

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 8, CHAPTER 2, ARTICLE B, SECTION 6 PARAGRAPH B TO EXCLUDE PROPERTY WITHIN EAGLE AREA OF CITY IMPACT BOUNDARY TO BE ELIGIBLE FOR CLUSTER SUBDIVISIONS; AMENDING ADA COUNTY CODE TITLE 9, CHAPTER 2, SECTION 3 AS TO CALCULATING DENSITY OF RESIDENTIAL DEVELOPMENTS WITHIN THE EAGLE AREA OF CITY IMPACT BOUNDARY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 8, CHAPTER 2, SECTION 6 PARAGRAPH B, AND TITLE 9, CHAPTER 2, SECTION 3 BE AMENDED AS FOLLOWS:

Section 1: Ada County Code § 8-2B-6B is amended as follows with the rest of Ada County Code § 8-2B-6 remaining the same.

8-2B-6: RUT AND RSW CLUSTER SUBDIVISION:

B. Applicability: This regulation shall apply to any property that meets the following criteria with the exception of property located within the Eagle area of city impact boundary.

1. The property is within the rural-urban transition district or southwest community residential district;
2. The qualifying property has a minimum of two hundred fifty feet (250') of frontage along a public street; and

Section 2: Ada County Code § 9-2-3, is amended as follows:

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

- A. The Eagle comprehensive plan, as amended by the city of Eagle ~~July 18, 2000, by resolution 00-6, February 16, 2004 by resolution, No. 04-01,~~ shall apply within the Eagle area of city impact.
- B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, title 9 chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12.
- C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation.

D. The Ada County zoning ordinance shall be used to implement this chapter.

E. Ada County shall use the following standard in calculating density of Residential development: the total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle Comprehensive Plan Land Use Map will not be allowed except where the Eagle Comprehensive Plan details a fractional density and then the density shall not exceed the number described in the Eagle Comprehensive Plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation.

ADOPTED this 7th day of June, 2004.

Board of Ada County Commissioners

Judy Peavey-Derr, Chairman

Fred Tilman, Commissioner

Rick Yzaguirre, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk

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