

Residential Care Facilities
Resort Lodges, Retreat Centers, or Guest Ranches.
Restricted Surface Mining Operations
Sawmills, Shingle or Planing Mills, or Woodworking Plants
Schools
Special Event Locations
Veterinary Hospitals or Clinics
Wholesale Greenhouses
Wireless Communication Facilities; provided, however, that Public Safety Wireless Communication Facilities shall be permitted of right.
Zoos (Ord. 514, 10-4-17; Ord. 517, 1-31-18)

8.2.209: USES REQUIRING A SPECIAL NOTICE PERMIT:

One (1) railroad car or truck cargo container/trailer used for storage or any other purpose not associated with the active operation of an allowed railroad or trucking business.

Except as provided in subsection 8.2.204(C) of this article, one (1) personal storage building on a lot or parcel under one (1.00) acre in size where one or more of the primary uses listed in subsection 8.2.205(A) or the uses listed in section 8.2.208 of this article have not yet been established. Such buildings shall not exceed 2,000 square feet in size.

Annual special event locations, subject to the standards set forth in section 8.5.204 of this title.

Lighting for any outdoor recreational facility permitted of right.

Private Resorts.

Utility Complexes. (Ord. 546, 10-22-19)

Article 2.3 Agricultural Suburban Zone

8.2.301: GENERAL DESCRIPTION: The Agricultural Suburban zone is a zoning district in which the land has been found to be suitable for residential and small-scale agricultural uses.

8.2.302: RESTRICTIONS: In the Agricultural Suburban zone, no building or premises shall be used, nor shall any building or structure hereafter be erected or altered (unless provided in this title), except for the following uses in accordance with the standards set forth in this article.

8.2.303: LOT SIZE, DENSITY AND SITE AREA: The minimum lot size in the Agricultural Suburban zone, except in conservation subdivisions, shall be two (2.00) acres. (Ord. 518, 2-27-18)

8.2.304: USES OF RIGHT ON EXISTING PARCELS OF LESS THAN 8,250 SQUARE FEET:

A. Parcels created prior to January 3, 1973 which are less than 8,250 square feet in size shall be regarded as conforming parcels for purposes of this title.

B. Uses Permitted of Right.

1. Primary Uses. Primary uses permitted of right shall be limited to one (1) single-family dwelling, which may be a Class A manufactured home, utility services, and public safety facilities.

2. Other Uses Permitted.

a. Accessory buildings.

b. Home occupations, subject to the standards set forth in section 8.4.501 of this title.

c. Temporary or intermittent recreational use of up to two (2) recreational vehicles, subject to the standards set forth in section 8.4.401 of this title.

d. One (1) personal storage building not to exceed 2,000 square feet may be built prior to the establishment of one or more of the uses listed in paragraph (1) of this subsection; provided, however, that a special notice permit shall be required for such personal storage buildings where the building will be 200 square feet or greater. No special notice permit shall be required for a personal storage building if the building will be 400 square feet or less and the setback areas from the structure to the property lines are two (2) times the normally applicable setback distances. *See* section 8.2.310 of this article. (Ord. 546, 10-22-19)

8.2.305: USES OF RIGHT ON PARCELS OF 8,250 SQUARE FEET OR MORE BUT LESS THAN TWO (2.00) ACRES: Parcels created prior to February 8, 2005 that are a minimum of 8,250 square feet but less than two (2.00) acres in size shall be regarded as conforming parcels for purposes of this title. On such parcels, the following uses are permitted of right, provided that all uses shall leave sixty-five percent (65%) of the parcel as open space free from structures:

A. Primary Uses.

1. One (1) single-family dwelling, which may be a Class A manufactured home, or one (1) two-family dwelling.

2. Publicly-owned parks, playgrounds, or recreational facilities.

3. Bed and breakfast inns, subject to the standards set forth in section 8.4.502 of this title.

4. Temporary office for the sale of real estate, for a period not to exceed two (2) years.

5. General farming and forestry, provided that the minimum area for the keeping of livestock shall be three-fourths ($\frac{3}{4}$) acre. Domestic fowl must be kept in a secure yard or other enclosure at all times.

6. Utility Services.

B. Accessory Uses. The following uses are allowed after one or more of the primary uses listed in subsection (A) above have been established:

1. Accessory buildings.

2. One (1) accessory living unit, subject to the standards set forth in section 8.4.301 of this title.

3. Temporary hardship use, subject to the standards set forth in section 8.4.302 of this title.

4. Home occupations, subject to the standards set forth in section 8.4.501 of this title.

5. Automotive hobby activities, subject to the standards set forth in section 8.4.503 of this title.

C. Temporary or intermittent recreational use of up to two (2) recreational vehicles, subject to the standards set forth in section 8.4.401 of this title.

D. One (1) personal storage building not to exceed 2,000 square feet may be built prior to the establishment of one or more of the uses listed in subsection (A) of this section; provided, however, that a special notice permit shall be required for such personal storage buildings where the building will be 200 square feet or greater and the lot or parcel is less than one (1.00) acre in size. No special notice permit shall be required for a personal storage building if the building will be 400 square feet or less and the setback areas from the structure to the property lines are two (2) times the normally applicable setback distances. *See* section 8.2.310 of this article. (Ord. 514, 10-4-17; Ord. 517, 1-31-18; Ord. 546, 10-22-19)

8.2.306: USES OF RIGHT ON PARCELS OF TWO (2.00) ACRES OR MORE: On parcels that are a minimum of two (2.00) acres in size, the following uses are permitted of right, provided that all uses shall leave sixty-five percent (65%) of the parcel as open space free from structures:

A. Primary Uses:

1. General farming and forestry, provided that the minimum area for the keeping of livestock shall be three-fourths ($\frac{3}{4}$) acre. Domestic fowl must be kept in a secure yard or other enclosure at all times on parcels smaller than five (5.00) acres.

2. One (1) single-family dwelling, which may be a Class A manufactured home, or one (1) two-family dwelling.

3. Publicly-owned parks, playgrounds, or recreational facilities.

4. Bed and breakfast inns, subject to the standards set forth in section 8.4.502 of this title.

5. Temporary office for the sale of real estate, for a period not to exceed two (2) years.
6. Public Safety Wireless Communications Facilities.
7. Utility Services.

B. Accessory Uses. The following uses are allowed after one or more of the primary uses listed in subsection (A) above have been established:

1. Accessory buildings.
2. One (1) accessory living unit, subject to the standards set forth in section 8.4.301 of this title.
3. Temporary hardship use, subject to the standards set forth in section 8.4.302 of this title.
4. Home occupations, subject to the standards set forth in section 8.4.501 of this title.
5. Automotive hobby activities, subject to the standards set forth in section 8.4.503 of this title.
6. Cottage industries, subject to the standards set forth in section 8.4.504 of this title.
7. Non-commercial kennels, subject to the standards set forth in section 8.4.505 of this title.

C. One (1) personal storage building may be built prior to the establishment of one or more of the primary uses listed in subsection (A) above. Such building shall not exceed 2,000 square feet on parcels of less than five (5.00) acres in size, and shall not exceed 5,000 square feet on parcels of five (5.00) acres or greater in size.

D. Continued operation of airports or airstrips that were in existence as of June 9, 2016.

E. Temporary or intermittent recreational use of up to two (2) recreational vehicles, subject to the standards set forth in section 8.4.401 of this title. (Ord. 514, 10-4-17; Ord. 517, 1-31-18; Ord. 546, 10-22-19)

8.2.307: USES PROHIBITED: Except as permitted of right or with a conditional use permit or special notice permit as set forth in this article, the following uses are prohibited:

- A. Commercial uses.
- B. Industrial uses.
- C. Manufacturing uses.
- D. The keeping of livestock on parcels of less than three-fourths ($\frac{3}{4}$) acre in size.
- E. The keeping of domestic fowl on parcels of less than 8,250 square feet in size. (Ord. 546, 10-22-19)

8.2.308: SETBACKS AND OFF-STREET PARKING:

A. The following setbacks shall apply to all structures in the Agricultural Suburban zone:

Structure Type	Setback Type	Distance
Residential structures	Front yard	25 feet
	Side yard	10 feet
	Side yard, with an alley	6 feet
	Rear yard	25 feet
	Flanking Street	15 feet
Accessory buildings and personal storage buildings	Front yard	25 feet
	Side yard	10 feet
	Side yard, with an alley	6 feet
	Rear yard	15 feet
	Flanking Street	15 feet
All other allowed structures	Front yard	30 feet
	Side yard	30 feet
	Rear yard	30 feet
	Flanking Street	25 feet

B. Off-Street Parking. Standards for off-street parking are set forth in section 8.4.1301 of this title. (Ord. 514, 10-4-17)

8.2.309: USES REQUIRING A CONDITIONAL USE PERMIT:

- Cemeteries
- Child Care Centers, Preschools, or Head Start Facilities
- Commercial Kennels
- Commercial Resorts
- Commercial Riding Arenas, Boarding Stables, or Equine Training Facilities
- Golf Courses or Driving Ranges
- Hospitals
- Medical or Dental Clinics
- Mini-Storage Facilities or Rental Warehouses
- Places of Worship or Assembly
- Privately-Owned Recreational Facilities which are open to public use
- Public Safety Facilities or Public Service Facilities
- Public Utility Complex Facilities

Residential Care Facilities

Resort Lodges, Retreat Centers, or Guest Ranches.

Schools

Veterinary Hospitals or Clinics

Wholesale Greenhouses

Wireless Communication Facilities; provided, however, that Public Safety Wireless Communication Facilities shall be permitted of right. The minimum lot size for Wireless Communication Facilities in the Agricultural Suburban zone, including Public Safety Wireless Communication Facilities, shall be two (2) acres. (Ord. 514, 10-4-17; Ord. 517, 1-31-18)

8.2.310: USES REQUIRING A SPECIAL NOTICE PERMIT:

One (1) Class B manufactured home.

Multiple-family dwellings.

One (1) railroad car or truck cargo container/trailer used for storage or any other purpose not associated with the active operation of an allowed railroad or trucking business.

Except as provided in subsection 8.2.304(B) or subsection 8.2.305(D) of this article, one (1) personal storage building on a lot or parcel under one (1.00) acre in size where one or more of the primary uses listed in sections 8.2.305 and 8.2.306 of this article, or the uses listed in section 8.2.309 of this article, have not yet been established. Such buildings shall not exceed 2,000 square feet in size.

Annual special event locations, subject to the standards set forth in section 8.5.204 of this title.

Lighting for any outdoor recreational facility permitted of right.

Private Resorts.

Utility Complexes. (Ord. 546, 10-22-19)

Article 2.4 Restricted Residential Zone

8.2.401: GENERAL DESCRIPTION: The Restricted Residential zone is a zoning district in which the land has been found to be suitable for residential use which is, or is expected to become, a one- or two-family unit living area. Uses are generally limited to residential uses.

8.2.402: RESTRICTIONS: In the Restricted Residential zone, no building or premises shall be used nor shall any building or structure hereafter be erected or altered (unless provided in this title) except for the following uses in accordance with the standards set forth in this article.

8.2.403: LOT SIZE AND SITE AREA: The minimum lot size in the Restricted Residential Zone shall be 8,250 square feet. The maximum density within the boundaries of Area of City Impact of the City of Hayden Lake shall be one (1) single family dwelling per acre.

8.2.404: USES OF RIGHT ON EXISTING PARCELS OF LESS THAN 8,250 SQUARE FEET:

A. Parcels created prior to January 3, 1973 which are less than 8,250 square feet in size shall be regarded as conforming parcels for purposes of this title.

B. Uses Permitted of Right.

1. Primary Uses. Primary uses permitted of right shall be limited to one (1) single-family dwelling, which may be a Class A manufactured home, utility services, and public safety facilities.

2. Other Uses Permitted.

a. Accessory buildings.

b. Home occupations, subject to the standards set forth in section 8.4.501 of this title.

c. Temporary or intermittent recreational use of up to two (2) recreational vehicles, subject to the standards set forth in section 8.4.401 of this title.

d. One (1) personal storage building not to exceed 2,000 square feet may be built prior to the establishment of one or more of the uses listed in paragraph (1) of this subsection; provided, however, that a special notice permit shall be required for such personal storage buildings where the building will be 200 square feet or greater. No special notice permit shall be required for a personal storage building if the building will be 400 square feet or less and the setback areas from the structure to the property lines are two (2) times the normally applicable setback distances. *See* section 8.2.411 of this article. (Ord. 514, 10-4-17; Ord. 517, 1-31-18; Ord. 546, 10-22-19)

8.2.405: USES OF RIGHT ON PARCELS OF 8,250 SQUARE FEET OR MORE BUT LESS THAN 9,900 SQUARE FEET: On parcels that are a minimum of eight thousand two hundred fifty (8,250) square feet but less than nine thousand nine hundred (9,900) square feet in size, the following uses are permitted, provided that all uses shall leave sixty-five percent (65%) of the parcel as open space free from structures:

A. Primary Uses:

1. One (1) single-family dwelling, which may be a Class A manufactured home.
2. Publicly-owned parks, playgrounds, or recreational facilities.
3. Bed and breakfast inns, subject to the standards set forth in section 8.4.502 of this title.
4. Temporary office for the sale of real estate for a period not to exceed two (2) years.
5. Utility Services.

B. Accessory Uses. The following uses are allowed after one or more of the primary uses listed in subsection (A) above have been established:

1. Accessory buildings.
2. One (1) accessory living unit, subject to the standards set forth in section 8.4.301 of this title.
3. Temporary hardship use, subject to the standards set forth in section 8.4.302 of this title.
4. Home occupations, subject to the standards set forth in section 8.4.501 of this title.
5. Automotive hobby activities, subject to the standards set forth in section 8.4.503 of this title.
6. The keeping of domestic fowl, subject to the following limitations:
 - a. Male chickens (roosters) shall not be kept.
 - b. Domestic fowl must be kept in a secure yard or other enclosure at all times.

C. Temporary or intermittent recreational use of up to two (2) recreational vehicles, subject to the standards set forth in section 8.4.401 of this title.

D. One (1) personal storage building not to exceed 2,000 square feet may be built prior to the establishment of one or more of the uses listed in subsection (A) of this section; provided, however, that a special notice permit shall be required for such personal storage buildings where the building will be 200 square feet or greater. No special notice permit shall be required for a personal storage building if the building will be 400 square feet or less and the setback areas from the structure to the property lines are two (2) times the normally applicable setback distances. *See* section 8.2.411 of this article. (Ord. 514, 10-4-17; Ord. 517, 1-31-18; Ord. 546, 10-22-19)

8.2.406: USES OF RIGHT ON PARCELS OF 9,900 SQUARE FEET OR MORE BUT LESS THAN FIVE (5.00) ACRES: On parcels that are a minimum of nine thousand nine hundred (9,900) square feet but less than five (5.00) acres in size, the following uses are permitted, provided that all uses shall leave sixty-five percent (65%) of the parcel as open space free from structures:

A. Primary Uses:

1. One (1) single-family dwelling, which may be a Class A manufactured home, or one (1) two-family dwelling.
2. Any of the other primary uses listed in section 8.2.405 of this article.

B. Accessory Uses:

1. Any of the accessory uses listed in section 8.2.405 of this article, subject to the applicable standards or limitations set forth in that section, are allowed after one or more of the primary uses of right permitted under this section have been established.

2. The keeping of livestock, subject to the following limitations:

- a. The keeping of livestock shall be allowed only after one or more of the primary uses of right permitted under this section have been established.
- b. The minimum area for the keeping of livestock shall be three-fourths ($\frac{3}{4}$) acre.
- c. Livestock care and animal waste management must meet all applicable regulations of agencies with jurisdiction.

C. Temporary or intermittent recreational use of up to two (2) recreational vehicles, subject to the standards set forth in section 8.4.401 of this title.

D. One (1) personal storage building not to exceed 2,000 square feet may be built prior to the establishment of one or more of the uses listed in subsection (A) of this section; provided, however, that a special notice permit shall be required for such personal storage buildings where the building will be 200 square feet or greater and the lot or parcel is less than one (1.00) acre in size. No special notice permit shall be required for a personal storage building if the building will be 400 square feet or less and the setback areas from the structure to the property lines are two (2) times the normally applicable setback distances. See section 8.2.411 of this article. (Ord. 517, 1-31-18; Ord. 546, 10-22-19)

8.2.407: USES OF RIGHT ON PARCELS OF FIVE (5.00) ACRES OR MORE: On parcels that are a minimum of five (5.00) acres in size, the following uses are permitted of right, provided that all uses shall leave sixty-five percent (65%) of the parcel as open space free from structures:

A. Primary Uses. Any of the primary uses listed in sections 8.2.405 and 8.2.406 of this article.

B. Accessory Uses:

1. Any of the accessory uses listed in section 8.2.405 and 8.2.406 of this article are allowed after one or more of the primary uses of right permitted under this section have been established.
2. Accessory uses shall be subject to the applicable standards or limitations set forth in section 8.2.405 or 8.2.406 of this article, except that the keeping of domestic fowl may include male chickens (roosters), and domestic fowl need not be kept in a secure yard or other enclosure.

C. Temporary or intermittent recreational use of up to two (2) recreational vehicles, subject to the standards set forth in section 8.4.401 of this title.

D. One (1) personal storage building not to exceed 5,000 square feet may be built prior to the establishment of one or more of the primary uses listed in subsection (A) above. (Ord. 514, 10-4-17; Ord. 517, 1-31-18; Ord. 546, 10-22-19)

8.2.408: USES PROHIBITED: Except as permitted of right or with a conditional use permit or special notice permit as set forth in this article, the following uses are prohibited:

- A. Commercial uses.
- B. Industrial uses.
- C. Manufacturing uses.
- D. The keeping of livestock on parcels of less than three-fourths (¾) acre in size.
- E. The keeping of domestic fowl on parcels of less than 8,250 square feet in size. (Ord. 546, 10-22-19)

8.2.409: SETBACKS AND OFF-STREET PARKING:

A. The following setbacks shall apply to all structures in the Restricted Residential zone:

Setback Type	Distance
Front yard	25 feet
Side yard	10 feet
Side yard, with an alley	6 feet
Rear yard	25 feet
Flanking Street	15 feet

B. Off-Street Parking. Standards for off-street parking are set forth in section 8.4.1301 of this title.

8.2.410: USES REQUIRING A CONDITIONAL USE PERMIT:

- Child Care Centers, Preschools, or Head Start Facilities
- Commercial Resorts
- Golf Courses or Driving Ranges
- Places of Worship or Assembly
- Privately Owned Recreational Facilities which are open to public use
- Public Safety Facilities or Public Service Facilities
- Public Utility Complex Facilities
- Residential Care Facilities
- Resort Lodges, Retreat Centers, or Guest Ranches
- Schools (Ord. 514, 10-4-17; Ord. 517, 1-31-18)

8.2.411: USES REQUIRING A SPECIAL NOTICE PERMIT:

- One (1) Class B manufactured home.
- Except as provided in subsection 8.2.404(B), subsection 8.2.405(D), or subsection 8.2.406(D) of this article, one (1) personal storage building on a lot or parcel under one (1.00 acre) in size

where one or more of the primary uses listed in sections 8.2.405 and 8.2.406 of this article, or one or more of the uses listed in section 8.2.410 of this article, have not yet been established. Such buildings shall not exceed 2,000 square feet in size.

Annual special event locations, subject to the standards set forth in section 8.5.204 of this title.

Lighting for any outdoor recreational facility permitted of right.

Private Resorts.

Utility Complexes. (Ord. 546, 10-22-19)

Article 2.5 High Density Residential Zone

8.2.501: GENERAL DESCRIPTION: The High Density Residential zone is a zoning district in which the land has been found to be suitable for high-density residential uses, including multiple family dwellings, manufactured home units used as single-family residences on individual lots, or manufactured home parks permitted through the issuance of a conditional use permit. The predominant housing type in this zone will be manufactured homes and apartments.

8.2.502: RESTRICTIONS: In the High Density Residential zone, no building or premises shall be used, nor shall any building or structure hereafter be erected or altered (unless provided in this title), except for the following uses in accordance with the standards set forth in this article.

8.2.503: DENSITY: Except as otherwise provided in this section, the maximum density in the High Density Residential zone shall be one (1) dwelling unit per 3,000 square feet.

8.2.504: USES PERMITTED: The following uses are permitted of right, provided that all uses except public safety facilities shall leave sixty-five percent (65%) of the parcel as open space free from structures:

A. Primary Uses:

1. One (1) single-family dwelling or one (1) two-family dwelling. On parcels of not less than six thousand (6,000) square feet with frontage on a public road, one (1) Class A or Class B manufactured home may be used as a single-family dwelling.
2. Publicly-owned parks, playgrounds, or recreational facilities.
3. Bed and breakfast inns, subject to the standards set forth in section 8.4.502 of this title.
4. Temporary office for the sale of real estate for a period not to exceed two (2) years.
5. Multiple-family dwellings are permitted of right on parcels of not less than twelve thousand square feet (12,000 sq. ft.) in size with frontage on a public road. There shall be a ratio of not less than three thousand square feet (3,000 sq. ft.) of land per dwelling unit.
6. Utility Services.