

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 8, CHAPTER 21 TO INCLUDE A NEW ARTICLE B FOR SPRING ROCK PLANNED COMMUNITY DISTRICT; PROVIDING FOR A SHORT TITLE; PROVIDING FOR A STATEMENT OF PURPOSE; PROVIDING FOR THE ARTICLE'S APPLICABILITY; PROVIDING DEFINITIONS; PROVIDING FOR LAND USE DISTRICTS AND OVERLAY DISTRICT; PROVIDING FOR ALLOWED USES; PROVIDING FOR USE STANDARDS OF VARIOUS USE TYPES; PROVIDING FOR TEMPORARY USES; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR ADMINISTRATION; PROVIDING FOR APPLICATION PROCEDURES; PROVIDING FOR LAND DIVISIONS; PROVIDING FOR PROPERTY BOUNDARY ADJUSTMENT, PROVIDING FOR DEVELOPMENT PERMITS. VIOLATION OF THIS ARTICLE IS A MISDEMEANOR UNDER 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 21 BE AMENDED TO INCLUDE A NEW ARTICLE B, AS FOLLOWS:

**ARTICLE B. SPRING ROCK PLANNED COMMUNITY DISTRICT**

**8-21B-1: GENERAL PROVISIONS:**

A. **SHORT TITLE:** This article, which may be amended from time to time, will be known, cited, and referred to as the **SPRING ROCK DEVELOPMENT CODE**.

B. **PURPOSE:**

1. The purpose of this article is to carry out the vision, goals, and policies of the Spring Rock planned community comprehensive sub-area plan by classifying and regulating the uses of property and structures.
2. Because the vision of Spring Rock planned community differs from that of other development in unincorporated Ada County, it is necessary to establish standards in conformance with Idaho Code § 67-6511, including, but not limited to, those regulating:
  - a. The height and size of structures.
  - b. The use of structures and property.
  - c. The size of required yards and placement of structures on properties.
  - d. The density, size of lots, and mix of residential dwelling types.
  - e. The design and construction of public utilities for wastewater, irrigation water, potable water, streets, broadband services, and other utilities.
  - f. A method of administration for reviewing permits and applications within the Spring Rock planned community.

3. By detailing and clarifying applicable provisions for development within Spring Rock planned community, the intent is to achieve the Spring Rock community vision, protect property rights, and enhance property values.

C. APPLICABILITY: This article governs and controls all development within the Spring Rock planned community as described in the Spring Rock implementation plan and depicted on the sub-area plan future land use map.

1. The provisions of the Ada County zoning ordinance (Ada County code title 9), as it exists on [date of adoption] governs all standards or processes that are not specifically identified, set forth, or modified by this article.

2. Amendment of the Ada County zoning ordinance will not impact the future development of the Spring Rock planned community and will neither modify nor amend the specific provisions of this article, or the sub-area future land use map, the development standards, or the land use table adopted pursuant to this article.

3 Any contradiction, inconsistency, or ambiguity between the requirements of this article and any other provision of the Ada County zoning ordinance will be governed and controlled by this article.

4. The provisions of this article are severable, and if any provision, sentence, clause, section, or any part thereof, is held illegal, invalid, unconstitutional, or inapplicable, it will not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this article.

D. DEFINITIONS: The definitions set forth in section 8-1A-1 of this title are generally applicable in the interpretation and construction of this article; provided, however, that definitions set forth below are unique to this article and will be used specifically in the interpretation and construction of this article. In the event of any conflict between the terms defined in section 8-1A-1 of this title and the terms defined below, the terms defined below will take precedence. Subject to the foregoing, any term used in this article not specifically defined below will have the same meaning ascribed to that term as per the definitions set forth in section 8-1A-1 of this title, and any term not defined herein or in section 8-1A-1 of this title will be given its plain and ordinary meaning.

ACCESSORY STRUCTURE: A detached structure that is incidental to the principal structure and is located upon the same property.

ALLEY: A public or private way affording a means of access to abutting property at the back or side of a property.

APARTMENT STRUCTURE: A structure, or portion thereof, containing five (5) or more dwelling units or apartments, where such units are typically arranged as stacked units with another dwelling unit above and/or below. Apartment housing will often include multiple structures on a single property.

COMMUNITY CENTER: An area, building, or facility which is intended to include the recreational uses, owners' association, and community services that will form a social hub of the Spring Rock planned community, and which may include offices and retail spaces.

DENSITY, GROSS: The ratio of the total number of dwelling units within a development divided by the total area. Should that number be a fraction, it will be rounded to the nearest whole number.

DENSITY, NET: The ratio of the total number of dwelling units within a development divided by the net residential area. Should that number be a fraction, it will be rounded to the nearest whole number.

DUPLEX: A structure containing two (2) attached dwelling units, where dwelling units are located on the same property or on individual lots.

DWELLING, LIVE | WORK: A structure that offers the opportunity for the occupant to live and work in the same building with distinctly separate space for each use.

DWELLING, SECONDARY: A habitable dwelling unit established in conjunction with and subordinate to a detached single-family dwelling constructed on a foundation. The term includes guesthouse, granny flat, mother-in-law suite, carriage house, and garage apartment.

DWELLING, SINGLE-FAMILY DETACHED: A detached structure that accommodates a single family under single ownership with or without a secondary dwelling as defined in this article.

FOURPLEX: A structure containing four (4) attached or stacked dwelling units, where the dwelling units are located on the same property.

GARDEN UNIT PROJECT: A housing project with three (3) or more dwellings that are typically sited within or around a common open space area without attached garages and with shared amenities and community structures.

HOME OCCUPATION: An occupation, profession, or business activity that is conducted within a dwelling unit.

HOTEL OR MOTEL: An establishment that provides nightly, weekly, or monthly lodging to the public for a fee, including boarding houses, and bed and breakfast establishments.

MODEL HOME or real estates SALES CENTER: One (1) or more dwellings or group of dwellings which are shown to prospective buyers, which may include parking, signs, fenced visitor areas, and sales offices.

MUNICIPAL: Relating to the governing bodies of the Spring Rock planned community including, but not limited to, Ada County, Ada County Highway District, Valley Regional Transit, Spring Rock Development LLC, and any firm or firms under contract to Spring Rock

Development LLC that provide or support infrastructure improvements within the Spring Rock planned community.

NET RESIDENTIAL AREA: The total residential area excluding the streets, open space, and non-residential areas.

OPEN SPACE: An area that has been generally designated on the Spring Rock sub-area future land use map or a subdivision plat as open space.

PERSONAL SERVICE: The use of a site for the provision of individualized services generally related to personal needs. Personal service uses include, but are not limited to, beauty services such as salons, hair, nail and skin care, spa, and barbers; fitness training and instruction; locksmiths; and repairs such as footwear and leather goods, and watches.

PRODUCE STAND: An establishment for the display and sale to the public of produce and related commodities.

PROFESSIONAL SERVICES: Professional service uses include, but are not limited to engineers, architects, landscape architects, other design services, graphic designers, consultants, lawyers, and media advisors.

SHORT TERM RENTAL: A lease of a residential dwelling or portion thereof that is less than one (1) month in duration that is operated as a commercial activity, including but not limited to homes listed on VRBO, AirBNB, and similar rental sites.

SPECIAL EVENTS: Any temporary event including, but not limited to, art festivals, weddings, quinceañeras, bar mitzvahs, bat mitzvahs, picnics, barbecues, holiday events and parties, dances, concerts, bike rides and races, footraces and walks, auction and sales, bazaars, sales or marketing event, and harvest festivals and events.

SPRING ROCK DESIGN COMMITTEE: That certain committee established by the developer to review and approve site plans, architecture and landscape designs, temporary use, and special events within the Spring Rock planned community.

SPRING ROCK DEVELOPMENT LLC: The limited liability corporation responsible for the design, development, and management of the Spring Rock planned community, including contracted service providers.

SUB-AREA PLAN: The Spring Rock Planned Community sub-area comprehensive plan.

TINY HOME: An abode that is less than five hundred (500) square feet in area that is built on a mobile platform. For the purposes of this chapter, a tiny home will be considered a recreational vehicle.

TOWNHOME: A structure containing four (4) or more dwellings, where each dwelling unit is located on an individual lot.

TRIPLEX: A structure containing three (3) attached dwelling units, where dwelling units are located on the same property or on individual lots.

**8-21B-2: LAND USE DISTRICTS AND OVERLAY DISTRICT:**

A. DISTRICT BOUNDARIES. All land within the Spring Rock planned community is divided into land use districts as depicted on the sub-area plan future land use map. Land use district boundaries are general in nature and may be stretched to accommodate specific development proposals.

B. PURPOSE AND DENSITY. The use of each lot, parcel or tract of land is defined by the standards of its applicable land use district. The statement of purpose and allowed density of each land use district are as follows:

1. Residential Homes (RH). It is the purpose of the residential homes district to provide for primarily single-family detached homes and customary attached or detached accessory structures, including secondary dwelling units, home offices, and storage sheds. Duplexes and triplexes are also acceptable when scattered throughout a neighborhood of single-family detached homes. Garden unit projects are appropriate where they do not exceed the maximum gross density. Lot and home size can vary based on market demand and affordability goals. Higher densities are encouraged within the urban village area. The maximum allowed gross density is six (6) dwelling units per acre, except within the urban village area where the maximum allowed density is ten (10) units per acre.

2. Townhomes District (TH). It is the purpose of the townhomes district to provide for townhome structures with some duplexes, triplexes, and fourplexes to facilitate efficient and attractive block and roadway design. Garden unit projects are appropriate where they do not exceed the maximum gross density. Lot and home size can vary based on market demand and affordability goals. Within the urban village, live | work dwellings are encouraged. The maximum allowed gross density is twelve (12) dwelling units per acre, except within the urban village area where there is no maximum allowed density.

3. Apartment Housing District (AH). It is the purpose of the apartment housing district to provide apartments with associated recreation, parking, and maintenance facilities. Apartment sizes can vary based on market demand and affordability goals. Apartments can be rental units or condominiums. The maximum allowed gross density is forty (40) dwelling units per acre.

4. Neighborhood Commercial District (NC). It is the purpose of the neighborhood commercial district to provide retail stores and restaurants, office, and some limited manufacturing activities. Within the urban village, apartment style or condominium housing is encouraged above commercial uses. No industrial uses are anticipated in the urban village.

5. Community Services (CS). It is the purpose of the community services district to provide school sites for the Spring Rock planned community residents. If a school district submits a written statement to the county that a proposed school site is not needed for public educational facilities, other appropriate uses are listed in Table 8-21B-1. Likewise, if, after the defined period stated below, a proposed school site is not planned for use as a public educational facility, other appropriate uses are listed in Table 8-21B-1.

a. The designated CS area west of Five Mile road is held for use as an elementary school site for the Kuna school district for a limited time period. The exclusive use of the property is subject to the following: upon issuance of certificate of occupancy for ninety percent (90%) of the spring rock planned community residences within area "A" as depicted in the spring rock planned community comprehensive sub-area plan, the Kuna school district must have secured financing to complete construction of an elementary school within five years. If that condition is not met, the site may be used for another allowed use.

b. The designated CS area within the urban village is held for use as an elementary school site for the West Ada school district for a limited time period. The exclusive use of the property is subject to the following: upon issuance of certificate of occupancy for ninety percent (90%) of the residences within area "D" as depicted in the spring rock planned community comprehensive sub-area plan, the West Ada school district must have secured financing to complete construction of an elementary school within five years. If that condition is not met, the site may be used for another allowed use.

6. Open Space | Parks District (OS). It is the purpose of the open space district to provide areas for parks, the community center, neighborhood recreation areas, trails, playgrounds and playfields, greenbelt, bicycle facilities, fishing ponds, pavilions for special events, and pathways. Municipal buildings to support Spring Rock infrastructure are also appropriate, including but not limited to, maintenance facilities, water and sewer infrastructure buildings, park-and-ride lots, and sheltered bus stop areas.

C. URBAN VILLAGE (UV) OVERLAY. The urban village is the area bounded by Tenmile Creek Road, Five Mile Road, and Gem Valley Road. The purpose of the Urban Village overlay is to allow intense use of the properties in the residential homes, townhomes, apartment housing, and neighborhood commercial districts to create an active, pedestrian-friendly, and bustling center to the community. Residential subdivisions within the urban village must have an overall minimum net density of ten (10) units per acre.

TABLE 8-21B-1 ALLOWED USE BY DISTRICT

ALLOWED USE	RH	RH   UV	TH	TH   UV	AH	AH   UV	NC	NC   UV	CS <sup>1</sup>	OS
^ No additional use standards                      * See use standards in this chapter                      # See use standards in chapter 5 of this t										
<b>Residential</b>										
Single family detached dwelling ^	P	P	P	C	C	C	--	--	--	--
Duplex ^	P	P	P	P	C	C	--	--	--	--
Triplex ^	P	P	P	P	C	C	--	--	--	--
Fourplex *	--	--	P	P	P	P	--	--	--	--
Townhomes ^	--	--	P	P	C	P	C	C	--	--
Apartment housing *	--	--	--	C	P	P	C	C   P <sup>2</sup>	--	--
Live   work dwelling *	--	P	--	P	--	C	--	P	--	--
Garden unit project ^	P	P	P	P	C	C	--	--	--	--
<b>Lodging   Group Living</b>										
Hotel, motel, or bed & breakfast ^	--	--	--	--	C	C	P	P	--	--
Short term rental ^	--	--	P	P	P	P	P	P	--	--
<b>Care Facilities</b>										
Clinic, dental or medical ^	--	--	--	--	--	--	P	P	--	--
Continuing care facility ^	--	--	--	--	--	--	P	P	P	--

<sup>1</sup> See also section 8-21B-2B5 regarding purpose and allowed uses.

<sup>2</sup> Within the NC | UV district, apartment housing is a principal permitted use on upper floors.

ALLOWED USE	RH	RH   UV	TH	TH   UV	AH	AH   UV	NC	NC   UV	CS <sup>1</sup>	OS
^ No additional use standards	* See use standards in this chapter					# See use standards in chapter 5 of this t				
Daycare center #	--	--	--	--	--	--	P	P	P	--
Family daycare home #	P	P	P	P	P	P	--	--	--	--
Group daycare facility #	C	C	--	--	C	C	P	P	--	--
Hospital ^	--	--	--	--	--	--	P	P	--	--
Medical care facility ^	--	--	--	--	--	--	P	P	--	--
<b>Retail   Office</b>										
Artist studio and sales ^	--	--	--	--	--	--	P	P	--	--
Bar, brewpub, or wine tasting room ^	--	--	--	--	--	--	P	P	--	--
Drive-up window service #	--	--	--	--	--	--	P	C	--	--
Financial institution ^	--	--	--	--	--	--	P	P	--	--
Fuel sales facility #	--	--	--	--	--	--	P	--	--	--
Laundromat ^	--	--	--	--	P	P	P	P	--	--
Office or professional services ^	--	--	--	--	--	--	P	P	--	--
Nursery, retail ^	--	--	--	--	--	--	P	P	--	--
Personal services *	--	--	--	--	--	--	P	P	--	--
Postal services ^	--	--	--	--	--	--	P	P	--	--
Research and development ^	--	--	--	--	--	--	P	P	--	--
Restaurant ^	--	--	--	--	--	--	P	P	--	--



ALLOWED USE	RH	RH   UV	TH	TH   UV	AH	AH   UV	NC	NC   UV	CS'	OS
^ No additional use standards	* See use standards in this chapter					# See use standards in chapter 5 of this t				
Retail store ^	--	--	--	--	--	--	P	P	--	--
Veterinary services ^	--	--	--	--	--	--	P	P	--	--

<b>Entertainment   Recreation</b>										
Amusement or recreation, indoor ^	--	--	--	--	--	--	P	P	--	P
Amusement or recreation, outdoor #	--	--	--	--	--	--	P	P	C	P
Community garden ^	P	P	P	P	P	P	P	P	P	P
Park, public or community ^	P	P	P	P	P	P	P	P	P	P
Recreational vehicle or tiny home park *	--	--	--	--	C	--	P	C	---	--
Shooting range, indoor ^	--	--	--	--	--	--	P	P	--	--
<b>Civic   Community Assembly:</b>										
Event center or venue ^	--	--	--	--	C	C	P	P	--	P
Community center ^	P	P	P	P	P	P	P	P	P	P
Library or learning commons ^	--	--	--	--	P	P	P	P	P	--
Movie or arts theatre ^	--	--	--	--	C	C	P	P	--	--
Public, quasi-public use ^	P	P	P	P	P	P	P	P	P	P
Religious land use ^	C	C	C	C	C	C	P	P	P	C

ALLOWED USE	RH	RH   UV	TH	TH   UV	AH	AH   UV	NC	NC   UV	CS <sup>1</sup>	OS
^ No additional use standards	* See use standards in this chapter					# See use standards in chapter 5 of this t				
School, public or private ^	--	--	--	--	--	--	P	P	P	--
<b>Light Industry:</b>										-
Car wash #	--	--	--	--	--	--	P	--	--	--
Light industrial ^	--	--	--	--	--	--	P	--	--	--
Storage facility #   outdoor storage *	--	--	--	--	--	--	P	--	--	--
Vehicle repair, minor #	--	--	--	--	--	--	P	--	--	--
<b>Infrastructure</b>										
Electric charging station for public use ^	C	C	C	P	P	P	P	P	P	P
Electric distribution or sub-transmission #	P	P	P	P	P	P	P	P	P	P
Electric transmission #	C	C	C	C	C	C	C	C	C	C
Electric substation #	C	C	C	C	C	C	C	C	C	C
Ground passenger transportation ^	--	--	--	--	P	P	P	P	C	C
Radio or TV broadcasting station ^	--	--	--	--	--	--	P	P	--	--
Sewage treatment facility *	P	P	P	P	P	P	P	P	P	P
Solar power facility, rooftop ^	--	--	--	--	P	P	P	P	P	P
Transit facility ^	--	--	--	--	P	P	P	P	P	C

ALLOWED USE	RH	RH  UV	TH	TH  UV	AH	AH  UV	NC	NC  UV	CS <sup>1</sup>	OS
^ No additional use standards                      * See use standards in this chapter                      # See use standards in chapter 5 of this t										
Tower or antenna structure, commercial #	C	C	C	C	C	C	C	C	C	C
Tower or antenna structure, private #	C	C	C	C	C	C	C	C	C	C
Water remediation, onsite *	P	P	P	P	P	P	P	P	P	P
<b>Accessory Uses</b>										
Accessory structure *	A	A	A	A	A	A	A	A	A	A
Family daycare home #	A	A	A	A	A	A	--	--	--	--
Fuel cell ^	A	A	A	A	A	A	A	A	A	A
Hobby kennel #	A	--	--	--	--	--	--	--	--	--
Home occupation *	A	A	A	A	A	A	A	A	--	--
Portable classroom ^	--	--	--	--	--	--	A	A	A	--
Secondary dwelling *	A	A	A	A	--	--	--	--	--	--
Swimming pool, private ^	A	A	A	A	A	A	A	A	A	A
Temporary construction office ^	A	A	A	A	A	A	A	A	A	A
<b>Temporary Uses</b>										
Food truck *	--	--	--	--	--	P	--	P	P	P
Model home or real estate sales center *	P	P	P	P	P	P	P	P	P	P

ALLOWED USE	RH	RH   UV	TH	TH   UV	AH	AH   UV	NC	NC   UV	CS <sup>1</sup>	OS
^ No additional use standards	* See use standards in this chapter					# See use standards in chapter 5 of this t				
Pit, mine, or quarry, small *	P	P	P	P	P	P	P	P	P	P
Seasonal or produce stand *	--	--	--	--	--	P	P	P	P	P
Special event *	--	--	--	--	--	P	P	P	P	P

**8-21B-3: ALLOWED USES:** Table 8-21B-1 lists principal permitted (P), accessory (A), conditional (C), or prohibited (--). The addition of "UV" to the district name signifies that it applies to properties within the urban village overlay.

A. DWELLINGS:

1. Allowed residential uses are based on the number of dwelling units in the structure.
2. A single family detached dwelling may not exceed one (1) primary dwelling and one (1) attached or detached secondary dwelling.
3. Secondary dwellings are prohibited on duplex, triplex, fourplex, townhome, and apartment properties.
4. Recreational vehicles and tiny homes are not considered dwelling units and are a prohibited use in all districts unless located within an approved recreational vehicle or tiny home park as set forth in section 8-21B-4G.

B. UN-LISTED USES. If a proposed use is not specifically listed in Table 8-21B-1, the director will determine whether the use is permitted or not. This determination will be based upon the similarity in nature and character to one (1) or more uses that are listed in the allowed use tables in chapter 2 of this title and the allowed use table of this article. This provision allows the director to determine if a proposed use is allowed even if it is not expressly named in advance by the allowed use tables. This provision does not allow the director to authorize a use not allowed by the allowed use tables. In making this determination, the director may refer to the following factors as guidance:

1. Criteria.

a. Whether the use has similar visual, traffic, environmental, parking, employment, and other impacts as an expressly listed use. The director may refer to empirical studies or generally accepted planning or engineering sources in making this determination.

b. Whether the use is within the same industry classification as another permitted use. In making this determination, the director may refer to the most recent edition of the North American Industry Classification Manual (Executive Office of the President, Office of Management and Budget) ("NAICS"). If the use is not defined in the NAICS, the director may refer to the American Planning Association, Land-Based Classification Standards LBCS Tables.

2. If Not Authorized Then Prohibited. If the director determines that a proposed use does not fit within a given use type and is not functionally the same as a permitted, accessory, or conditional use, then the use is a prohibited use.

3. Appeal. The director's determination pursuant to sections 1 or 2 above are appealable pursuant to section 8-7-7 of this title.

**8-21B-4: USE STANDARDS:** Each use listed in Table 8-21B-1 above includes a notation on the specific use standards that apply to that use. Uses that note a “^” have no additional use standards. Uses that note a “\*” are subject to the use standards in this chapter. Uses that note a “#” are subject to the use standards set forth in chapter 5 of this title.

A. **ACCESSORY STRUCTURE.** Accessory structures may be used for residential storage, home occupations (see section C below), or secondary dwellings (see section H below).

1. The maximum allowed enclosed area for an accessory structure is nine hundred (900) square feet. Accessory structures larger than nine hundred (900) square feet are prohibited.

2. No more than one (1) accessory structure on a property may be used for a home occupation. The maximum habitable area for a home occupation in an accessory structure is nine hundred (900) square feet. Additional accessory structures for use as home occupations are prohibited.

3. No more than one (1) accessory structure on a property may be used for a secondary dwelling. The maximum habitable area for a secondary dwelling in an accessory structure is nine hundred (900) square feet. Additional accessory structures for use as secondary dwellings are prohibited.

B. **APARTMENT AND FOURPLEX PROJECTS.**

1. All apartment and fourplex projects with more than eight (8) units must provide the following amenities and plans:

a. Landscaping and architectural plans that reduce the opportunity for crime, by not creating hidden areas and corners, dark areas, or unusable space. Common open space, landscaping and site amenities must be visible i.e., along streets, where doors and windows overlook public areas, etc...

b. Lighting plans that illuminate parking areas, walkways, and entrances to further reduce the opportunity for crime.

c. Secure storage for bikes, scooters, and other micro-mobility devices.

2. In addition to the amenities listed above, all apartment and fourplex projects with more than twenty (20) units must provide the following amenities:

a. At least one (1) common grassy area integrated into the site design allowing for general activities by all ages. Projects that provide safe access to adjacent public parks, without crossing an arterial roadway, are exempt from this standard. The common grassy area must be at least five thousand (5,000) square feet in area. This area should increase

proportionately as the number of units increase and should be commensurate to the size of the apartment project. The common grassy open space must support active and passive uses for recreation, social gathering, and relaxation to serve the development.

b. Open space must be accessible and well connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway, or visibly located along collector streets or as a terminal view from a street.

c. Dog area with waste station.

d. Charging station for electric vehicles.

C. HOME OCCUPATION. Home occupations are limited to the following uses: artist studio, office, professional service, or personal service. The following standards apply to all home occupations. Daycare is not a home occupation (Ada County code 8-5-3-54). Contractor's yard or shop is not a home occupation (Ada County code 8-5-3-31). Hobby automotive is not a home occupation (Ada County code 8-5-3-17) as is prohibited in the Spring Rock planned community.

1. The home occupation must not cause the property to differ from its residential character in appearance, or in the emission of noise, dust, fumes, odors, vibrations, or electrical interference.

2. Home occupations must comply with all applicable state and federal regulations.

3. No outdoor storage or outdoor loading is allowed.

4. The home occupation must not discharge any hazardous material into any sewer, drainageway or the ground. Storage or use of hazardous materials, odor-causing materials, or other materials that may cause a nuisance or health or safety problems is prohibited.

5. The home occupation must be conducted by the residents and no more than one (1) on-site employee at any given time.

6. The home occupation must not have more than two (2) customers on-site at any given time.

7. The property owner must ensure that the home occupation continuously complies with the restrictions and standards in this section.

8. A home occupation is allowed as an accessory use and requires no further review.

D. LIVE | WORK DWELLING. The following standards apply:

1. The non-residential use must be an artist studio, office, professional service, personal service, or clinic, dental or medical.
2. No outdoor storage or outdoor loading is allowed.
3. The non-residential use must be conducted by the residents and no more than two (2) on-site employees at any given time.
4. All visits by the non-resident employees, clients and customers must occur between the hours of seven o'clock (7:00) A.M. and nine o'clock (9:00) P.M., Monday through Friday, and between the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M. on Saturday and Sunday.
5. The non-residential use is limited to no more than five (5) customers or clients at any given time.

E. ONSITE WATER REMEDIATION. Allowed use only for Spring Rock Development LLC or contracted service provider. The applicant or owner must obtain written approval from the state of Idaho department of environmental quality. The approval must make specific reference to the location, substance being treated, method of treatment, monitoring methods, and ability of the site to support the proposed use.

F. OUTDOOR STORAGE. Accessory outdoor storage is prohibited in all districts. Outdoor storage is allowed as part of a permitted storage facility see Table 8-21B-1: Allowed Use by District.

G. RECREATIONAL VEHICLE OR TINY HOME PARK.

1. Use of Spaces.
  - a. Spaces may be rented to customers to park a recreational vehicle, vacation trailer, tiny home, or passenger vehicle with associated tent camping or other shelter arrangements.
  - b. Commercial trucks with trailers are prohibited.
  - c. The use of generators within the park is prohibited.
  - d. Customers must discharge wastewater holding tanks at the dump station prior to hooking up to the sewer connection.
2. Accessory Uses. Allowed accessory uses include, but are not limited to, management headquarters, recreational facilities, wireless hotspots or cafes, caretaker dwelling, coin-operated laundry facilities, toilets, showers, and tank dump station.
3. Design Standards.



- a. No entrance or exit will be permitted which moves traffic from the park directly through a residential home district.
- b. All drive aisles will be considered fire lanes and must be designed to meet Kuna rural fire district standards.
- c. Each rental space must have a designated parking pad that is twenty feet (20') in length and twelve feet (12') in width and be constructed with an all-weather surface such as concrete, asphaltic paving, or pavers. Parking pads must not be located closer than six feet (6') to any other parking pad, public street, or property line.
- d. Each park must provide a dump station for discharging wastewater holding tanks. The dump station must be approved by the Central District Health Department.
- e. Each rental space must have connections for sewer, potable water, and electricity.
- f. The site must be designed to prevent standing water from irrigation or storm events in the rental space areas.
- g. Outdoor speaker systems are prohibited.

H. SECONDARY DWELLING. The following standards apply:

- 1. The maximum habitable space for a detached secondary unit is nine hundred (900) square feet. This does not include covered outdoor space or garage.
- 2. All secondary dwellings must meet the minimum lot size, minimum structure setback, and maximum height standards.
- 3. A principal permitted dwelling (or a dwelling under construction with a valid building permit) must be present on the property.
- 4. No more than one (1) secondary unit is permitted on a property. Additional secondary dwellings are prohibited.
- 5. Either the principal dwelling or the secondary unit must be owner occupied.
- 6. Manufactured homes, mobile homes, tiny homes, and recreation vehicles are prohibited for use as a secondary dwelling. Modular homes are allowed.

I. SEWAGE TREATMENT FACILITY. Allowed use only for Spring Rock Development LLC or contracted service provider. The applicant or owner must obtain written approval for the acceptance, treatment, and disposal of septage from the state of Idaho department of environmental quality. The approval must make specific reference to the location of the facility, type of facility, the substances being treated and its sources, the methods of treatment, the

methods and locations of disposal of solids, monitoring methods, and the ability of the site to support the proposed use.

**8-21B-5: TEMPORARY USES:** The provisions of this article will govern temporary uses within the Spring Rock planned community. Subject to approvals from the Spring Rock design committee, allowed temporary uses include food truck; model home or real estate sales center; pit, mine, or quarry; seasonal or produce stands; and special events. All other temporary uses are prohibited.

**A. GENERAL STANDARDS.**

1. The use must not result in the construction of any permanent structure that would not otherwise be permitted subject to these regulations.
2. The applicant has a continuous obligation to maintain adequate housekeeping practices to not create a nuisance.

**B. FOOD TRUCK.** The Spring Rock design committee must approve the food truck location and hours of operation. A zoning certificate is not required.

**C. MODEL HOME OR REAL ESTATE SALES CENTER.**

1. The Spring Rock design committee must approve the model home or real estate sales center location and hours of operation. A zoning certificate is not required.
2. Model homes and real estate sales centers may operate continually up to ten (10) years or until the final house is occupied within a distance of one-half (1/2) mile, whichever comes first.

**D. PIT, MINE, OR QUARRY.** A pit, mine, or quarry is only allowed as a temporary use for Spring Rock Development LLC or contracted service provider and must comply with the following standards:

1. The applicant must provide documentation from the appropriate agency that the proposed pit, mine, or quarry operation and reclamation plan comply with federal and state regulations regarding safety, air and water quality and site reclamation.
2. The proposed extraction activities must be completed within five (5) years.
3. The maximum area of the extraction site is ten (10) acres.
4. All extraction and hauling activities must take place between seven o'clock (7:00) A.M. and dusk or six o'clock (6:00) P.M. (whichever is earlier) Monday through Friday.

5. Extraction, movement, or stockpiling within the required yards is prohibited and stockpiles must not exceed fifteen feet (15') in height. The tops and toes of cut and fill slopes must remain outside the required yards.

6. Asphalt mixing and concrete batching are prohibited.

7. The extraction area and haul road must be watered daily (either naturally—i.e., rain, snow, or frost—or manually) to reduce dust impacts to surrounding properties. Haul roads must have a durable and dust free surface and must be graded to drain all surface water from the haul roads.

8. Upon reclamation of the property, any contaminated soils must be properly recycled or disposed.

9. If approved, the zoning certificate will list a beginning and ending date for a period not exceeding five (5) years.

10. At least sixty (60) days prior to expiration, the applicant may apply for a zoning certificate to renew the pit mine or quarry for a period not exceeding five (5) years.

E. **SEASONAL OR PRODUCE STAND.** The Spring Rock design committee must approve the stand location and hours of operation. A zoning certificate is not required.

F. **SPECIAL Event.**

1. For seasonal or community events that have an expected attendance of less than three hundred (300) people, the Spring Rock design committee must approve the event. A zoning certificate is not required.

2. Seasonal or community events that have an expected attendance of three hundred (300) people or more must adhere to the following provisions:

a. The event organizer must apply for and obtain a zoning certificate from Ada County development services at least ten (10) days prior to the event. The application must include letters approving the event from the Kuna rural fire district, Ada County sheriff's office, central district health department, and the Ada County highway district.

b. Prior to submission to Ada County, the event must have documented approval of the Spring Rock design committee.

c. If approved, the event organizer must notify the Spring Rock design committee of the date, time, and nature of the event. The Spring Rock design committee must post a notice in the community center and send an electronic notice via e-mail or website portal indicating the date, time, and nature of the event.

d. If approved, the zoning certificate must list a beginning and ending date for a period not exceeding four (4) months.

**8-21B-6: DEVELOPMENT STANDARDS:** Development standards will be as set forth in chapter 4 of this title, except where section 8-21B-6 of this article addresses development standards the standards of this article will take precedence. All structures and site improvements must meet the design and development standards of this section.

**A. Minimum residential property size:**

1. There is no minimum property size for non-residential uses.
2. Minimum residential property size is set forth in Table 8-21B-2. Minimum residential property size is based on the type of structure and number of dwelling units within that structure.

TABLE 8-21B-2: MINIMUM RESIDENTIAL PROPERTY SIZE IN SQUARE FEET

<b>RESIDENTIAL TYPE</b>	<b>OUTSIDE URBAN VILLAGE (square feet)</b>	<b>INSIDE URBAN VILLAGE (square feet)</b>
Single family detached dwelling with secondary dwelling	3,000 3,500	2,000 2,500
Duplex	3,500	2,500
Triplex	4,000	3,000
Fourplex	4,200	3,200
Townhome	1,200 per dwelling	1,000 per dwelling
Apartments	NA	
Live   work dwelling	4,000	3,000
Garden unit project	2,000 per dwelling	1,500 per dwelling

**B. MINIMUM RESIDENTIAL FRONTAGE:** There is no minimum frontage standard for non-residential uses. Minimum residential frontage is twenty feet (20'). In garden unit projects, the project must have a minimum of fifty feet (50') of frontage. Individual garden unit home lots, if any, have no frontage requirement.

**C. MINIMUM STRUCTURE SETBACK:** Standards for minimum allowed structure setbacks are set forth in Table 8-21B-3. The most stringent setback standard will apply.

TABLE 8-21B-3: MINIMUM STRUCTURE SETBACK IN FEET

<b>DIMENSIONAL STANDARDS</b> (in feet)	<b>RH</b>	<b>TH</b>	<b>AH</b>	<b>NC</b>	<b>CS</b>	<b>OS</b>
Any property line abutting RH or TH	NA	NA	20	20	20	20
Any property line abutting an arterial or collector street	30	20	20	15	30	30
Front property line <sup>1</sup>	15	10	15	10	10	10
Interior side property line <sup>2</sup>	3	3	3	3	3	3
Street side property line.	10	5	5	5	5	5
Rear property line	10	5	5	5	5	5
<b>Garages and Loading Bays Facing Streets</b>						
Required distance from near edge of sidewalk (or curb if no sidewalk) to garage door or loading bay door						
Front yard	20	20	20	30	30	30
Street side yard	20	20	20	30	30	30
Rear yard where property has secondary access to rear of lot.	≤ 5 or ≥ 20	≤ 5 or ≥ 20	≤ 5 or ≥ 20	≤ 5 or ≥ 30	≤ 5 or ≥ 30	≤ 5 or ≥ 30

Notes: <sup>1</sup> Where a property has access on a public street and secondary access on a private street or alley, the property line abutting the public street will be considered the front property line.

<sup>2</sup> Where a property line is along a shared wall for an attached structure, there is no required setback.

1. Required Yards: The front, side, and rear required yards cannot be occupied by any use or structure except: fencing (see chapter 5 of this title); landscaping; off-street parking; drives; streets; signs; lighting; patios; walkways; retaining walls; and certain architectural features as detailed in sections 2 and 3 below.

2. Where the required setback is greater than or equal to five feet (5’):

a. Cornices, canopies, eaves, or other architectural features may project a distance not exceeding two feet (2’) into the required yard.

b. Fire escapes may project a distance not exceeding four and one-half feet (4.5’) into the required yard.

c. Bay windows, balconies, and chimneys may project a distance not exceeding two feet (2') into the required yard, provided that such features do not occupy, in the aggregate, more than one-third (1/3) of the building wall on which they are located.

d. Detached accessory structures two hundred (200) square feet or less in area and under ten feet (10') in height may be in required side and rear yards.

3. Where the required setback is less than five feet (5'):

a. No projections are allowed into the required yard.

b. Side yard easements are allowed when defined and recorded with the property deed.

D. **MAXIMUM HEIGHT:** Standards for allowed maximum height of structures are set forth in Table 8-21B-4.

TABLE 8-21B-4: MAXIMUM STRUCTURE HEIGHT IN FEET

<b>DIMENSIONAL STANDARDS (in feet)</b>	<b>RH</b>	<b>TH</b>	<b>AH</b>	<b>NC</b>	<b>CS</b>	<b>OS</b>
Maximum height, not in urban village	35	40	50	50	40	35
Maximum height, urban village	40	45	55	55	45	40

E. **ACCESS TO STREETS:** The following standards apply unless otherwise waived by Board of County Commissioners during the subdivision process.

1. Access must be consistent with the Spring Rock planned community sub-area plan future land use map.

2. Where access to a local street is not available, property owners must grant cross-access/ingress-egress easements to adjoining properties. This standard is intended to apply primarily to non-residential properties but may extend to residential properties that do not have access to a local street, private road, or alley.

F. **COMMON OPEN SPACE AND LANDSCAPING:**

1. Common open space must be provided consistent with the Spring Rock planned community sub-area plan. The plan generally depicts larger, connected open space and recreation features on the future land use map. As residential subdivisions are submitted for approval, additional common open space must be provided that allows convenient and safe pedestrian and bicycle access to the larger planned open spaces within the planned community such as the pathway along the Williams Northwest pipeline, the community park, the community center, and the fishing pond.

2. Landscaping elements and plans must be consistent with the provisions of 8-4F-4 through 8-4F-7, except that landscaping within the Williams Northwest pipeline easement must be free of trees and other deep-rooted plants.

G. **PARKING SPACES AND DESIGN.** There are no minimum or maximum parking standards. Parking lots must meet the design standards set forth in section 8-4G-5 of this title.

H. **PUBLIC UTILITIES:** Public utilities must be in a public use easement that should be located at the front or rear of lots. Side lot line utility easements will only be required as necessary to support planned facilities.

I. **WILDLAND URBAN INTERFACE.** Areas depicted as "Wildland Urban Interface" on the sub-area plan existing features map must comply with the standards in the vegetation control section of 8-3B-3 of this title.

**8-21B-7: ADMINISTRATION:** This section specifies the review and approval process for development within the Spring Rock planned community in accordance with the provisions of the sub-area plan and the Ada County zoning ordinance. Administration will be as set forth in chapter 7 of this title except where section 8-21B-7 of this article addresses administration, the processes and standards will be controlled by this article. It is the duty of the director to administer the provisions of this article for the development of the Spring Rock planned community. The director must interpret the provisions of this article and make decisions on land use issues not specifically addressed by the sub-area plan or this article. The director, commission, and board must base their approvals or disapprovals upon compliance with the provisions of this article and the goals and policies and purpose and intent of the sub-area plan.

A. **APPLICATION PROCEDURES:** The application procedures set forth in chapter 7 of this title apply to development within the Spring Rock planned community except the radius noticing requirement set forth in section 8-7A-5C is three hundred feet (300') for all applications.

B. **LAND DIVISIONS:** The subdivision of land, or the adjustment of parcels within the Spring Rock planned community, must conform to the applicable procedures and specifications of chapter 6 of this title, except as follows:

1. The provisions of section 8-6A-1D of this title regarding contiguous parcels do not apply.
2. Neighborhood meetings are not required for subdivision applications that are consistent with the sub-area plan as may be amended from time to time.
3. Natural features analyses are not required for subdivision applications that are within the boundary of the sub-area plan as may be amended from time to time.
4. Development within the Williams Northwest Pipeline easement should be an open space area, or, when this is not possible, lot divisions should be on either boundary of the easement (as opposed to splitting the easement between lots).

5. A final plat will be deemed to be in substantial conformance to a preliminary plat provided that:

a. The final plat represents no increase in the number of residences or non-residential square-footage as approved for the preliminary plat.

b. The density and lot dimensions meet the standards of the applicable land use district.

c. The roadway alignments generally conform to those depicted on the preliminary plat.

6. Subdivisions must meet the development standards in chapter 6 article A of this title except: the access as required by section 8-6A-4 may be provided from a public street, a public alley, a private alley, a private road, or a recorded access easement. Notwithstanding the provisions of section 8-6A-5, private alleys are allowed.

C. PROPERTY BOUNDARY ADJUSTMENT. Property boundary adjustments are subject to the provisions of chapter 4 article C except that the following standards will apply:

1. A property boundary adjustment must not reduce the property size below the minimum dimensional standards prescribed by this article.

2. If one (1) or more of the properties is nonconforming as to the minimum dimensional standards prescribed by this title, the property boundary adjustment must not increase the nonconformity.

3. A property boundary adjustment cannot increase the original number of properties.

D. DEVELOPMENT PERMITS: Development applications will be reviewed, and development permits will be issued, pursuant to the applicable procedures and specifications of this code subject to the modifications set forth herein. The development permits will be reviewed and issued as follows:

1. Design Committee. No non-residential development permit may be issued for any use until such time as the applicant has provided to the county a letter of approval issued by the Spring Rock design committee evidencing that the proposed development complies with the design standards for the Spring Rock planned community.

2. Master Site Plan. Master site plan approval is required pursuant to the procedures of chapter 4, article E of this title regarding master site plan approval for all uses except as modified herein.

a. The uses listed in sections 8-4E-2B and C of this title are exempt from master site plan approval. The following temporary uses in section 8-21B-5 are also exempt from master site plan approval: food truck; model home or real estate sales center; seasonal or produce stand, and special event.



b. The director will apply the standards set forth in section 8-4E-4 of this title, to the extent that those standards do not conflict with the provisions of this article. For purposes of master site plan approval, compliance with this article and the sub-area plan will constitute compliance with sections 8-4E-4D, G, I, J, and K of this title and an applicant for master site plan approval is not required to comply with the standards set forth in those sections.

c. In the event of any conflict between the standards set forth in section 8-4E-4 of this title and this article, the use and development standards of this article will control.

3. Director Approval. To approve an application for master site plan approval, the director must make the following findings:

a. The master site plan complies with this article, the Ada County zoning ordinance and is in accordance with the sub-area plan.

b. The proposed landscaping meets the requirements of chapter 4, article F of this title as amended by this article.

c. The proposed parking and loading spaces meet the requirements of chapter 4, article G of this title as amended by this article.

d. The proposed lighting plan meets the requirements of chapter 4, article H of this title as amended by this article.

e. The proposed master site plan complies with the land use design and development standards in title 8 chapter 4 as amended by this article.

4. Zoning Certificate. Except as noted in section 8-21B-5 (temporary uses) and as otherwise amended in this article, a zoning certificate is required for all uses and must be issued in conformance with the requirements of the Ada County zoning ordinance.

ADOPTED this 21<sup>st</sup> day of November, 2023


**Board of Ada County Commissioners**

By:

  
Rod Beck, Commissioner

By:

  
Ryan Davidson, Commissioner

By:   
Thomas Dayley, Commissioner

ATTEST:

  
Trent Tripple, Ada County Clerk

BY HEATH RIBORDY, ASSISTANT DEPUTY CLERK

SUMMARY OF ADA COUNTY ORDINANCE NO. 963

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 8, CHAPTER 21 TO INCLUDE A NEW ARTICLE B FOR SPRING ROCK PLANNED COMMUNITY DISTRICT; PROVIDING FOR A SHORT TITLE; PROVIDING FOR A STATEMENT OF PURPOSE; PROVIDING FOR THE ARTICLE'S APPLICABILITY TO DEVELOPMENT IN THE SPRING ROCK PLANNED COMMUNITY; PROVIDING DEFINITIONS SPECIFIC TO THE PLANNED COMMUNITY; PROVIDING FOR RESIDENTIAL HOMES, TOWNHOMES, APARTMENT HOUSING, NEIGHBORHOOD COMMERCIAL, COMMUNITY SERVICES, AND OPEN SPACE/PARKS LAND USE DISTRICTS; PROVIDING FOR AN URBAN VILLAGE OVERLAY DISTRICT; PROVIDING FOR ALLOWED USES BY LAND USE DISTRICT AND OVERLAY DISTRICT; PROVIDING FOR USE STANDARDS OF VARIOUS USE TYPES; PROVIDING REGULATIONS FOR TEMPORARY USES; PROVIDING FOR DESIGN AND DEVELOPMENT STANDARDS; PROVIDING FOR ADMINISTRATION FOR APPLICATION PROCEDURES, LAND DIVISIONS, PROPERTY BOUNDARY ADJUSTMENTS AND DEVELOPMENT PERMITS. VIOLATION OF THIS ARTICLE IS A MISDEMEANOR UNDER ADA COUNTY CODE SECTION 8-7-8.

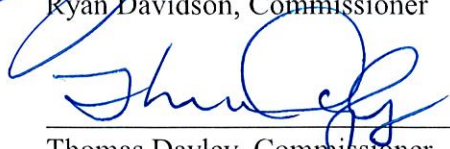
ORDINANCE NO. \_\_\_\_ SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 21<sup>st</sup> DAY OF November, 2023

**Board of Ada County Commissioners**

By:   
Rod Beck, Commissioner

By:   
Ryan Davidson, Commissioner

By:   
Thomas Dayley, Commissioner

ATTEST:

  
Trent Tripple, Ada County Clerk

BY HEATH RIBORDY, ASSISTANT DEPUTY CLERK

PUBLISHED: November 28, 2023

SUMMARY OF ADA COUNTY ORDINANCE NO. 963

STATEMENT OF APPROVAL

I, Trent Tripple, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. 963 is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.



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Trent Tripple  
Ada County Clerk

[SEAL]

BY HEATH RIBORDY, ASSISTANT DEPUTY CLERK

## LEGAL NOTICE

### SUMMARY OF ADA COUNTY ORDINANCE NO. 963

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 8, CHAPTER 21 TO INCLUDE A NEW ARTICLE B FOR SPRING ROCK PLANNED COMMUNITY DISTRICT; PROVIDING FOR A SHORT TITLE; PROVIDING FOR A STATEMENT OF PURPOSE; PROVIDING FOR THE ARTICLE'S APPLICABILITY TO DEVELOPMENT IN THE SPRING ROCK PLANNED COMMUNITY; PROVIDING DEFINITIONS SPECIFIC TO THE PLANNED COMMUNITY; PROVIDING FOR RESIDENTIAL HOMES, TOWNHOMES, APARTMENT HOUSING, NEIGHBORHOOD COMMERCIAL, COMMUNITY SERVICES, AND OPEN SPACE/PARKS LAND USE DISTRICTS; PROVIDING FOR AN URBAN VILLAGE OVERLAY DISTRICT; PROVIDING FOR ALLOWED USES BY LAND USE DISTRICT AND OVERLAY DISTRICT; PROVIDING FOR USE STANDARDS OF VARIOUS USE TYPES; PROVIDING REGULATIONS FOR TEMPORARY USES; PROVIDING FOR DESIGN AND DEVELOPMENT STANDARDS; PROVIDING FOR ADMINISTRATION FOR APPLICATION PROCEDURES, LAND DIVISIONS, PROPERTY BOUNDARY ADJUSTMENTS AND DEVELOPMENT PERMITS. VIOLATION OF THIS ARTICLE IS A MISDEMEANOR UNDER ADA COUNTY CODE SECTION 8-7-8.

ORDINANCE NO.963 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 21st DAY OF NOVEMBER, 2023.

Board of Ada County Commissioners  
By: Rod Beck, Commissioner  
By: Ryan Davidson, Commissioner  
By: Thomas Dayley, Commissioner

ATTEST: Trent Tripple, Ada County Clerk

November 28, 2023

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