

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 8, CHAPTER 7, ARTICLE A, SECTION 5 TO PROVIDE THAT POSTING OF NOTICES TO BE DUTY OF APPLICANT; TO PROVIDE FOR POSTING OF SIGNS WHEN NOTICE REQUIRED FOR 200 OR MORE PROPERTY OWNERS; TO PROVIDE FOR SIGNAGE REQUIREMENTS FOR POSTING ON PROPERTY FOR VARIOUS APPLICATIONS, SIGN PLACEMENT, MATERIALS AND SIZE, STREET GROUND ELEVATIONS, WORDING, CLEAR VISION TRIANGLES, SEPARATION REQUIREMENTS FOR POWER LINES, MAINTENANCE AND REPAIR, PROOF OF POSTING, AND REMOVAL, AND PROVIDING FOR FAILURE TO REMOVE THE SIGNS TIMELY TO BE A VIOLATION SUBJECT TO THE PENALTIES IN ADA COUNTY CODE SECTION 8-7-8.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 8, CHAPTER 7, ARTICLE A, SECTION 5 BE AMENDED AS FOLLOWS:

8-7A-5: NOTICE TO PUBLIC:

- A. Legal Notice: At least fifteen (15) days prior to the public hearing, the director shall publish a notice of the time and place and a summary of the application in the official newspaper of general circulation in the county.
- B. Site Notice: At least ~~seven (7)~~ ten (10) days prior to the public hearing, the ~~director~~ applicant shall post a notice on the ~~premises of the application~~ property which is the subject of the application, except for zoning ordinance text amendments or comprehensive plan amendments. The notice shall comply with the sign posting requirements as set out in this section.
- C. Radius Notice: At least seven (7) days prior to the public hearing, the director shall send a notice of the time and place, and a summary of the application to property owners or purchasers of record (as listed in the current records of the Ada County assessor) owning property within three hundred feet (300') of the property being considered. The director may determine, or other applications provided for in this title may require, that notices be sent to property owners or purchasers of record whose properties are farther than three hundred feet (300') from the external boundaries of the property upon which the application is located.
1. Any application located in a rural district shall require notice within one thousand feet (1,000') of the property being considered.
 2. The following uses shall also require notice within one thousand feet (1,000') of the property being considered:
 - Adult entertainment establishment.
 - Aircraft landing field (private ownership).

Airport (public ownership).
Bar, brewpub, or nightclub.
Explosive manufacturing or storage.
Flammable substance storage.
Foundry.
Junkyard or automobile wrecking yard.
Manufacture or processing of hazardous chemicals or gases.
Meatpacking facility.
Pit, mine, or quarry requiring administrative or conditional use approval.
Power plant.
Processing plant for agricultural and dairy products.
Public or quasi-public use - public or private correctional facility.
Racetrack, vehicle or animal.
Sanitary landfill, restricted.
Sawmill or planing mill.
Slaughterhouse.
Soil or water remediation.
Tannery.
Tower or antenna structure, commercial.
Vehicle impound yard.

3. Livestock confinement facilities with three hundred one (301) or more animal units shall require notice within two thousand six hundred forty feet (2,640') of the property being considered.

D. Alternate Forms Of Notice: When ~~posted or mailed~~ notice is required of two hundred (200) or more property owners or purchasers of record, alternate forms of notice may be provided as follows:

1. In lieu of mailed notice, one additional notice of the time and place of the hearing and summary of the proposal shall be published in a newspaper of general circulation within the county, not less than seven (7) days prior to the hearing.

~~2. In lieu of posted notice on the premises, notices shall be posted, not less than two (2) weeks prior to the hearing, in locations of high public uses within the affected areas of the county including post offices and major retail establishments. At least ten (10) days prior to the hearing, the applicant shall post a hearing notice on the property following the sign posting requirements of this section.~~

3. At least seven (7) days prior to the hearing, a notice shall be made available to other newspapers, radio, and television stations servicing the county for use as a public service announcement.

E. Public Service Announcement: In the case of amendments to this title and the comprehensive plan, the director shall issue a notice to other newspapers and radio and television stations serving the jurisdiction for use as a public service announcement prior to the public hearing.

F. Sign Posting Requirements of Applicant:

1. Posting Of Hearing Notice On Property: Not less than ten (10) days prior to the scheduled Ada County Planning and Zoning Commission and/or the Board of Ada County Commissioners hearing(s), the applicant shall post a sign containing the notice of hearing of the application on the property under consideration. The posting of the property must be in substantial compliance with the following requirements:

a. Signage Requirements: All signs shall be installed in accordance with the following standards:

(1) Number of Signs:

i. General Standards: One (1) sign shall be posted on the subject property so as to be visible from each roadway that is adjacent to it, excluding Interstate 84. In the event that the property being considered has roadway frontage of one thousand two hundred and fifty feet (1250') or more, a sign shall be placed at each end of the property roadway frontage.

ii. Standards for Electric Transmission Line Corridors/Substations: For electric transmission line corridors running parallel to a roadway, a sign shall be posted at each end of the corridor along the roadway frontage and at each arterial intersection. For electric transmission line corridors not running parallel to a roadway, signs shall be posted on both sides of the roadway where the corridor intersects a roadway. For electric substations, signs shall be posted on site.

(2) Placement: Where the property fronts an intersection of two (2) roadways, then the sign(s) shall not be posted in the clear vision triangle as set forth in this title. The sign(s) shall be located on the property, outside of the public right of way. If the sign(s) cannot be

placed on the property and still be clearly visible, the sign(s) may be placed within the right of way if the applicant can obtain the consent of the owner of the right of way. In the case of an appeal by a person, other than the original applicant, of an administrative or commission decision, the appellant may place the sign on the right of way with the permission of the owner of the right of way.

(3) Size and Materials: Except as noted herein, the sign(s) shall consist of four foot by four foot (4' x 4') plywood or other hard surface mounted on two (2) four inch by four inch (4" x 4") posts, or attached to another director approved support and the bottom of the sign shall be a minimum of three feet (3') above the grade elevation at the base of the sign structure or street elevation to which the sign(s) is oriented which ever is higher. Provided, however, for an application for a subdivision plat, variance, rezone for property less than three (3) acres in size, any application where the applicant is a federal, state, county or municipal government, a utility company or corporation under the jurisdiction of the Idaho Public Utilities Commission, or an appeal of an administrative or a commission decision to the board, the sign(s) may consist of an eleven inch by seventeen inch (11" x 17") yellow laminated paper or other similar material mounted to a rigid surface of equal size and attached to a director approved support and the bottom of the sign shall be a minimum of three feet (3') above the grade elevation at the base of the sign structure or street elevation to which the sign(s) is oriented which ever is higher.

(4) Wording: Centered at the top of the four foot by four foot (4' x 4') sign(s), or the 11" by 17" laminated yellow paper sign(s), shall be the words "ADA COUNTY PUBLIC HEARING NOTICE." In addition, each sign will state whether it is for the Ada County Planning and Zoning Commission or the Board of Ada County Commissioners, the date, time and address of the hearing location, a summary of the proposal to be considered, the property size and location of the development, the name of the applicant, project number, planner name and phone number. Each 4' x 4' sign shall be white on both sides and the letters shall be black and shall appear on both sides.

An example of the required sign specification is set forth below with the letter size required for a 4' x 4' sign:

Size = 6 ADA COUNTY PUBLIC HEARING NOTICE
inches

Size = 2 Ada County Planning and Zoning Commission
inches

Size = 1.5 WHEN: ADA COUNTY will hold a public hearing on September 28, 2008 at
inches 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor,
200 W. Front Street, Boise, ID.

Size = 1.5 PURPOSE: A Preliminary Plat for (You-Name-It-Subdivision) to include 28
inches residential lots and 4 common lots, a Zoning Ordinance Map Amendment from
Southwest Community Residential (RSW) District to Medium Low Density
(R4) District, a Property Boundary Adjustment, and a Development Agreement.

Size = 1.5 inches PROPERTY SIZE/LOCATION: The property contains approximately 14.50 acres and is located on the south side of W. Any Where Drive, approximately ½ mile south of E. You Tell Us Road, Boise, ID; Section 26, T. 3N., R. 1E.

Size = 1.5 inches APPLICATION BY: Average citizen, USA, Inc.

Size = 1.5 inches PROJECT NUMBER/PLANNER NAME/PLANNER PHONE NUMBER: 200801123-S-ZC-PBA-DA/Jane Doe/287-0000.

(5) Separation Requirements From Utility Power Lines: Signs shall be located in such a way that they maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with national electrical safety code specifications, as reviewed and determined by the local power company. Applicants are required to contact the local electric company before erecting a sign nearer than twenty-five feet (25') of electric power lines. No sign shall be placed within a power line easement without approval of the holder of such easement.

(6) Sign Maintenance And Repair: All signs shall be continually maintained in a state of good appearance, security, safety and repair during the hearing process.

(7) Proof Of Posting: The applicant shall submit a certification of sign posting and dated photograph of each sign(s) posted to the director no later than seven (7) days prior to the public hearing. The certification shall be on the form provided by the development services department and contain all the information required therein. Unless such certification and photograph(s) are received by such date, the hearing may be tabled.

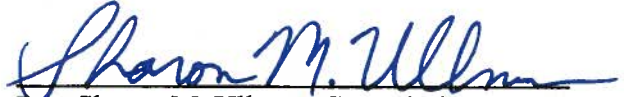
(8) Sign Removal and Punishment of Violation: No later than three (3) days after the applicant receives a final decision on the application, the sign(s) must be removed. Failure to remove the sign(s) shall be deemed a violation of this title with an applicant subject to the penalties in section 8-7-8 of this title.

ADOPTED this 13 day of May, 2009.

Board of Ada County Commissioners



By: Fred Tilman, Chairman

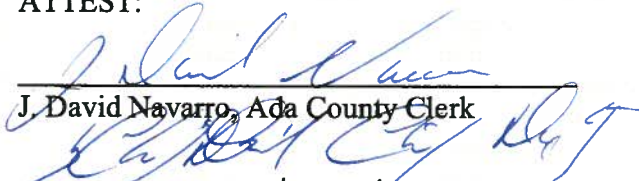


By: Sharon M. Ullman, Commissioner



By: Rick Yzaguirre, Commissioner

ATTEST:



J. David Navarro, Ada County Clerk

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