

AN ORDINANCE AMENDING TITLE 8 OF THE ADA COUNTY CODE; TO AMEND SECTION 8-2B-1 TO ADD RETAIL NURSERIES AS A CONDITIONAL USE IN THE RUT DISTRICT; AND TO AMEND SECTION 8-5-3.72 AS TO THE SPECIFIC USE STANDARDS FOR RETAIL NURSERIES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO THAT TITLE 8 OF THE ADA COUNTY CODE BE AMENDED AS FOLLOWS:

SECTION 1: Ada County Code § 8-2B-1 is amended as follows:

Table 8-2B-1: Allowed Use by Residential Base District (Ord.426, 10-02-01; Ord, 490, 4-16-03)

Allowed Use	RUT Standard	RUT Cluster Lot	RSW Standard	RSW Cluster Lot	R1/ R1M	R2	R4	R6	R8/ R8M	R12	R20
Accessory structure	A	A	A	A	A	A	A	A	A	A	A
Agricultural structure	A	—	A	—	A	A	A	A	A	A	A
Agricultural use	P	P	P	P	P	P	P	P	P	P	P
Amusement or recreation facility, indoor (only)	—	—	—	—	—	—	—	—	—	—	C
Amusement or recreation facility, outdoor (only)	C	—	C	—	C	C	C	C	C	—	—
Animal boarding with outside runs	C	—	C	—	—	—	—	—	—	—	—
Animal clinic, animal hospital, or veterinary office	C	—	C	—	—	—	—	—	—	—	—
Automotive, hobby	A	A	A	A	A	A	A	A	A	A	A
Bed and breakfast establishment	C	C	C	C	C/—	—	—	—	—	—	—
Boarding house	—	—	—	—	—	—	—	—	—	C/—	C
Cemetery	C	C	C	C	C	C	C	C	C	C	C
Children's treatment facility	C	C	C	C	C/—	C	C	C	C/—	—	—
Church	C	C	C	C	C	C	C	C	C	C	C
Club or lodge or social hall	C	C	C	C	C	C	C	C	C	C	C
Dangerous or protected animals	C	C	C	C	C	C	C	C	C	C	C
Day care facility	C	C	C	C	C	C	C	C	C	C	C
Day care home, group	A	A	A	A	A	A	A	A	A	A	A
Drug and alcohol treatment facility	C	C	C	C	C/—	C	C	C	C/—	—	—
Duplex or single family attached dwelling	—	—	—	—	—	—	P	P	P/—	P/—	P
Dwelling, secondary attached	C	C	C	C	C	C	C	C	—	—	—
Dwelling, secondary detached	C	C	C	C	C	—	—	—	—	—	—
Dwelling, single family detached	P	P	P	P	P/—	P	P	P	P/—	P/—	P
Dwelling, townhouse	—	—	—	—	—	—	—	—	—	P	P
Fence, barbed wire or electric wire	A	C	C	C	C	C	C	C	C	C	C

Allowed Use	RUT Standard	RUT Cluster Lot	RSW Standard	RSW Cluster Lot	R1/ R1M	R2	R4	R6	R8/ R8M	R12	R20
Fence, barbed wire or electric wire accessory to a Livestock confinement facility	A	A	A	A	A	A	A	A	A	A	A
Fence, other	A	A	A	A	A	A	A	A	A	A	A
Foster home, group	C	C	C	C	C/—	C	C	C	C/—	C/—	C
Fuel cell	A	A	A	A	A	A	A	A	A	A	A
Golf course and country club	C	C	C	C	C	C	C	C	C	C	C
Home occupation	A	A	A	A	A	A	A	A	A	A	A
Kennel, commercial	C	—	C	—	—	—	—	—	—	—	—
Kennel, hobby	A	A	A	A	A	A	A	A	A	A	A
Livestock confinement facility, = 300 AU	A	A	A	A	A	A	A	A	A	A	A
Manufactured home	—	—	—	—	—/P	—	—	—	—/P	—/P	—
Manufactured home park	—	—	C	—	C/P	C	C	C	C/P	C/P	C
Manufactured home subdivision or park in a Manufactured home district	—	—	—	—	—/P	—	—	—	—/P	—/P	—
Mortuary	A	—	—	—	—	—	—	—	—	—	—
Multi-family development	—	—	—	—	—	—	—	—	—	P/—	P
Nursery, wholesale (only)	P	—	—	—	—	—	—	—	—	—	—
<u>Nursery, retail</u>	<u>C</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
Nursing facility, skilled	—	—	—	—	—	C	C	C	C	C	C
Office, relating to an approved use	A	—	—	—	—	—	—	—	—	—	—
Office, temporary construction	A	A	A	A	A	A	A	A	A	A	A
Outdoor storage	A	A	A	A	A	A	A	A	A	A	A
Pit, mine, or quarry	A or C	A	A or C	A	A	A	A	A	A	A	A
Portable classroom	A	A	A	A	A	A	A	A	A	A	A
Public or quasi-public use	C	C	C	C	C	C	C	C	C	C	C
Remediation, In-Situ	P	P	P	P	P	P	P	P	P	P	P
Residential care facility	C	C	C	C	C	C	C	C	C	C	C
Roadside produce stand	A	—	A	—	—	—	—	—	—	—	—
School, public or private	C	C	C	C	C	C	C	C	C	C	C
Signs, Non-Accessory, Off-Premise	—	—	—	—	—	—	—	—	—	—	—
Stable or riding arena, commercial	C	—	—	—	—	—	—	—	—	—	—
Swimming pool, private	A	A	A	A	A	A	A	A	A	A	A
Tower or antenna structure, commercial	C	C	C	C	C	C	C	C	C	C	C
Tower or antenna structure, private	A	A	A	A	A	A	A	A	A	A	A

Note: Where two designations are noted (e.g. C/P), the first designation applies to the first base district noted in the column heading. Likewise, the second designation applies to the second base district noted in the column heading.

SECTION 2: Ada County Code § 8-5-3.72 is amended as follows:

8-5-3.72: NURSERY, WHOLESALE OR RETAIL:

- A. Outdoor mechanical equipment (including, but not limited to, heaters and fans) shall not be located within 50 feet of a property line. To reduce noise, permanently mounted mechanical equipment shall be enclosed to the maximum extent possible.

- B. Outdoor storage areas for materials shall comply with Section 8-5-3.78 of this Title. The following nursery materials shall be exempt from this requirement:
 - 1. Growing plants in-ground or in-containers; and

 - 2. Wood chips, bark, rock, gravel, or similar ground cover material where such storage piles do not exceed six feet (6') in height.

- C. Any outdoor speaker system associated with the nursery shall comply with the noise regulations of Section 5-12-3 of the Ada County Code.

- D. The application of fertilizer or process wastewater at agronomic rates shall be deemed a component of the nursery use.

- E. Additional standards for wholesale and/or retail nursery within a residential district or adjoining a residential district:
 - 1. All proposed lighting shall comply with the provisions of Chapter 4, Article H.

 - 2. Any storage area for material in the process of being converted into compost shall be located a minimum of one hundred feet (100') from any property line.

 - 3. No aerial spraying of the property shall be allowed.

- F. Retail nurseries in the RUT (Rural-Urban Transition) district, shall also comply with the following:
 - 1. The total amount of enclosed retail space shall not exceed 5,000 square feet. Greenhouses (as defined by this Title) shall not be considered retail space.

 - 2. The property shall have frontage to an arterial street.

APPROVED AND ADOPTED this 8th day of October 2003.

Board of Ada County Commissioners

Judy M. Peavey-Derr, Chairman

Rick Yzaguirre, Commissioner

Fred Tilman, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk

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