

CHAPTER 16.2 DEFINITIONS

1. Agriculture. The growing of soil crops in the customary manner in the open. It shall not include livestock raising activities nor shall it include retailing of products on the premises. The science and art of the production of plants and animals useful to man including the raising of plants and animals for human use and disposal by marketing or otherwise.
2. Agricultural product. Any product which is derived from agriculture, including any product derived from aquaculture.
3. Aquaculture. The controlled cultivation of aquatic animals.
4. Aquaponics. The symbiotic cultivation of plants and aquatic animals in a recirculating environment.
5. Aquaculture facility. Any tank, canal, raceway, pond, off-stream reservoir, or other structure used for aquaculture, including commercial greenhouses.
6. Compost. Organic matter that has been decomposed and recycled as a fertilizer and soil amendment.
7. Greenhouse, Commercial. A structure or portion of a structure made primarily of glass or other translucent material, for which the primary purpose is the cultivation or the production of wholesale: nursery stock, annual or perennial flowers, fruits, vegetables, landscaping plants, or aquatic animals. This could include aquaculture, hydroponics or aquaponics.
8. Grow Light or plant light. An artificial light source, generally an electric light, designed to stimulate plant growth by emitting an electromagnetic spectrum appropriate for photosynthesis. Grow lights are used in applications where there is either no naturally occurring light, or where supplemental light is required.
9. Hydroponics. The cultivation of plants in a nutrient-rich solution rather than in soil under controlled conditions of lights, temperature, and humidity.
10. Livestock. Cattle, sheep, goats, horses, mules, poultry, or any other domestic animal or domestic furbearer.

Section 16.12.1 Objectives and Characteristics

The RA-1-43 Zone has been established for the primary purpose of providing low-density areas in the City where **livestock agriculture** can be maintained. This zone is currently characterized by large lots or tracts of land with occasional dwelling units, barns, corrals, and agricultural service buildings in connection with farming operations. In order to accomplish the objectives and purposes of this Chapter and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the RA-1-43 Zone.

Section 16.12.3 Conditional Uses

- A. Public buildings, primary and secondary schools, and churches.
(2011-01, Sub-section Amended, eff. 2/16/2011)
- B. Hobby breeders:
 1. When located on a lot of at least 1.5 acres.

2. Has been inspected by the City and the Animal Control Officer and found to be in compliance with other applicable City ordinances.

C. Kennels or Catteries:

1. When located on a lot or property that is greater than 1.5 acres.

2. Has been inspected by the City and the Animal Control Officer and found to be in compliance with other applicable City ordinances.

D. Day-care nurseries.

E. Rest homes.

F. Public utility facilities and buildings.

G. Golf courses and golf clubhouses (private and public).

H. Cemeteries.

I. Plant nurseries.

J. Planned unit developments.

K. Cottage Industries.

(2010-21, Sub-section Amended, eff. 7/28/2010)

(2011-01, Section Amended, eff. 2/16/2011)

L. Residential Facilities for Elderly Persons

(2012-11, Section Added, eff. 4/11/2012)

M. Rest Homes/Nursing/Convalescent Facilities

N. Commercial Greenhouses.

Section 16.13.44

A. Purpose and Intent of Commercial Greenhouses.

The purpose and intent of the City Council to encourage open space, encourage less density, encourage healthy lifestyle by healthy eating, provide job opportunities and economic diversity, support and recognize agriculture as the main economic industry for over 100 years in the City, encourage benefits of a local food system, including the support to small businesses and recirculation of capital within the city.

B. Requirements for Commercial Greenhouses.

A commercial greenhouse project requires minimum of 5 acres and a conditional use permit. All new projects must conform to Midway City Municipal Ordinances including Public Health and Safety, Water, Building and Construction, Supplementary Requirements in Zones, and Sensitive Lands. The project must also comply with applicable Department of Agriculture regulations. The City Council may approve or place reasonable conditions on a proposal based on the general conditional use criteria applicable in the zone and based on potential impacts of the types described below.

1. Project Management Plan.

The applicant shall provide a proposed project management plan that addresses any probable impacts of the type described below and includes any proposed mitigation measures.

The plan shall include, without limitation:

a. site plan prepared to scale on a topographic base by a professional planning team which shows the concept of the major features of the projects, including roads in relation to existing conditions and developments within one-fourth of a mile of the outside boundaries of the development.

Handwritten plans will not be accepted. Twenty copies of the plan on 11" x 17" size paper shall be submitted to the Planning Department.

i. description of how the development will implement Midway City's Vision

- ii. name of project
- iii. applicant entity name, primary contact name, civil engineer, etc. with respective contact addresses, phone numbers, fax numbers, and email addresses for each.
- iv. legal description with section tie
- v. zone boundaries and designations
- vi. north point and a scale consistent with a scale that is on a standard engineering scale ruler
- vii. identification, location and description of all sensitive lands and a proposal to protect such lands
- viii. adjacent property owners
- b. title report
- c. landscape plan
- d. drainage plan
- e. lighting plan, interior and exterior
- f. description of the type of equipment necessary or intended for use in each season and the frequency and duration of anticipated use;
- g. disclosure of any intent to spray or otherwise apply agricultural chemicals or pesticides, frequency and duration of application, and the plants, diseases, pests or other purposes they are intended for
- h. proposed sediment and erosion control plan
- i. noxious weed control plan

2. Potential Impacts and Mitigation. The application shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably-anticipated detrimental effects of the proposed use in accordance with applicable standards. The City Council, in determining whether to approve or place reasonable conditions on the application, shall consider the potential impacts and mitigation as outlined in the following, but not limited to:

- a. Water Quality and Soils. Impacts of irrigation run-off on adjacent properties, water bodies and environmentally critical areas, and proposed sediment and erosion control measures.
- b. Traffic, Deliveries, and Parking. Impacts related to the number of staff onsite during work hours, and the number of potential visitors regularly associated with the site. Commercial deliveries and pickups will be included in the daily trip count of any required traffic study.
- c. Visual Impacts and Screening. Visual impacts relating to the proposed nature, location, design, and size of proposed features, structures and activities, planting areas and any existing or proposed screening including landscaped berms as listed in the site plan.
- d. Noise and Odor. Impacts related to the location of any trash, storage areas, additional accessory structures and any other noise-generating or odor-generating equipment and practices. No odors or fumes shall be allowed to escape into the open air in such amounts as to be detrimental to the health of any individuals or the public; or noticeable, discomforting or disagreeable so as to offend the sensibilities of a reasonable individual from the property line. All compost and/or organic matter storage must be contained and enclosed.
- e. Use of Chemicals. Impacts related to the use of chemicals, including any fertilizer and pesticide. Develop more
- g. Setbacks. Setbacks will be recommended considering the size of the project, proximity of neighbors, adjacent uses, etc., but will always be greater than the underlying zoning district.
- i. If grow lights are used between the hours of 10pm and 6am the greenhouse will be required to shade the light from escaping to the exterior.

j Drainage. The site shall be designed and maintained to prevent water from irrigation, fertilizer or other activities from draining onto adjacent property.

k. Refuse Storage and Disposal. Trash areas shall be provided and screened on at least three (3) sides from public view by an opaque impact-resistant fence of sufficient height to screen the dumpster(s).

l. City Council may impose conditions to mitigate any potential impacts including but not limited to the aforementioned items.

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Residential Agriculture– RA-1-43: The RA-1-43 zone (43,000 sf lot) has been established for the primary purpose of providing low-density areas in the City where ~~livestock~~ agriculture can be maintained. This zone is currently characterized by large lots or tracts of land with occasional dwelling units, barns, corrals, and agricultural service buildings in connection with farming operations.