaurant or café	P	C			C	P	P
Sporting goods	C					P	C
Trade – Wholesale							
Bulk storage – flammable liquids and gases		C	C			C	C
Chemical fertilizers or hazardous materials manufacturing, storage or sales		C	C			C	C
Wholesale distribution and warehousing		C	C			P	P
Transportation							
Airfields (private)		C	C				P
Airfields (public)		C	C				P

	RA	AR	AP	HP	OR	IC	MU
Transportation (cont.)							
Automobile open parking lot or garage	€	C				P	P
Boathouse or dock	P	P	P		P	P	P
Bus facilities, excluding pick up shelters						P	P
Freight transfer points	€	C	p ⁴			P	P
Packing and crating	€	C				P	P
Railroad building and equipment						P	P
Tickets and arrangements						P	P
Truck and bus open parking lots	€	C				P	P
Trucking facilities	€	C				P	P
Notes:							
2. Such use is permitted only after a CAFO permit has been obtained under the provisions of chapter 10 of this title. 3. Conditional Use permit required under provisions of 9-10-2 (B) of this title. 4. Freight transfer points that are permitted in AP zone are for agricultural commodities only. 5. Such use is permitted only after a Minor Subdivision Application is filed and found to be in full compliance, by the Administrator, pursuant to 10-3-7, Cassia County Code. 6. Must have consent of Southern Idaho Regional Solid Waste District to construct or operate such facilities before a conditional use permit can be noticed for hearing before Planning and Zoning Commission.							

[amended Ord. 2006-11-01, 11-07-06, amd. Ord. 2009-04-01, amd.Ord. 2010-02-01; amd.Ord. 2011-08-01, amd.Ord. 2012-07-01, amd. Ord. 2014-12, amd. Ord. 2017-11-2, amd. Ord. 2018-10-1]

DWELLING AND PRINCIPAL BUILDING SETBACKS¹

Zone	Maximum Height	Minimum Front Setback ²	Yard Rear Setback	Interior Side Setback	Street Side Setback ^{3,4}	Maximum Lot Coverage	Minimum Lot Dwelling ^{5,6}	Minimum Lot Width
RA	35 feet	54 feet	15 feet	15 feet	54 feet	NR	43,560 sq. ft.	NR
AR	35 feet	54 feet	15 feet	15 feet	54 feet	NR	43,560 sq. ft.	NR
AP	35 feet	54 feet	15 feet	15 feet	54 feet	NR	43,560 sq. ft.	NR

9-13-2: **CONTENTS OF APPLICATION:** An application for conditional use permit shall be filed with the Zoning ~~Administrator~~ and Building Director by ~~at least one owner or lessee~~ owners of property for which such conditional use is proposed. Said Zoning and Building Director shall determine if filing is complete before scheduling any matter for further processing.

In the event that there is more than one property owner for the subject property for which a conditional use permit is being sought, all owners of the subject property shall sign as applicants, in order for application to be complete. If the applicant is a limited liability company, partnership, corporation, or other such entity, then the applicant shall file the appropriate paperwork from the entity-applicant, proving that the application signatory has authority to bind the entity to the terms of the application and any permit, arising therefrom. Any application that does not contain all appropriate signatures, shall be deemed incomplete and will not proceed to hearing before the Commission until appropriately signed and executed. The application should also contain the following: