



Planning & Development Services

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ZOA15-00001 – City of Boise

Summary

The City of Boise requests an ordinance amendment revising regulations and definitions from various sections of the Development Code. The majority of changes are to accommodate discrepancies between the newly formatted code and the previous zoning ordinance. The sections to be amended include the following:

- 11-03-04.02 Specific Procedures: Development Agreement
- 11-03-04.11 Specific Procedures: Zoning Certificate
- 11-03-04.15 Specific Procedures: Annexation
- 11-03-03.07 Procedures: Decision
- 11-04-01.04 General Provision: Permitted Uses in Any Yard
- 11-04-02.04 Dimensional Standards for Open Land District
- 11-04-04.03 Dimensional Standards for Parking in Office Districts
- 11-05-02.03 Near North End Conservation District
- 11-06-01.05 Table of Allowed Uses
- 11-06-03.01 Residential Use Standards: Single and Two-family Living Uses
- 11-06-06.04 Commercial Standards: Vehicle and Equipment Uses
- 11-06-07.03 Accessory Uses and Structure: General Standards for Accessory Uses
- 11-06-07.04 Additional Standards for Specific Accessory Uses
- 11-07-03.04 Off-Street Parking and Loading Standards: General Design Standards
- 11-07-06.05 District-Specific Developments Standards: Planned Unit Development Standards
- 11-07-08 Hillside and Foothills Development Standards
- 11-10-04.01 Accessory On-Premise Signs
- 11-12-02.03 Definitions of Use Categories and Use Types: Commercial use
- 11-13-02.03 Barber Valley: Conformity Required

Prepared By

Susan Riggs and David Moser, Associate Planners

Recommendation

Approval of ZOA15-00001 amending the several code sections.

Reason for the Decision

The amendments to the development code are in compliance with the Comprehensive Plan. In particular, *Policy NAC 11.3 (a)* encourages updating the zoning districts to reflect the goals and policies contained in the Comprehensive Plan. The amendments will improve the general welfare of the public by clarifying language, and correcting minor errors and omissions which inadvertently occurred during the reorganization of the development code.

Zoning Ordinance Amendment Application

PDS Department Application
104

Case #: EOA15 00001

New! Type data directly into our forms.

Note: Be sure to print this form before closing it or you will lose your data. This form cannot be saved to your computer.

Applicant Information

*First Name: Susan *Last Name: Riggs
Company: City of Boise *Phone: 384-3736
*Address: 150 N Capitol Blvd *City: Boise *State: ID *Zip: 02
E-mail: _____ Cell: _____ Fax: _____

Agent/Representative Information

First Name: _____ Last Name: _____
Company: City of Boise Phone: _____
Address: _____ City: _____ State: _____ Zip: 0
E-mail: _____ Cell: _____ Fax: _____
Role Type: Architect Land Developer Engineer Contractor Other

1. Section of Zoning Ordinance you are proposing to amend:

Revisions to regulations and definitions throughout
Title II of the Boise City Code.

Date Received: _____
Revised 10/2008



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2. Proposed text changes:

See Project Report

3. Narrative describing justification for change:

This is a follow-up to correct errors in formatting, omissions & wording of ~~the~~ Base City Code. This includes multiple minor corrections to document standards. None of the proposed changes are substantive in nature.



Applicant/Representative Signature

2-23-15

Date



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Planning Division Project Report

File Number ZOA15-00001
Applicant City of Boise
Property Address 150 N Capitol Blvd
Public Hearing Date April 13, 2015
Heard by Planning and Zoning Commission
Analyst Susan Riggs & David Moser
Checked By Cody Riddle

Public Notification

Neighborhood meeting conducted: N/A
Newspaper notification published on: March 28, 2015
Radius notices mailed to properties within 300 feet on: N/A
Staff posted notice on site on: N/A

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1. Project Data and Facts

Project Data	
Applicant	Boise City Planning and Development Services
Representative	Susan Riggs and David Moser / Associate Planners
Location of Property	150 North Capitol Blvd
Procedure	The Planning and Zoning Commission will make a recommendation to City Council.

Description of Request
An amendment revising regulations and definitions of various sections of Boise City Code. There are multiple minor corrections throughout Title 11 that must be made to the newly formatted code to 1) align it with the former code; 2) bring forward previous code amendments that were not included; 3) correct minor working errors, and 4) clarify language.

2. Development Code

Section	Description
• 11-03-04.02	Specific Procedures: Development Agreement
• 11-03-04.11	Specific Procedures: Zoning Certificate
• 11-03-04.15	Specific Procedures: Annexation
• 11-03-03.07	Procedures: Decision
• 11-04-01.04	General Provision: Permitted Uses in Any Yard
• 11-04-02.04	Dimensional Standards for Open Land District
• 11-04-04.03	Dimensional Standards for Parking in Office Districts
• 11-05-02.03	Near North End Conservation District
• 11-06-01.05	Table of Allowed Uses
• 11-06-03.01	Residential Use Standards: Single and Two-family Living Uses
• 11-06-06.04	Commercial Standards: Vehicle and Equipment Uses
• 11-06-07.03	Accessory Uses and Structure: General Standards for Accessory Uses
• 11-06-07.04	Additional Standards for Specific Accessory Uses
• 11-07-03.04	Off-Street Parking and Loading Standards: General Design Standards
• 11-07-06.05	District-Specific Developments Standards: Planned Unit Development Standards
• 11-07-08	Hillside and Foothills Development Standards
• 11-10-04.01	Accessory On-Premise Signs
• 11-12-02.03	Definitions of Use Categories and Use Types: Commercial use
• 11-13-02.03	Barber Valley: Conformity Required

3. Comprehensive Plan

CHAPTER	GOALS, OBJECTIVES & POLICIES
CHAPTER 2-CITYWIDE POLICIES	Policy NAC11.3

- Neighborhoods and Activity Center (NAC)

4. Analysis/Findings

In 2013, a major effort to reformat the zoning ordinance into a more modern and user-friendly document was completed and subsequently adopted by City Council. It was understood there would need to be follow-up efforts to correct any errors in formatting, omissions, wording, etc. Such errors have, and most likely will continue to be discovered through the day to day use of the new development code. The present effort includes multiple minor corrections to the development code throughout Title 11 that must be made to the newly formatted code to 1) align it with the former code; 2) bring forward previous code amendments that were not included; 3) correct minor working errors, and 4) clarify language. In addition, a number of corrections have occurred within the Hillside and Foothill Development Standards. These specific corrections are designed to ensure the ordinance is consistent with the International Building Code and Boise City Public Works Hillside Development Manual. None of the proposed changes are substantive in nature.

FINDINGS

Section 11-03-04.01 (7a): The Council shall approve, approve with modifications, or deny pursuant to section 11-03-03.04 and this Section. To approve it must be found that the amendment:

- a) Complies with and conforms to the Comprehensive Plan.*

The amendments to the development code are in compliance with the Comprehensive Plan. In particular, *Policy NAC 11.3 (a)* encourages updating the zoning districts to reflect the goals and policies contained in the Comprehensive Plan. In addition, correcting the errors and omissions within the development code, will remove unintentional barriers to desirable development patterns (*Policy NAC 11.3 (b)*).

- b) Is required for public convenience or general welfare.*

The amendments will improve the general welfare of the public by clarifying language, and correcting minor errors and omissions which inadvertently occurred during the reorganization of the development code. These corrections will make it easier for the general public to use the Boise City Code.

5. Amendments in Underlined/Strikeout Format

Listed below are the proposed amendments to the Development Standards. These amendments are categorized into several classifications so similar changes to the Boise City Development Code could be grouped and discussed together. These classifications include the following examples: Correcting Errors and Omissions, Clarifying Ordinance Language and Update the Ordinance Standards.

1. Clarify Ordinance Language

Section 11-03-03.07: DECISION

G. Reconsiderations of Review Body Decisions

(2) Applicability

Upon request ~~granted~~ the review body may reconsider a decision for good cause. Good cause includes:

(3) Procedure

- (c) If a reconsideration is ~~requested~~ granted, the time to appeal and any pending appeal shall be stayed. If reconsideration is granted and the appeal is withdrawn, the appeal fee shall be refunded in its entirety.

This amendment will clarify the ordinance language.

Section 11-06-07.03: GENERAL STANDARDS FOR ACCESSORY USES

A. Subordinate to Principal Use

No accessory building shall be used unless the main building is also being used. The accessory use or structure shall be conducted and/or located on the same lot(s) as the principal use. ~~and to the rear of the principal building, unless otherwise approved by the Director.~~ The principal use and the accessory use shall be under the same ownership. ~~The principal use~~ and ~~the accessory use~~ shall utilize the same utility meter, with the exception of an approved accessory dwelling unit.

B. Location and Setbacks

- (1) No detached accessory building or structure shall occupy *any area in front of* the main building, unless *approved by the PZC as a conditional use*. However, on lots that have factory built housing or topographical or other physical constraints, the Director may approve a detached accessory building or structure in front of the main building.

This revision eliminates superfluous language in (A) that is also stated in (B) as identified in the italicized wording.

Section 11-07-03.04: GENERAL DESIGN STANDARDS**C. Parking Area Design****(1) Parking in Required Yards**

Public or private parking areas and parking spaces shall not be permitted in any required yard of any residential district, except as follows:

- (a) Except for working vehicles in daily use parked on driveways, cars, trucks, trailers, boats, boat trailers and recreational vehicles shall not be parked on:
 - i. Required yard areas (except for in structures that comply with setback requirements);
 - ii. Unimproved parking areas; or
 - iii. Other areas not designed for vehicle parking.

This amendment will clarify the ordinance language and is consistent with how it has been historically implemented.

2. Ordinance Errors and Omission**Section 11-03-04.02: DEVELOPMENT AGREEMENT****A. Purpose**

To provide a vehicle for development that will assure compliance with rezone findings where, in the opinion of the Council or PZC, approval of a rezone by itself does not meet those findings.

C. Procedures**(10) Step 10: Term of Approval**

A development agreement approval shall lapse or may be terminated as follows:

(a) Lapse

The lapse period shall be as indicated in the development agreement or as provided for in this section.

- i. Within one year from the date of approval it shall be recorded. ~~at the expense of the applicant.~~ Failure to do so shall render the rezone null and void. Proof of recording must be submitted prior to the ~~third-first~~ reading of the rezone ordinance.

This amendment will correct an error in the ordinance. The City Clerk records the development agreement and the first reading may not occur until it has been recorded.

Section 11-03-04.11: ZONING CERTIFICATE / APPROVAL CRITERIA FOR OTHER ADMINISTRATIVE APPLICATIONS

C. Procedures

Figure 11-03.11 shows the procedural steps in the review of applications for a zoning certificate and administrative applications. The common procedures of Section 11-03-03.4 shall apply, with modifications as indicated below.

(7) **Step 7: Decision**

The Director shall approve, approve with conditions, or deny each application pursuant to Section 11-03-03.4 and this Section.

Uses classified as “A*” on the use table in Chapter 11-06-01 of this ordinance are allowed uses but require administrative review. The review of “A*” uses for which specific approval criteria are not provided shall be based on the general conditional use approval criteria set forth in Section 11-03-04 .06 .C (7).

(10) **Step 10: Term of Approval**

Applicable. A zoning certificate approval shall become void whenever the building permit or license either lapses or is revoked, or whenever the use of occupancy specified has ceased to exist, or has been suspended for 180 calendar days or longer. An administrative approval shall be valid for two years from the date of approval.

Administrative review criteria were inadvertently left out of the new code.

Section 11-06-03.01: SINGLE AND TWO-FAMILY LIVING USES

A. Accessory Dwelling Unit

- (1) The accessory dwelling unit (ADU) must not be ~~not~~ larger than ten percent of the lot area or 600 square feet, whichever is smaller, and shall not have more than one bedroom. Where practical, the ten percent size standard may be altered to accommodate logical expansions or internal conversions. Examples of this include, but are not limited to, the addition of a second floor to a detached garage or the separation of a basement as an accessory unit. Under no circumstances may the 600 square foot maximum be exceeded.

This amendment will correct an error in the ordinance.

Section 11-06-07.04 ADDITIONAL STANDARDS FOR ACCESSORY USES

D. Livestock and Animals

- (7) Standards

- (e) The maximum density is two animal units per acre of area set aside for the keeping of livestock. For example, if one half of a one acre lot is set aside for the keeping of livestock one animal unit is allowed. (See exceptions listed in ‘H.8’ below.) Maximum density shall not apply to offspring under nine months of age, nor shall it apply to pets.

This amendment will correct an error in the ordinance. There is no “H” listed in the ordinance below this citation.

Section 11-10-04.01: ACCESSORY ON-PREMISE SIGNS

C. Master Sign Plan

For multi-tenant commercial developments on at least two acres that are planned and developed as a unit including but not limited to, hospital complexes, office centers (multiple buildings on at least 2 acres) and industrial parks (multiple buildings on at least five acres), a master sign plan is required prior to the placement of any signs.

This amendment will correct an error in the ordinance and clarifying phrase “...as a unit” was inadvertently left out of the reformatted code.

Section 11-07-05.03: FENCES

B. Allowed Fences

- (1) In residential and office districts maximum fence heights are as follows:
 - (a) Solid fences to a height of 36 inches or open-vision fences to height of 4 ~~inches-feet~~ may be built within the front yard setback. Fences to a height of 72 inches may be built outside the front yard setback.

This amendment will correct an error in the ordinance. The ordinance was meant to say “4 feet” not inches.

3. Incorrect Citation

Section 11-03-04.15: ANNEXATION

C. Procedures

(9) Step 9: Appeal

- (a) The general provisions of Section 11-03-03.49 are not applicable.
- (b) In accordance with Idaho Code 67-6526(d), a renegotiation may be initiated by the Boise Council or the Board of Ada County Commissioners.

- ~~i.—If the Boise Council or the Board of Ada County Commissioners requests a renegotiation of an annexation, a meeting between the two jurisdictions shall occur within 30 days of receipt of such written requests by each part.~~
- ~~ii.—While renegotiation is occurring, the provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by Boise City and Ada County, in accordance with the notice and hearing procedures provided in Ada County and Idaho Codes, or until a declaratory judgment from the District Court is final. However, this chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution.~~

- (a) *The revision is required as it references “Noticing” when it should be referencing Appeals.*
- (b) *This section does not belong here as it has nothing to do with annexations and was intended to be amended with the last revision of the code.*

Section 11-13-02.03: CONFORMITY REQUIRED

H. Design Review

(2) **Applicability**

Any visible exterior improvements to a site, building or structure (including new facilities, remodeling, rehabilitation projects and expansion projects) within the BVD District shall require submittal of a Design Review application and fee in accordance with Section ~~Error! Reference source not found-11-03-04.12~~, except where expressly modified herein.

(4) **Application Content**

Any BVD District application to the City shall be accompanied by the information required by Section ~~Error! Reference source not found-11-03-04.12~~ and by the findings, conclusions and any condition of approval issued by the BVDR Board.

(6) **Procedures**

With due consideration to the decision of the BVDR Board, the Planning Director or Committee, as appropriate, shall review the application to determine whether the proposed application complies with the design review objectives, considerations and guidelines set forth in Section ~~Error! Reference source not found-11-03-04.12~~, chapter 11-07, Development and Design Standards and the design criteria for the BVD District as set forth in the Barber Valley Specific Plan. Upon making such determination, the Planning Director or Committee shall issue its findings of fact, conclusions of law and conditions of approval. Any action of the Planning Director or the Committee may be appealed pursuant to the appeal provisions of this Code.

This amendment will correct an error in the ordinance and specify the correct citation which was inadvertently left out of the reformatted code.

4. Relocate Ordinance Section

Section 11-05-02.03: Near North End Conservation District

C. Standards

- (4) Standards for parking structures and lots in the NNE overlay district:
 - (a) An off-site parking garage for a historical use may be allowed by conditional use permit provided that it is designed to blend with the predominant architectural theme of the surrounding area and that it includes a significant residential component.
 - (b) New off-site parking lots are prohibited, except on parcels demonstrated to have been vacant on or before August 21, 2001. This prohibition shall not preclude the use of existing on-site parking lots as “for rent” off-site parking.
 - (c) Where the base zoning district is R-3, on-site surface parking lots larger than 2,500 square feet are prohibited, unless incorporated within a new residential use or within and as part of the renovation, redevelopment, or expansion of a historic institutional use. As used in this paragraph the phrase, “incorporated within” shall mean located in an interior or rear yard of a development so that it is not visible from the public street.

~~Section 11-06-05.04: VEHICLE AND EQUIPMENT USES~~

~~A. Parking~~

~~The following use standards apply to parking structures and lots in the NNE overlay district:~~

- ~~(1) An off site parking garage for a historical use may be allowed by conditional use permit provided that it is designed to blend with the predominant architectural theme of the surrounding area and that it includes a significant residential component.~~
- ~~(2) New off site parking lots are prohibited, except on parcels demonstrated to have been vacant on or before August 21, 2001. This prohibition shall not preclude the use of existing on site parking lots as “for rent” off site parking.~~
- ~~(3) Where the base zoning district is R-3, on-site surface parking lots larger than 2,500 square feet are prohibited, unless incorporated within a new residential use or within and as part of the renovation, redevelopment, or expansion of a historic institutional use. As used in this paragraph the phrase, “incorporated within” shall mean located in an interior or rear yard of a development so that it is not visible from the public streets.~~

This code section was inadvertently placed in Chapter 11-06, Use Regulations. The amendment discusses parking lot standards within the Near North End (NNE) Overlay district and belongs in Section 11-05-02.03. In addition, it shall be removed from Section 11-06-05.04

5. Omission in “Allowed Use”, “Dimensional Standards For Parking In Office Districts”, “Table of Off-Street Parking Requirements” and “Dimensional Standards for Open Lands” Tables

Section 11-07-03.02: TABLE OF OFF-STREET PARKING REQUIREMENTS

Table 11-07.1 Off-Street Requirements					
GFA = Gross floor area					
Land Use	Unit of Measure	General	P-1 District	P-2 District	P-3 District
Public/Institutional Uses					
Child and Adult Care					
Intermediate Child Care Center (13-20 children)	Per 10 Children, Plus one per employee	1.0	0	0	0
Large Child Care Center (21 + Children)	Per 10 Children, Plus one per employee	1.0	0	0	0

This amendment is required since these parking standards were inadvertently changed during the reorganization of the Boise City Development Standards.

Section 11-04-04.03: DIMENSIONAL STANDARDS FOR PARKING IN OFFICE DISTRICTS

Table 11-04.7: Setbacks (in feet) for parking Lots and Parking Structures	
Zoning district(s)	
N-O	
L-O	
Front yard	20
Side Yard Street	N/A 20
Side Yard Interior	5; 10*
1 or 2-Story	
>2-Story	
Rear Yard	
Any yard adjacent to interstate or connector	10

Multi-family Building, more than 20 units per acre, including High Rise							C	A	C	C	C	C	C	C	A			C												11-06-03.2.A	11-06-03.2.B
Public/Institutional Uses																															
Community Service																															
Club, Lodge, Social Hall							C	<u>C</u>	<u>C</u>	<u>C</u>	A	A	A	C	A																
Commercial																															
Personal Services																															
Personal Service (1,000 sq. ft. or less)							C ⁺	A	A	A	A	A	C	A	<u>A</u>																
Personal Service greater than 1,000 sq. ft.)							C	C	C	A	A	A	C	A	<u>A</u>																
Recreation and Entertainment																															
Recreation, Commercial – Indoor	<u>C</u>	C	C	C	C	C	C			C	C	A	A	C	A	C															
<u>Concert Hall</u>											<u>C</u>	<u>A</u>	<u>A</u>	<u>C</u>	<u>A</u>																
<u>Concert Hall (within 300² of residential use or zone)</u>											<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>A</u>																
<u>Dance Hall</u>											<u>C</u>	<u>A</u>	<u>A</u>	<u>C</u>	<u>A</u>																
<u>Dance Hall (within 300² of residential use or zone)</u>											<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>A</u>																

This amendment is required since these land use designations were inadvertently deleted from the “Table of Allowed Uses” during the reorganization of the Boise City Development Standards. The amendment also clarifies that density needs to be considered when reviewing a multi-family building containing 3-6 units.

6. Amendments to Section 11-07-08: Hillside and Foothills Development Standards

Section 11-07-08.01: PURPOSE AND INTENT

~~The purpose of these regulations is to provide for the ensure that~~ development of hillsides and foothills ~~in a manner is~~ consistent with the Boise City Comprehensive Plan ~~goals, objectives, and policies. To be consistent with the Comprehensive Plan, development shall be undertaken in a manner that will protect life and property and to ensure protection~~ from hazards due to slope, erosion-prone soils, unstable soils, earth movement; and other geologic and hydrologic hazards.

Section 11-07-08.02: APPLICABILITY

These provisions shall apply to development on properties where the slope exceeds 15 percent or where adverse conditions ~~associated with due to~~ slope stability, expansion soils, high water table and springs, erosion, or sedimentation are present as determined by the Director or City Engineer.

Section 11-07-08.03: CATEGORIES OF HILLSIDE DEVELOPMENT PERMITS

The director (with input from the City Engineer) shall determine whether an application may be processed as a Category I, II, or III permit.

A. Category I

Category I ~~I hillside development is~~ permits are issued by the Director for minor, routine construction on prepared building pads and single lots that do not involve significant grading. For example:

- (1) ~~A s~~ Single-family residential homes or accessory structures ~~that is~~ placed on ~~an existing lots without significant needing little~~ modification; ~~within in~~ a development ~~which has previously been granted for which~~ a Category III permit ~~has previously been issued.~~
- (2) ~~A s~~ Single-family residential structures homes or accessory structures; ~~that is~~ placed ~~upon on an existing~~ lots of record ~~that eomplies comply~~ with ~~previously~~ approved building envelopes and limits to grading; and, for which ~~the criteria identified in the~~ Category II permit criteria are not exceeded.
- (3) ~~The Planning Director, with input from the City Engineer, shall determine whether or not an application may be processed as a Category I Permit. Upon submittal of documentation that a project is not a Category II or III Permit, approval may be granted by the Planning Director without a work session, public hearing or formal application review.~~

B. Category II

Applicability for Examples of the development requiring Category II permits ~~is as follows are:~~

- ~~(1) Exterior additions to existing structures, or~~
- ~~(2) New Construction, or~~
- ~~(3)~~ (1) Grading with significant modification of ~~the~~ approved topography; including:

- (a) A Retaining wall which is greater than four feet of exposed height or more than one retaining wall when the horizontal distance between retaining walls is less than ten feet and the total of all exposed retaining walls exceeds four feet in height.
- (b) An excavation or fill which exceeds the limits as defined in the section (A) above as a Category I Development, International Building Code Chapter 18 and Appendix J as amended by Boise City Code Chapter 4-02.
- ~~(4)~~(2) Access roads or driveways in excess of 100 feet in length or in excess of 15 Percent grade. Such driveways shall be reviewed for impacts on drainage and soil stability, emergency access, access to the public street and potential physical impacts on neighboring properties.
- ~~(5)~~(3) Multiple retaining walls located within setbacks, per Section 11-07-05.4 *Retaining Walls*.
- ~~(6)~~ — **A cut that is:**
 - ~~(a) Less than two feet in depth; or~~
 - ~~(b) Does not create a cut slope greater than five feet in height and steeper than one and one half horizontal to one vertical.~~
- ~~(7)~~ — **A fill that is:**
 - ~~(a) Less than one foot in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical; or~~
 - ~~(b) Less than three feet in depth, not intended to support structures, which does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.~~
- ~~(8)~~ — **Projects which are within the limits defined in (f) and (g) may be considered as a Category I.**

C. Category III

Category III ~~hillside development is~~ permits are for PUDs, preliminary subdivision plats, or grading involving modification of ~~the~~ approved topography ~~that is~~ beyond that allowed under Categories I and II, including:

- (1) Projects where the Director with input from the City Engineer, determines that slope stability or drainage problems exist; ~~and.~~

Section 11-07-08.04: HILLSIDE DEVELOPMENT RESTRICTIONS

Any area that presents one or more of the following limiting factors shall not be subjected to development unless the project engineer can demonstrate satisfactorily to the City Engineer, based on the required technical reports, that these site limitations can be overcome in such a manner as to minimize hazard to life, hazard to property, and adverse effects on the safety, use, or stability of a public way or drainage channel. Such site limitations to be overcome shall include but not be limited to the following:

Section 11-07-08.05: HILLSIDE DEVELOPMENT STANDARDS

A. Standards Applicable to All Categories of Hillside Development Permits

(10) Conformance Bond and Surety

~~(b) A construction project schedule shall be submitted to the City Engineer for approval and shall be periodically updated.~~

B. Grading Standards

(2) Fill areas shall be prepared by removing any organic material that is determined by the geotechnical report to be detrimental to proper compaction or otherwise not conducive to stability.

(5) Fills shall be compacted to at least 95 percent of maximum density, as determined by AASHTO T-99, or ASTM D-698, ~~ASTMD-1557~~ or greater as recommended by the geotechnical report. The frequency of compaction testing shall be addressed in the geotechnical report and shall be approved by the City Engineer.

(6) Cut slopes shall be no steeper than two feet horizontal to one foot vertical unless it can be shown by the project geotechnical engineer that steeper slopes are feasible, taking into account safety, stability, erosion control, and re-vegetation. For cut slopes steeper than two feet horizontal to one foot vertical, subsurface drainage shall be provided as necessary for stability.

(7) Fill slopes shall be no steeper than two feet horizontal to one foot vertical unless it can be shown by the project geotechnical engineer that steeper slopes are safe, stable, erosion resistant, and can be adequately re-vegetated. Fill slopes shall not be located on natural slopes two to one or steeper, or where fill slopes toe out within 12 feet horizontally of the top of an existing or planned cut slope.

(8) Prior to placement of fill, the ground shall be prepared in accordance with ~~Appendix, Chapter 33 as amended by the Uniform Building Code. the International Building Code Chapter 18 and Appendix J as amended by Boise City Building Code Chapter 4-02.~~ Subsurface drainage shall be provided as necessary for stability. Subsurface drainage shall be provided as necessary for stability.

(9) Tops and toes of cut and fill slopes shall be set back from property boundaries in accordance with the requirements of ~~the Appendix 33 Chapter 29 as amended of the Uniform Building Code and shall be set back from structures in accordance with the requirements of Chapter 18, as amended, of the Uniform Building Code. International Building Code Chapter 18 and Appendix J as amended by Boise City Building Code Chapter 4-02.~~

D. Hydrologic Controls

(2) Curb, gutter and pavement design and lot grading shall be such that water on roadways is prevented from flowing off roadway, except in conveyance conduits.
~~Water on roadways may only flow off the roadway in conveyance conduits.~~

Section 11-07-08.09: APPLICATION REQUIREMENTS

All required information shall be prepared in conformance with the adopted ~~Hillside Development requirements for Technical Reports.~~ Boise City Public Works Hillside Development Manual.

These amendments to the Hillside and Foothills Developments Standards are required to ensure that the ordinance is consistent with both International Building Code and the Boise City Public Works Hillside Development Manual.

7. Clarification of the PUD and Duplex Open Space Standards

Section 11-06-03.01: SINGLE AND TWO-FAMILY LIVING USES

B. Dwelling, Duplex

(1) Duplexes in the R-1A, R-1B, R-1C, and R-2 zone districts and BSN overlay zone district shall be subject to specific design criteria. The Director must make the following findings:

(b) Open Space

Each unit shall have a minimum of 150 square feet of private open space ~~located outside of the setbacks.~~ A minimum of 75 square feet of required open space for each unit shall be in a contiguous configuration. Required open space shall not include driveways or parking areas. Only those areas on the lot having minimum width and length dimensions of five feet shall be used to comply with the open space standard. A minimum of 50 percent of the required open space shall consist of permeable ground surface with landscaping.

A duplex is the only structure that requires open space to be located outside a setback. The typical 15-foot rear yard setback provides open space in excess of 150 square feet. Single and Multi-family structures need only comply with required setbacks in the zone. This amendment makes the duplex standards consistent with other residential developments.

Section 11-07-06.05: PLANNED UNIT DEVELOPMENT STANDARDS

B. Amenities

(1) At least two of the following amenities shall be provided in projects greater than one acre in size:

(c) Landscaped open of at least 10% of gross development area. Setbacks are not included in the calculation of the gross area. The open space shall be designed so as to benefit all residents.

This amendment will help insure the open space serves as a functional amenity.

8. Garage Dimension Clarification

Section 11-07-03.04: GENERAL DESIGN STANDARDS

C. Parking Area Design

(4) Residential Garages

~~(a) The minimum unobstructed interior width of a two-car private residential garage shall be 20 feet.~~

~~(b)~~(a) 22' of back up space is required measured from the back of the parking stall to the side of the alley.

This amendment is required since it is more consistent with other sections of the Boise Development Standards.

9. Omission of Service Retail Definition

Section 11-12-02.03: COMMERCIAL USES

F. Service Retail

(8) Retail Tobacco Business

A business which (1) during the normal course of business primarily distributes any tobacco product or provides any equipment or material used for the consumption of tobacco, (2) lawfully may permit smoking indoors, and (3) does operate a smoking area on premises owned, operated, or used by the business, whether indoors or outdoors, during any portion of its hours of operation.

G. Recreation and Entertainment

(1) Firing Range

A controlled area of activity, indoors or outdoors, specifically designed for the discharging of firearms at targets.

(2) Concert Hall

A business operating in an area, whether indoors or out, where amplified sound or music is provided for entertainment.

(3) Dance Hall

A business operating in an area, whether indoors or out, where amplified sound or music is provided for entertainment.

~~(2)~~(4) **Health Club**

A club for leisure and fitness activities.

~~(3)~~(5) **Recreation, Commercial – Indoor**

An indoor facility for bowling alley, skating rink, arcade, arena, archery, and similar uses.

~~(4)~~(6) **Recreation, Commercial – Outdoor**

Amusement parks, ballpark (baseball, football, soccer), water park, batting cages, go-cart track, and similar uses partially conducted outside of a building.

~~(5)~~(7) **Recreation Center**

A commercial or non-profit bowling alley, roller rink, or similar use.

~~(6)~~(8) **Social Event Center**

An establishment for weddings, birthdays, dances, celebrations, and other similar special events.

~~(7)~~(9) **Swimming Pool, Commercial**

Any facility intended for swimming or recreational bathing that contains water over 24 inches (610 millimeters) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

~~(8)~~(10) **Theater**

A building used primarily for the presentation of live stage productions, performances, or motion pictures.

~~(9)~~(11) **Theater, Drive-In**

A form of cinema consisting of a large screen, a projection booth, a concession stand, and a large outdoor parking area for automobiles.

The definition for Retail Tobacco Business, Dance Hall and Concert Hall was deleted with the reformatting of the new code.

Amendments in Underline/Strikeout Format

CHAPTER 11-03: REVIEW AND DECISION PROCEDURES

Section 11-03-03.07: DECISION

G. Reconsiderations of Review Body Decisions

(2) Applicability

Upon request ~~granted~~ the review body may reconsider a decision for good cause. Good cause includes:

(3) Procedure

- (c) If a reconsideration is ~~requested~~ granted, the time to appeal and any pending appeal shall be stayed. If reconsideration is granted and the appeal is withdrawn, the appeal fee shall be refunded in its entirety.

Section 11-03-04.02: DEVELOPMENT AGREEMENT

A. Purpose

To provide a vehicle for development that will assure compliance with rezone findings where, in the opinion of the Council or PZC, approval of a rezone by itself does not meet those findings.

C. Procedures

(10) Step 10: Term of Approval

A development agreement approval shall lapse or may be terminated as follows:

(a) Lapse

The lapse period shall be as indicated in the development agreement or as provided for in this section.

- i. Within one year from the date of approval it shall be recorded. ~~at the expense of the applicant~~. Failure to do so shall render the rezone null and void. Proof of recording must be submitted prior to the ~~third~~ first reading of the rezone ordinance.

Section 11-03-04.11: ZONING CERTIFICATE / APPROVAL CRITERIA FOR OTHER ADMINISTRATIVE APPLICATIONS

C. Procedures

Figure 11-03.11 shows the procedural steps in the review of applications for a zoning certificate and administrative applications. The common procedures of Section 11-03-03.4 shall apply, with modifications as indicated below.

(7) **Step 7: Decision**

The Director shall approve, approve with conditions, or deny each application pursuant to Section 11-03-03.4 and this Section.

Uses classified as “A*” on the use table in Chapter 11-06-01 of this ordinance are allowed uses but require administrative review. The review of “A*” uses for which specific approval criteria are not provided shall be based on the general conditional use approval criteria set forth in Section 11-03-04 .06 .C (7).

(10) **Step 10: Term of Approval**

Applicable. A zoning certificate approval shall become void whenever the building permit or license either lapses or is revoked, or whenever the use of occupancy specified has ceased to exist, or has been suspended for 180 calendar days or longer. An administrative approval shall be valid for two years from the date of approval.

Section 11-03-04.15: ANNEXATION

C. Procedures

(9) **Step 9: Appeal**

(a) The general provisions of Section 11-03-03.49 are not applicable.

(b) In accordance with Idaho Code 67-6526(d), a renegotiation may be initiated by the Boise Council or the Board of Ada County Commissioners.

- ~~i.—If the Boise Council or the Board of Ada County Commissioners requests a renegotiation of an annexation, a meeting between the two jurisdictions shall occur within 30 days of receipt of such written requests by each part.~~
- ~~ii.—While renegotiation is occurring, the provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by Boise City and Ada County, in accordance with the notice and hearing procedures provided in Ada County and Idaho Codes, or until a declaratory judgment from the District Court is final. However, this chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution.~~

CHAPTER 11-04: ZONING DISTRICTS

Section 11-04-02.04: DIMENSIONAL STANDARDS FOR OPEN LAND DISTRICTS

Table 11-04.2: Dimensional Standards for Open Lands			
Dimensional Standards		A-1	A-2
Lot Area, Minimum (Square Feet)	Interior Lots	-	
	Corner Lots		
Average Lot Width, Minimum (Feet)	Interior Lots	50	100
	Corner Lots		
Street Frontage, Minimum (feet)		30	100
Density, Maximum (unit/acre)		1	1 unit / 40 acres
Open Space per Unit, Maximum		N/A	
Building Height, Maximum (feet)		45, 35*	
Setbacks, Minimum (feet)	Front Yard / Side Yard , Street	0,20*	0,40*
	Side Yard Interior	0,10*	0,20*
	Rear Yard	0,30*	0,60*
<u>*Buildings or structures adjacent to or across a street or alley from residential use or zone.</u>			

Section 11-04-04.03: DIMENSIONAL STANDARDS FOR PARKING IN OFFICE DISTRICTS

Table 11-04.7: Setbacks (in feet) for parking Lots and Parking Structures		
Zoning district(s)		N-O L-O
Front yard		20
Side Yard Street		N/A 20
Side Yard Interior	1 or 2-Story	5; 10*
	>2-Story	
Rear Yard		10
Any yard adjacent to interstate or connector		

CHAPTER 11-05: OVERLAY AND SPECIFIC PLAN DISTRICTS

Section 11-05-02.03: Near North End Conservation District

C. Standards

- (4) Standards for parking structures and lots in the NNE overlay district:
- (a) An off-site parking garage for a historical use may be allowed by conditional use permit provided that it is designed to blend with the predominant architectural theme of the surrounding area and that it includes a significant residential component.

Personal Service greater than 1,000 sq. ft.)											C	C	C	A	A	A	C	A	A																							
Recreation and Entertainment																																										
Recreation, Commercial – Indoor																																										
<u>Concert Hall</u>																																										
<u>Concert Hall (within 300’ of residential use or zone)</u>																																										
<u>Dance Hall</u>																																										
<u>Dance Hall (within 300’ of residential use or zone)</u>																																										

Section 11-06-03.01: SINGLE AND TWO-FAMILY LIVING USES

A. Accessory Dwelling Unit

- (1) The accessory dwelling unit (ADU) must not be ~~not~~ larger than ten percent of the lot area or 600 square feet, whichever is smaller, and shall not have more than one bedroom. Where practical, the ten percent size standard may be altered to accommodate logical expansions or internal conversions. Examples of this include, but are not limited to, the addition of a second floor to a detached garage or the separation of a basement as an accessory unit. Under no circumstances may the 600 square foot maximum be exceeded.

B. Dwelling, Duplex

- (1) Duplexes in the R-1A, R-1B, R-1C, and R-2 zone districts and BSN overlay zone district shall be subject to specific design criteria. The Director must make the following findings:

(b) Open Space

Each unit shall have a minimum of 150 square feet of private open space ~~located outside of the setbacks~~. A minimum of 75 square feet of required open space for each unit shall be in a contiguous configuration. Required open space shall not include driveways or parking areas. Only those areas on the lot having minimum width and length dimensions of five feet shall be used to comply with the open space standard. A minimum of 50 percent of the required open space shall consist of permeable ground surface with landscaping.

~~Section 11-06-05.04: VEHICLE AND EQUIPMENT USES~~

~~A. Parking~~

~~The following use standards apply to parking structures and lots in the NNE overlay district:~~

- ~~(1) An off-site parking garage for a historical use may be allowed by conditional use permit provided that it is designed to blend with the predominant architectural theme of the surrounding area and that it includes a significant residential component.~~
- ~~(2) New off-site parking lots are prohibited, except on parcels demonstrated to have been vacant on or before August 21, 2001. This prohibition shall not preclude the use of existing on-site parking lots as “for rent” off-site parking.~~
- ~~(3) Where the base zoning district is R-3, on-site surface parking lots larger than 2,500 square feet are prohibited, unless incorporated within a new residential use or within and as part of the renovation, redevelopment, or expansion of a historic institutional use. As used in this paragraph the phrase, “incorporated within” shall mean located in an interior or rear yard of a development so that it is not visible from the public streets.~~

Section 11-06-07.03: GENERAL STANDARDS FOR ACCESSORY USES

A. Subordinate to Principal Use

No accessory building shall be used unless the main building is also being used. The accessory use or structure shall be conducted and/or located on the same lot(s) as the principal use. ~~and to the rear of the principal building, unless otherwise approved by the Director.~~ The principal use and the accessory use shall be under the same ownership. ~~The principal use and the accessory use~~ shall utilize the same utility meter, with the exception of an approved accessory dwelling unit.

B. Location and Setbacks

- (1) No detached accessory building or structure shall occupy *any area in front of* the main building, unless *approved by the PZC as a conditional use*. However, on lots that have factory built housing or topographical or other physical constraints, the Director may approve a detached accessory building or structure in front of the main building.

Section 11-06-07.04 ADDITIONAL STANDARDS FOR ACCESSORY USES

C. Livestock and Animals

- (7) Standards

- (e) The maximum density is two animal units per acre of area set aside for the keeping of livestock. For example, if one half of a one acre lot is set aside for the keeping of livestock one animal unit is allowed. (See exceptions listed in ‘H 8’ below.) Maximum density shall not apply to offspring under nine months of age, nor shall it apply to pets.

CHAPTER 11-07: DEVELOPMENT AND DESIGN STANDARDS

Section 11-07-03.02: TABLE OF OFF-STREET PARKING REQUIREMENTS

Table 11-07.1 Off-Street Requirements					
GFA = Gross floor area					
Land Use	Unit of Measure	General	P-1 District	P-2 District	P-3 District
Public/Institutional Uses					
Child and Adult Care					
Intermediate Child Care Center (13-20 children)	Per 10 Children, Plus one per employee	1.0	0	0	0
Large Child Care Center (21 + Children)	Per 10 Children, Plus one per employee	1.0	0	0	0

Section 11-07-03.04: GENERAL DESIGN STANDARDS

C. Parking Area Design

(1) Parking in Required Yards

Public or private parking areas and parking spaces shall not be permitted in any required yard of any residential district, except as follows:

- (a) Except for working vehicles in daily use parked on driveways, cars, trucks, trailers, boats, boat trailers and recreational vehicles shall not be parked on:
- i. Required yard areas (except for in structures that comply with setback requirements);
 - ii. Unimproved parking areas; or
 - iii. Other areas not designed for vehicle parking.

(4) Residential Garages

- ~~(a) The minimum unobstructed interior width of a two-car private residential garage shall be 20 feet.~~

- ~~(b)(a)~~ 22' of back up space is required measured from the back of the parking stall to the side of the alley.

Section 11-07-05.03: FENCES

B. Allowed Fences

- (1) In residential and office districts maximum fence heights are as follows:
 - (a) Solid fences to a height of 36 inches or open-vision fences to height of 4 ~~inches-feet~~ may be built within the front yard setback. Fences to a height of 72 inches may be built outside the front yard setback.

Section 11-07-06.05: PLANNED UNIT DEVELOPMENT STANDARDS

B. Amenities

- (1) At least two of the following amenities shall be provided in projects greater than one acre in size:
 - (c) Landscaped open of at least 10% of gross development area. Setbacks are not included in the calculation of the gross area. The open space shall be designed so as to benefit all residents.

Section 11-07-08.01: PURPOSE AND INTENT

~~The purpose of these regulations is to provide for the ensure that~~ development of hillsides and foothills ~~in a manner is~~ consistent with the Boise City Comprehensive Plan ~~goals, objectives, and policies. To be consistent with the Comprehensive Plan, development shall be undertaken in a manner that will protect life and property and to ensure protection~~ from hazards due to slope, erosion-prone soils, unstable soils, earth movement; and other geologic and hydrologic hazards.

Section 11-07-08.02: APPLICABILITY

These provisions shall apply to development on properties where the slope exceeds 15 percent or where adverse conditions ~~associated with due to~~ slope stability, expansion soils, high water table and springs, erosion, or sedimentation are present as determined by the Director or City Engineer.

Section 11-07-08.03: CATEGORIES OF HILLSIDE DEVELOPMENT PERMITS

The director (with input from the City Engineer) shall determine whether an application may be processed as a Category I, II, or III permit.

A. Category I

Category I ~~I hillside development is~~ permits are issued by the Director for minor, routine construction on prepared building pads and single ~~lots~~ that do not involve significant grading. For example:

- (1) ~~A s~~ Single-family residential homes or accessory structures ~~that is~~ placed on an existing ~~lots~~ without significant needing little modification; ~~within in~~ a development which has previously been granted for which a Category III permit has previously been issued.
- (2) ~~A s~~ Single-family residential structures homes or accessory structures; ~~that is~~ placed upon on an existing ~~lots~~ of record that complies comply with previously approved building envelopes and limits to grading; and, for which ~~the criteria identified in the~~ Category II permit criteria are not exceeded.
- (3) ~~The Planning Director, with input from the City Engineer, shall determine whether or not an application may be processed as a Category I Permit. Upon submittal of documentation that a project is not a Category II or III Permit, approval may be granted by the Planning Director without a work session, public hearing or formal application review.~~

B. Category II

Applicability for Examples of the development requiring Category II permits ~~is as follows are:~~

- ~~(1) Exterior additions to existing structures, or~~
- ~~(2) New Construction, or~~
- ~~(3)~~ (1) Grading with significant modification of ~~the~~ approved topography; including:
 - (a) A Retaining wall which is greater than four feet of exposed height or more than one retaining wall when the horizontal distance between retaining walls is less than ten feet and the total of all exposed retaining walls exceeds four feet in height.
 - (b) An excavation or fill which exceeds the limits as defined in the section (A) above as a Category I Development, International Building Code Chapter 18 and Appendix J as amended by Boise City Code Chapter 4-02.
- ~~(4)~~(2) Access roads or driveways in excess of 100 feet in length or in excess of 15 Percent grade. Such driveways shall be reviewed for impacts on drainage and soil stability, emergency access, access to the public street and potential physical impacts on neighboring properties.
- ~~(5)~~(3) Multiple retaining walls located within setbacks, per Section 11-07-05.4 *Retaining Walls*.
- ~~(6) A cut that is:~~
 - ~~(a) Less than two feet in depth; or~~
 - ~~(b) Does not create a cut slope greater than five feet in height and steeper than one and one-half horizontal to one vertical.~~

~~(7) — A fill that is:~~

- ~~(a) Less than one foot in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical; or~~
- ~~(b) Less than three feet in depth, not intended to support structures, which does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.~~

~~(8) — Projects which are within the limits defined in (f) and (g) may be considered as a Category I.~~**C. Category III**

Category III ~~hillside development is~~ permits are for PUDs, preliminary subdivision plats, or grading involving modification of ~~the~~ approved topography ~~that is~~ beyond that allowed under Categories I and II, including:

- (1) Projects where the Director with input from the City Engineer, determines that slope stability or drainage problems exist; ~~and.~~

Section 11-07-08.04: HILLSIDE DEVELOPMENT RESTRICTIONS

Any area that presents one or more of the following limiting factors shall not be subjected to development unless the project engineer can demonstrate satisfactorily to the City Engineer, based on the required technical reports, that these site limitations can be overcome in such a manner as to minimize hazard to life, hazard to property, and adverse effects on the safety, use, or stability of a public way or drainage channel. Such site limitations to be overcome shall include but not be limited to the following:

Section 11-07-08.05: HILLSIDE DEVELOPMENT STANDARDS**A. Standards Applicable to All Categories of Hillside Development Permits**

- (10) Conformance Bond and Surety
 - ~~(b) A construction project schedule shall be submitted to the City Engineer for approval and shall be periodically updated.~~

B. Grading Standards

- (2) Fill areas shall be prepared by removing any organic material that is determined by the geotechnical report to be detrimental to proper compaction or otherwise not conducive to stability.
- (5) Fills shall be compacted to at least 95 percent of maximum density, as determined by AASHTO T-99, ~~or~~ ASTM D-698, ASTM D-1557 or greater as recommended by the geotechnical report. The frequency of compaction testing shall be addressed in the geotechnical report and shall be approved by the City Engineer.

- (6) Cut slopes shall be no steeper than two feet horizontal to one foot vertical unless it can be shown by the project geotechnical engineer that steeper slopes are feasible, taking into account safety, stability, erosion control, and re-vegetation. For cut slopes steeper than two feet horizontal to one foot vertical, subsurface drainage shall be provided as necessary for stability.
- (7) Fill slopes shall be no steeper than two feet horizontal to one foot vertical unless it can be shown by the project geotechnical engineer that steeper slopes are safe, stable, erosion resistant, and can be adequately re-vegetated. Fill slopes shall not be located on natural slopes two to one or steeper, or where fill slopes toe out within 12 feet horizontally of the top of an existing or planned cut slope.
- (8) Prior to placement of fill, the ground shall be prepared in accordance with ~~Appendix, Chapter 33 as amended by the Uniform Building Code. the International Building Code Chapter 18 and Appendix J as amended by Boise City Building Code Chapter 4-02.~~ Subsurface drainage shall be provided as necessary for stability. Subsurface drainage shall be provided as necessary for stability.
- (9) Tops and toes of cut and fill slopes shall be set back from property boundaries in accordance with the requirements of ~~the Appendix 33 Chapter 29 as amended of the Uniform Building Code and shall be set back from structures in accordance with the requirements of Chapter 18, as amended, of the Uniform Building Code. International Building Code Chapter 18 and Appendix J as amended by Boise City Building Code Chapter 4-02.~~

D. Hydrologic Controls

- (2) ~~Curb, gutter and pavement design and lot grading shall be such that water on roadways is prevented from flowing off roadway, except in conveyance conduits. Water on roadways may only flow off the roadway in conveyance conduits.~~

Section 11-07-08.09: APPLICATION REQUIREMENTS

All required information shall be prepared in conformance with the adopted ~~Hillside Development requirements for Technical Reports. Boise City Public Works Hillside Development Manual.~~

CHAPTER 11-10: SIGN STANDARDS

Section 11-10-04.01: ACCESSORY ON-PREMISE SIGNS

C. Master Sign Plan

For multi-tenant commercial developments on at least two acres that are planned and developed as a unit including but not limited to, hospital complexes, office centers (multiple buildings on at least 2 acres) and industrial parks (multiple buildings on at least five acres), a master sign plan is required prior to the placement of any signs.

CHAPTER 11-12: DEFINITIONS

Section 11-12-02.03: COMMERCIAL USES

F. Service Retail

(8) Retail Tobacco Business

A business which (1) during the normal course of business primarily distributes any tobacco product or provides any equipment or material used for the consumption of tobacco, (2) lawfully may permit smoking indoors, and (3) does operate a smoking area on premises owned, operated, or used by the business, whether indoors or outdoors, during any portion of its hours of operation.

G. Recreation and Entertainment

(1) Firing Range

A controlled area of activity, indoors or outdoors, specifically designed for the discharging of firearms at targets.

(2) Concert Hall

A business operating in an area, whether indoors or out, where amplified sound or music is provided for entertainment.

(3) Dance Hall

A business operating in an area, whether indoors or out, where amplified sound or music is provided for entertainment.

~~(2)~~(4) Health Club

A club for leisure and fitness activities.

~~(3)~~(5) Recreation, Commercial – Indoor

An indoor facility for bowling alley, skating rink, arcade, arena, archery, and similar uses.

~~(4)~~(6) Recreation, Commercial – Outdoor

Amusement parks, ballpark (baseball, football, soccer), water park, batting cages, go-cart track, and similar uses partially conducted outside of a building.

~~(5)~~(7) Recreation Center

A commercial or non-profit bowling alley, roller rink, or similar use.

~~(6)~~(8) Social Event Center

An establishment for weddings, birthdays, dances, celebrations, and other similar special events.

~~(7)~~(9) Swimming Pool, Commercial

Any facility intended for swimming or recreational bathing that contains water over 24 inches (610 millimeters) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

~~(8)~~(10) Theater

A building used primarily for the presentation of live stage productions, performances, or motion pictures.

~~(9)~~(11) Theater, Drive-In

A form of cinema consisting of a large screen, a projection booth, a concession stand, and a large outdoor parking area for automobiles.

CHAPTER 11-13: ADOPTED SPECIFIC PLANS**Section 11-13-02.03: CONFORMITY REQUIRED****H. Design Review****(2) Applicability**

Any visible exterior improvements to a site, building or structure (including new facilities, remodeling, rehabilitation projects and expansion projects) within the BVD District shall require submittal of a Design Review application and fee in accordance with Section ~~Error! Reference source not found~~ 11-03-04.12, except where expressly modified herein.

(4) Application Content

Any BVD District application to the City shall be accompanied by the information required by Section ~~Error! Reference source not found~~ 11-03-04.12 and by the findings, conclusions and any condition of approval issued by the BVDR Board.

(6) Procedures

With due consideration to the decision of the BVDR Board, the Planning Director or Committee, as appropriate, shall review the application to determine whether the proposed application complies with the design review objectives, considerations and guidelines set forth in Section ~~Error! Reference source not found~~ [11-03-04.12](#), chapter 11-07, Development and Design Standards and the design criteria for the BVD District as set forth in the Barber Valley Specific Plan. Upon making such determination, the Planning Director or Committee shall issue its findings of fact, conclusions of law and conditions of approval. Any action of the Planning Director or the Committee may be appealed pursuant to the appeal provisions of this Code.

BOISE CITY PUBLIC WORKS DEPARTMENT

DEPARTMENT CORRESPONDENCE

Date: January 14, 2015

To: Boise City Planning & Zoning

Re: ZOA 15-00001; Text Amendment

CONDITIONS OF APPROVAL

SEWER CONDITIONS – MIKE SHEPPARD (384-3920)

No comment.

DRAINAGE/STORMWATER CONDITIONS – BRIAN MURPHY (384-3752)

No comment.

STREET LIGHT CONDITIONS – MIKE HEDGE (388-4719)

No comment.

PERSON MAKING OTHER COMMENTS –

OTHER COMMENTS -

PUBLIC WORKS REPRESENTATIVE

PUBLIC WORKS REPRESENTATIVE

for
 MARK J.
 Mike Sheppard
 BEV M.
 Mike Hedge
 BRIAN M.
 Terry A.
 Rick C.
 LORI
 ROB B.
 Mike Sheppard
 LORI

BOISE CITY APPLICATION

ADA COUNTY APPLICATION

APPLICANT: Boise City Planning & Development
Susan Riggs

REPRESENTATIVE: City of Boise

LOCATION: N/A - Text Amendment

1. CU, DR, OR PDR NUMBER: ZOA 15-00001

2. SEWER CONDITIONS: No Comment

3. DRAINAGE/STORMWATER REVIEW: NEC

4. STREET LIGHT CONDITIONS: No Comment

5. PERSON MAKING OTHER COMMENTS: _____

6. OTHER COMMENTS: _____

7. FILE NAME: _____