

ORDINANCE 2016-28
CITY OF KUNA, IDAHO
ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, CHAPTER 1, SECTION 6-2 ENTITLED “MEANINGS OF TERMS OR WORDS” TO MAKE CHANGES TO THE DEFINITIONS; AMENDING TITLE 5, CHAPTER 3, SECTION 2, ENTITLED “LAND USE TABLE” TO MAKE CHANGES TO LAND USES RELATED TO THE REQUIREMENT FOR EITHER A PERMITTED OR SPECIAL USE PERMIT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article XII, Section 2 of the Idaho Constitution and Idaho Code Section 50-302 allow municipal corporations to adopt regulations which are not contrary to the general laws; and

WHEREAS, this text amendment is in agreement with the spirit and intent of Kuna Comprehensive Plan; and

WHEREAS, it is deemed to be in the best interest of the City of Kuna to amend Title 5; and

WHEREAS, this zoning amendment is pursued in accordance with Kuna City Code 5-13, “ZONING AMENDMENTS”; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, ADA COUNTY, IDAHO, as follows:

Section 1:

Title 5-1-6-2: “MEANINGS OF TERMS OR WORDS” is amended to add the following terms to the list of definitions:

LOT: For the purpose of this title, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot must meet current zoning frontage requirements on an improved public street, and consists of:

E. Lot Line, *front*: The property line dividing a lot from a public or private street and from which the required front setback has been measured.

MEAT PROCESSING FACILITY (Wild Game): A ‘no-kill’ facility which processes and prepares wild game meats for consumption by private person(s). Such facilities are designed for the temporary storage, preparation, treatment and packaging of wild game meats not intended for retail or wholesale distribution or commercial sales. Such facilities are subject to state and local standards for bio-hazardous waste storage and disposal.

NON-PROFIT ORGANIZATION: Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group.

POWER PLANT: A facility that converts one or more energy sources, including but not limited to water powers, fossil fuels, nuclear power, or solar power into electrical energy or stream. Any plant facility and equipment for the purposes of producing, generating, transmitting, delivering, or furnishing electricity for the production of power.

Section 2:

Title 5-1-6-2: "MEANINGS OF TERMS OR WORDS" is amended to amend the following term to the list of definitions:

AUTOMOBILE REPAIR SHOP: A location designed or used for the repair of automobiles, including mechanical repair, maintenance, engine or transmission replacement or overhaul, and upholstery, but not paint nor bodywork.

Exception: An owner may repair his/her automobile (including engine or transmission repair) provided the owner is limited to working on one (1) automobile at a time. When the automobile is not being worked on, it, and any parts and equipment shall be enclosed, or screened from the view of any street, and the vehicle shall not to be parked upon a street.

BOARDING HOUSE: A dwelling or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for three (3) or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.

Section 3:

Title 5, Chapter 3, Section 2 entitled, "LAND USE TABLE" is amended as follows:

Land Uses	Districts														
	A	R-2	R-4	R-6	R-8	R-12	R-20	O	C-1	C-2	C-3	CB D	M-1	M-2	P
Child Care, Group (7-12 children) 49		S	S	S	S				S	S	S	<u>S</u>			
Explosive/Chemical Manufacturing and Storage														S	
<u>Farm Animals (Domestic)</u>	<u>P</u>	<u>P</u>	<u>S</u>										<u>S</u>	<u>P</u>	<u>P</u>
2, 4															
<u>Fraternity/</u>									<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>			<u>S</u>
<u>Sorority/Dormitory/Residen</u>		<u>S</u>	<u>S</u>												
<u>tial Hall</u> 5, 7															
<u>Laboratory (Medical,</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>			<u>P</u>	<u>P</u>		<u>S</u>	<u>P</u>	<u>P</u>	
<u>Dental, Optical)</u> 5, 7, 33															

<u>Laundry, Commercial Plant</u> 5, 7, 33														<u>P</u>	
<u>Library</u> 5, 7, 33		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>				<u>P</u>
<u>Liquor Store</u> 5, 33							<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Locksmith</u> 5, 7	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>		
<u>Manufacturing, General</u> 5, 7										<u>S</u>			<u>P</u>	<u>P</u>	
<u>Manufactured Home Park</u> 7, 8					<u>S</u>	<u>S</u>									
<u>Manufactured Home Sales</u> 5, 7									<u>S</u>	<u>P</u>			<u>P</u>		
<u>Marine Sales/Rentals</u> 7									<u>S</u>	<u>P</u>			<u>P</u>		
<u>Meatpacking (Wild game)</u> (No-kill) 5, 7	<u>S</u>								<u>S</u>	<u>P</u>			<u>P</u>		
<u>Museum or Planetarium</u> 5, 7	<u>S</u>						<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>
<u>Non-Profit Organization</u> 5, 7							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>
<u>Power Plant</u> 5, 7													<u>S</u>	<u>S</u>	
<u>Recreational Vehicle, Trailer, or Camping Park</u> 5, 7					<u>S</u>	<u>S</u>		<u>S</u>							<u>P</u>

Section 4:

Severability If any clause, sentence, paragraph, section, or any part of this chapter, shall be declared and adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this chapter.

Section 5:

Full Force and Effect This Ordinance shall be in full force and from and after its passage, approval and publication as required by law.

ADOPTED this ____ day of _____ 2016.

CITY COUNCIL OF THE CITY OF KUNA
Ada County, Idaho

Joe L. Stear, Mayor
City of Kuna

ATTEST:

Chris Engels, City Clerk
City of Kuna