

Land Use District is ten thousand (10,000) square feet, unless the provisions of Section 17.104.55 are met.

Section 17.104.75 Public/Semi Public Facilities Regulatory Land Use District. The Public/Semi-Public Facilities (PSP) Regulatory Land Use District is intended for public or semi-public facilities such as schools, churches, fire stations, hospitals, civic and community buildings, and utility buildings and facilities. This designation includes uses developed either by public or private capital which may be public or may be restricted, as in the case of private clubs, but in both cases, a large number of people use the facility and the use is essentially public in nature. There is no minimum lot area for this Regulatory Land Use District.

Section 17.104.80 Other Land Use Regulatory Districts. The Other Regulatory Land Use District includes the Agricultural-Mining-Recreation, the General Rural, and the Open Space Regulatory Land Use Districts.

Section 17.104.85 The Agricultural-Mining-Recreation Regulatory Land Use District. The Agriculture-Mining-Recreation (AMR) Regulatory Land Use District is intended to allow agricultural, mining, and recreational uses. This designation applies to open areas with limited or no road access, water, sewer, and emergency services.

Characteristics: The Regulatory Land Use District identifies areas that may have one or more of the following characteristics:

- A. **Public Ownership.** The parcel or area is under public ownership.
- B. **Remote Location Lacking Infrastructure.** The parcel or area is in a remote location that does not have public infrastructure adjacent to or near the site.
- C. **Slopes.** The parcel or area has moderate slopes (between 15 and 30 percent) or steep slopes (30 percent or greater) based on surveyed topographic information provided by owner or applicant.

Residential Uses Allowed: One residential unit per quarter (¼) section is allowed in conjunction with agricultural, mining, and recreational uses. If the parcel is less than one hundred sixty (160) acres (or a quarter [¼] of a section if the section is less than six hundred forty [640] acre) and was created prior to June 30, 2006, the parcel has one residential building right which may be exercised in conjunction with agricultural, mining, and recreational uses.

Any person desiring to construct a residence on a parcel in the AMR, which has a building right as set forth herein, regardless of the size of the parcel, must comply with the provisions of Pershing County Code 17.503.

Divisions into Parcels Smaller Than ¼ Section after June 30, 2006: Subsequent to June 30, 2006, all maps, creating parcels in the AMR with less than one hundred sixty (160) acres (or a quarter [¼] of the section if the section has less than six hundred forty [640] acres), shall provide a provision explaining in clear language that the parcels which are less than one hundred sixty (160) acres or one quarter (¼) of a section, do not have any residential building rights.

Master Plan Amendments: No Master Plan Amendments as provided in this code may be granted changing property from AMR to a different residential land use district unless:

1. The proposed Master Plan Amendment satisfies the requirements of Pershing County Code 17.712; and
2. The applicant can show that the property:
 - a. Has an emergency response time as determined by the County that is less than thirty five (35) minutes away from the nearest County Fire House/Station (Emergency Response Time shall be determined by calculating the time it takes to travel from the nearest County Firehouse/Station to the parcel/home, traveling at the current speed limits on the most direct route over County or State roads);
 - b. Has a demonstrated supply of electricity and phone service;
 - c. Has an adequate source of potable water for domestic use;
 - d. Has road access that meets the requirements of Pershing County Code Chapters 17.503; and
 - e. Has a plan for use of the property which will justify the change, and signs an agreement to implement and finalize the plan for new land use within two years.

Compatible Uses: Compatible uses with Agricultural-Mining-Recreational Land Use District are agricultural, mining, and milling structures, recreation, and to the extent provided herein, residential. Civic, commercial, and industrial uses are permitted subject to a special use permit approval. Radio, television, and telecommunication facilities and antennas and recreational pursuits are also allowed with a special use permit.

Section 17.104.90 The General Rural Regulatory Land Use District. The General Rural (GR) Regulatory Land Use District is intended to identify areas that are: (1) within the agricultural areas; (2) remote and will have no or very low density development (i.e. one dwelling unit per 40 acres), (3) in transition from agricultural-mining-recreational land use and rural residential (LDR and MDR) land use on the fringe of existing development, and (4) remote but where unique developments may occur (e.g. destination resorts, gun clubs, bed and breakfast inns, telecommunications, commercial stables, wholesale nursery, mining and recreational facilities). This Regulatory Land Use District identifies areas that may have one or more of the following characteristics:

- A. Floodplains. The parcel or area is within the 100-year floodplain identified on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM).
- B. Potential Wetlands. The parcel or areas are within a “potential wetland area” as identified by the Army Corps of Engineers (COE).