

SYRINGA VALLEY SPECIFIC PLAN ZONING ORDINANCE

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11-013-03-01. APPLICABILITY OF ORDINANCE

This Syringa Valley Specific Plan Zoning Ordinance applies to all property designated on the Syringa Valley Specific Plan Zoning Map (attached as Exhibit A) and the Syringa Valley Specific Plan Land Use Sub-Districts Map (attached as Exhibit B) in lieu of the Zoning Classifications chapter of the Boise City Zoning Ordinance (currently Chapter 11-044), except where noted herein. All remaining chapters of the Boise City Code shall apply, except where noted herein. If any provision of this Ordinance conflicts with any provision of the Boise City Zoning Ordinance, this Ordinance shall control.

11-013-03-02. INTERPRETATION OF DISTRICTS

1. Districts Established

- A. The Syringa Valley Specific Plan District is hereby established.
- B. The following Sub-Districts are established within the Syringa Valley Specific Plan District:
 - (1) (LR) Low-density Residential
 - (2) (MR) Medium-density Residential
 - (3) (NC) Neighborhood Commercial Residential
 - (4) (IND) Industrial

2. District and Sub-District Boundaries

- A. The location and boundaries of the Syringa Valley Specific Plan District are shown on the Syringa Valley Specific Plan Zoning Map (attached as Exhibit A). The location and boundaries of the Syringa Valley Specific Plan Sub-Districts established are shown on the Syringa Valley Specific Plan Land Use Sub-Districts Map (attached as Exhibit B). Where any uncertainty exists as to the boundary of any such district, the following rules shall apply:
 - (1) Where any such boundary line is indicated as following a street, alley or public way, it shall be construed as following the centerline thereof.
 - (2) Where a boundary line is indicated as approximately following a lot line, such lot line shall be construed to be such boundary line.
 - (3) Where a boundary line divides a lot or crosses unsubdivided property, the location of such boundary shall be as indicated upon the Syringa Valley Zoning Map.

11-013-03-03 CONFORMITY REQUIRED

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1. General

Except as otherwise provided herein, all land, buildings and premises in any district or sub-district shall be used only in accordance with the regulations established by this ordinance for that district. No property shall be allowed to maintain an attractive or public nuisance, as defined by the Boise City Code and/or state code, at any time.

2. (LR) Sub-District

The purpose of the LR Sub-District is to provide for the development of diverse urban housing products at a net density ranging from (2) to six (6) units per acre. Overall gross density cannot exceed six (6) units per acre. This area may include a variety of lot sizes. A variety of housing types may be included within a development, including attached units (townhouses, duplexes), detached units (patio homes), single-family and multi-family units, regardless of the district classification of the site, provided that the overall gross density does not exceed six (6) units per acres. Accessory dwelling units and uses are also allowed, along with community uses such as parks, community centers and recreational facilities.

The following provides a list of allowed uses within the LR Sub-District and the corresponding level of review:

Allowed

- Accessory structures to single family dwellings
- One single family dwelling per lot
- One duplex unit per lot
- Bus Shelter

Allowed with Design Review

- Row House / Townhouse
- Multi-family near or on any Circulation roadways
- Home occupation
- Accessory dwelling unit
- Professional offices near on any Circulation roadways
- In-home child care facility up to 5 children
- Church
- School (public, private or parochial)
- Religious Institution
- Funeral Home
- Off-site parking lot
- Apartments or Multiple family dwellings from 3-14 units
- In-home child care facility for 6-12 children
- Child care facility for 13 or more children
- Swimming Lessons Private Pool
- Golf course/Parks/Recreation
- Government building, non-industrial

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- Commercial swimming pools or social centers

3. (MR) Sub-District

The purpose of the MR Sub-District is to (a) accommodate medium density residential uses at a net density of four (4) to eighteen (18) units per acre; (b) provide an orderly transition from more intensive, higher density uses to less intensive, lower density uses; and (c) allow limited cottages and quasi- residential uses, including senior housing and care facilities. The MR Sub-District includes flexibility in lot sizes and restrictions, and anticipates residential uses ranging from row houses and townhouses to condominiums and multi-story apartments. A range of civic and recreational facilities is allowed, along with office, medical and personal service commercial uses that are ancillary to senior housing and care facilities.

The following provides a list of allowed uses in the MR Sub-District and the corresponding level of review required for each:

Allowed

- One single family dwelling per lot
- One duplex unit per lot
- Bus Shelter
- Subdivision Office Temporary

Allowed with Design Review

- Row House/Townhouse
- Assisted Living Apartment
- Bank, including drive-in
- Office – Business, Professional, Medical
- Multiple family dwellings
- Police Station
- Car Wash
- Church
- Religious Institution
- School (public, private or parochial)
- Restaurant, Café, Coffee Shop, including drive-in
- Skilled Nursing Care Facility
- Personal Service Store (dry cleaning, laundromat, barber shop, etc.)
- Small scale commercial
- Convalescent home
- Health Club Facility
- Funeral Home
- Tavern/Lounge
- Hospital/Clinic
- Swimming Lessons Private Pool

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- Service station
- Restaurant, drive-in

4. (NC) Sub-District

The purpose of the NC Sub-District is to accommodate medium density residential uses, business and professional office uses, and complementary commercial uses such as hotels, restaurants, and theaters, together with necessary off-street parking facilities. Large office buildings are allowed in this area, along with retail, shopping, service, lodging, and civic uses. The NC Sub-District will emphasize high quality design, pedestrian orientation, and flexible development standards.

The following provides a list of allowed uses in the NC Sub-District and the corresponding level of review required for each:

Allowed

- Adult Day Care
- Single Family dwelling
- One duplex dwelling per lot
- Condominiums
- Animal Grooming
- Financial Institution
- Auto-Emission Test Site
- Dental office
- Doctor's office
- Office
- Photography Studio
- Bus Shelter
- School of Art/Music/Business/Secretarial
- Laundry (self-service)
- Outdoor Recreation Facility
- Police Station
- Single family and duplex dwellings

Allowed with Design Review

- Child care facility of 6-20 children
- Multi-family Dwellings
- Car Wash
- Hotel (no room limit)
- Residence for owner or caretaker
- Personal Service Store (dry cleaning, Laundromat, barber shop, etc.)
- Building Materials Supply
- Outdoor Recreation Facility
- Indoor Recreation Bowling Alley, Skating Rink, Arcade
- Church

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- Health Club Facility
- Clubs, Lodges, Social Halls
- Restaurant, Café, Coffee Shop
- Repair Shop
- Pharmacy/Optician
- Multiple family dwellings
- Retail store (Design Review approval required)
- Parking Lot/garages/structure
- Bank with drive-up
- Schools
- Religious Institution
- Restaurant, with drive-in, including drive-in
- Shopping Center, Convenience Commercial, Neighborhood Commercial or Community Commercial
- Laundry
- Printing & Publishing Associated Reproductions
- Laboratory Medical/Dental
- School (public, private or parochial)
- Office (Business, Professional, Medical)
- Seed & Garden supply
- Retail store
- Funeral Home
- Mini-Storage
- Nursery (retail or greenhouse)
- Service station
- Health Care Facilities
- Convalescent & Nursing Home
- Hospital
- Grocery
- Fire Station
- Tavern/lounge

5. (IND) Sub-District

The purpose of the IND Sub-District is to provide for convenient employment centers of manufacturing, research and development, warehousing, and distributing. The IND Sub-District is intended to encourage the development of industrial uses that are clean, quiet and free of hazardous or objectionable elements and that are operated, entirely, or almost entirely, within enclosed structures. The following provides a list of allowed uses and the corresponding level of review required for each.

Allowed

- Hospital- Large Animal or Small Animal
- Auction Establishment

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- Automotive Uses
- Service Station
- Vehicle Repair
- Blacksmith Shop
- Building Materials Supply & Garden supplies
- Bus Shelter
- Carwash
- Contractor Shop or yard
- Laboratory
- Laundry
- Outdoor Recreation Facility
- Health Club Facility
- Public Utility Facility – Major
- Wholesale Business
- Printing, Publishing
- Parking Lot
- Urban Farming
- Warehouse

Allowed with Design Review

- Composing Facility
- Residence for owner or caretaker
- Mini-Storage
- Light Industrial Facility
- Bottling & Distribution Plant
- Wireless Communication Facility, Micro-Cell or Visually Unobtrusive/Attached

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6. Residential District Standards

The following standards apply to the LR Sub-District and the MR Sub-District

A. Minimum Property Size:

1. Each property shall be of sufficient size to meet the minimum setbacks as established in this section.
2. Minimum property size shall be determined exclusive of land that is used for the conveyance of irrigation water and drainage, unless: a) the water is conveyed through pipe or tile; and b) included as part of a utility easement that generally runs along the property lines.
3. When two (2) or more parcels of land, each of which is of inadequate area and dimension to qualify for a permitted use under the

requirements of the district in which the parcels are located, are held in one ownership, they may be used as one property for such use.

B. Minimum Street Frontage:

1. Properties with street frontages on curve or at approximately a ninety degree (90°) angle shall be a minimum of thirty feet (30') measured as a chord measurement.
2. Street frontage for two (2) properties sharing a common drive shall be a minimum of fifteen feet (15') for each property.
3. Street frontage for flag properties that do not share a common drive shall be a minimum of thirty feet (30').

7. Uses Not Listed

Uses that are not listed are prohibited, and may be allowed only upon a determination by the Planning Director that such uses are similar or compatible in nature to the allowed uses. Any affected person may appeal such a determination of the Planning Director to the Planning and Zoning Commission within ten (10) calendar days following the date the decision is mailed. The appeal shall be conducted according to Section 11-03-04.12(9) of the Boise City Code.

8. Lot and Structure Dimensions

The following table sets forth the lot, yard, density and structure height requirements for uses within each Sub-District.

TABLE 11-13-03-03.8

	LR	MR		NC	IND
a. MAXIMUM DWELLING UNITS PER ACRE	6	18		18	0
	Detached	Attached	Detached		
b. MIN. LOT AREA (square ft)					
Interior Lot	0	0	0	0	0
Corner Lot	0	0	0	0	0
c. MIN. AVG. LOT WIDTH (lineal ft)					
Interior Lot	0	0	0	0	0
Corner Lot	0	0	0	0	0

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d. MIN. STREET FRONTAGE (flag lot)	10/20*	0	0	0	0
e. MIN. BUILDING SETBACKS (lineal ft)					
Front Yard & Side Yard Abutting Public St.**	10***	5***	5***	0	0
Abutting public park	5	5	5	5	30
Garage door	18	18	5	0	0
Rear Yard	5	0	15	0	0
Side Yard – Interior	10	10	10	0	0
f. MIN. PARKING LOT/SERVICE DR SETBACKS (lineal ft)					
Front Yard & Side Yard – Adj. to St.	15	7	7	7	7
Rear Yard & Side Yard – Interior	5	5	5	5	5
g. MAX. FLOOR AREA RATIO	0	0	0	0	0
h. MIN. LOT AREA PER UNIT (square ft)	0	0	0	0	0
i. MAX. BUILDING HEIGHT (ft)	35	45	55	55	55

- * 10' allowed with shared access easement agreement.
 ** Measured from back of sidewalk.
 *** 20' setback required for garages accessed from back of sidewalk.
 **** 5' setback allowed on corner lots with garages accessed from the side yard street (see Exhibit C)

10. Property Development Standards

Except as follows, the Property Development Standards for the Sub-Districts shall be the same as those set forth in the Boise City Code at Section 11-04-03 for residential uses and Section 11-04-04 and 11-04-05 for office and commercial uses.

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- A. For attached single-family units, the minimum frontage requirement in Section 11-04-04.03 is reduced to 18 feet.
- B. For lots with 0' frontage on a public right-of-way, drive aisles will provide access to the public street with perpetual ingress/egress or cross access easements recorded against the property. An owner's association or other agreed upon arrangement among the affected property owners will maintain the drive aisles in accordance with a recorded declaration or other agreements. The Ada County Highway District must approve installation of any required street signs. Buildings will be addressed to the public street from which the drive aisles extend. Addresses will be clearly delineated with appropriate monuments or signs.

11-013-03-04 OFF-STREET PARKING AND LOADING REQUIREMENTS

In the LR, MR and NC Sub-Districts, off-street parking and loading facilities shall be provided in accordance with the Off-Street Parking and Loading requirements in the Boise City Code (currently Chapter 11-10), as amended, except as noted herein. In the NC District, off-street parking and loading facilities shall be provided in accordance with the Pedestrian Commercial Zoning District parking requirements in the Boise City Code (currently in Chapter 11-17-09), except as noted herein. In lieu of the off-street parking ratio requirements in the Boise City Zoning Ordinance (currently in Section 11-10-06, Table 12 and in Section 11-17-09), non-residential uses in the MR and NC Sub-Districts must meet an overall parking density of 3.5 per 1000 square feet.

11-013-03-05. DESIGN REVIEW

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1. General

- A. **Applicability.** Any of the uses listed as requiring Design Review, and any visible exterior improvements to a site, building or structure for any such use (including new facilities, remodeling, rehabilitation projects and expansion projects) within the Syringa Valley District shall require submittal of a Design Review application and fee in accordance with Section 11-03-04.12 of the Boise City Code, except where expressly modified herein.
- B. **Application Content.** Any application to the City shall comply with Section 11-03-04.12 of the Boise City Code.
- C. **Level of Review.** The Planning Director shall determine whether an application shall be processed at the administrative level or by the Design Review Committee ("Committee") level; provided, however, all applications for projects that have less than 5,000 square feet of gross building area and less than 20,000 square feet of site improvements shall be administratively reviewed by the Planning Director.
- D. **Review and Findings.** 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

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forth in Sections 11-07-02 through 11-07-06 of the Boise City Code and the design criteria for the Syringa Valley District as set forth in the Syringa Valley Specific Plan. In the event of a conflict between such sections of the Boise City Code and design standards set forth in the Syringa Valley Specific Plan, the provisions of the Syringa Valley Specific Plan shall govern. 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 Section 11-03-03.9 of the Boise City Code.

2. Procedure for Design Review

The following procedures shall apply to any action that requires design review under the Syringa Valley Specific Plan.

- (1) **Step 1: Pre-Application Meeting**
Required for all Design Review applications. The pre-application meeting shall occur in accordance with Section 11-03-03.1 of the Boise City Code.
- (2) **Step 2: Application Submittal**
The applicant shall submit to the Planning Director an application pursuant to Section 11-03-03.3 of the Boise City Code and this Section.
- (3) **Step 3: Complete Application**
Incomplete applications will not be scheduled for review.
- (4) **Step 5: Application Processing**
The Director shall:
 - (a) Determine whether the application shall be processed at the administrative level or by the Design Review Committee;
 - (b) Refer the application to other agencies; and
 - (c) Prepare a report with findings and a decision.
- (6) **Step 6: Hearing**
 - (a) **Recommendation**
The Hearing Examiner or the PZC shall make final decision pursuant to Section 11-07 of the Boise City Code and this Section.

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11-013-03-06. ADMINISTRATIVE PROVISIONS

1. Plat Approval Criteria.

Development within the Syringa Valley Specific Plan District shall be subject to the subdivision and other related provisions of the Boise City Code, except that a neighborhood meeting and hearing shall not be required unless the plat proposes more than 240 dwelling units. Additionally, the City Council must find that each preliminary plat proposed and/or amended within the Syringa Valley Specific Plan

District substantially conforms to the adopted Syringa Valley Specific Plan and complies with all applicable provisions of the Syringa Valley Specific Plan Zoning Ordinance. Plats that propose more than 240 dwelling units must still proceed through the normal hearing process with review by the Planning and Zoning Commission and City Council.

2. Annexation into Syringa Valley Specific Plan District.

Any property owner or authorized representative may seek to reclassify their property for inclusion within the Syringa Valley Specific Plan District pursuant to Chapter 11, Title 13 of the Boise City Code.

3. Amendments.

Any property owner within the Syringa Valley Specific Plan District may seek to amend the Syringa Valley Specific Plan Zoning Ordinance or the Syringa Valley Specific Plan pursuant to the Boise City Code provisions for zoning amendments.

4. Exceptions.

- A. The Planning Director may grant exceptions to any setback, frontage, parking or height restriction up to twenty percent (20%) of the applicable limit and may grant exceptions to any use restrictions on a case by case basis.
- B. The Planning and Zoning Commission may grant exceptions to any setback, frontage, parking or height restriction greater than twenty percent (20%) of the applicable limit.
- C. Any approval pursuant to this section shall be supported by each of the following findings:
 - (1) The exception is consistent with the Syringa Valley Specific Plan; and
 - (2) The exception is justified based on unique circumstances of the proposed use or exceptional design features or the shape of the land.
 - (3) The exception would not cause undue adverse impacts on any other property.
 - (4) For any approval pursuant to subparagraph b, the exception meets the general conditional use criteria in the Boise City Zoning Ordinance.
- D. Applications pursuant to this section shall include such information as the Planning Director determines is necessary to make the findings in subparagraph C. Applications shall be processed in accordance with the procedures established in the Syringa Valley Specific Plan for Design Review.
- E. The decision on any requested exception may be appealed pursuant to Section 11-03-03.9 of the Boise City Code.

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5. Periodic Review.

The Planning Director may perform a review of the implementation of the Syringa Valley Specific Plan not more frequently than every one (1) year after approval of first final plat. The review may address any matters the Planning Director deems appropriate regarding the progress of the development. Any modification of the Syringa Valley Specific Plan Zoning Ordinance may only occur after review by the Syringa Valley Specific Plan Applicant and the Planning Director and in compliance with the applicable Boise City Code sections for zoning amendments and Idaho Code Section 67-6511(d).

11-013-03-07. DEFINITIONS

The following definitions, as well as definitions in Boise City Code, apply to this Ordinance. If any conflict exists, the following definitions control.

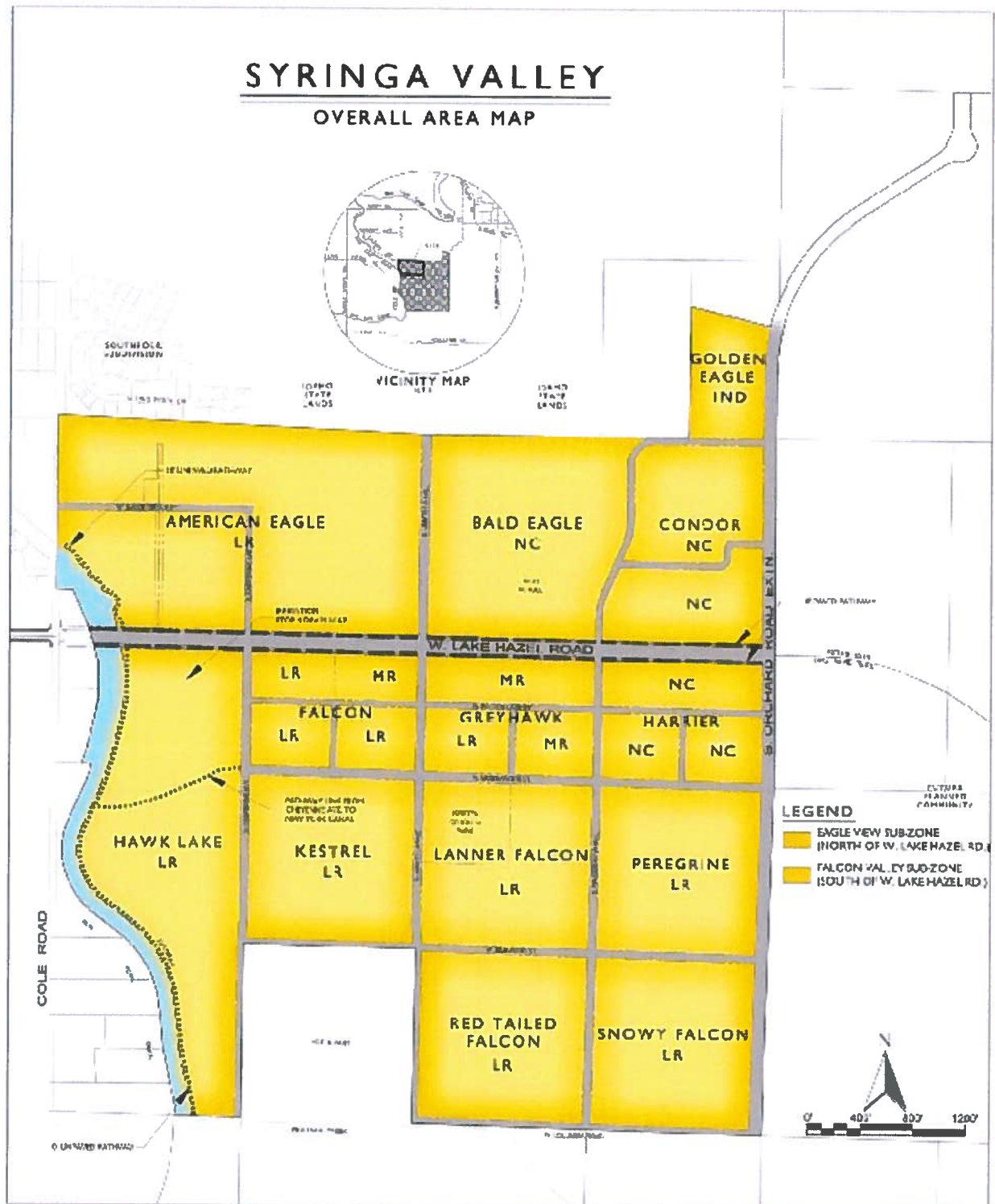
1. Syringa Valley Specific Plan Zoning Ordinance. Section 11-13-03 of the Boise City Code or successor section specifically setting forth zoning regulations for the Syringa Valley Specific Plan District.
2. Syringa Valley Specific Plan. The Specific Plan adopted for the Syringa Valley Specific Plan District by the City of Boise on_____, as maintained in the official records of the City, including subsequent modifications.
3. Syringa Valley Specific Plan Applicant. Pleasant Valley LLC, or successor entities.
4. Syringa Valley Specific Plan District. The area designated as the Syringa Valley Specific Plan Districts zone or successor designation on the City of Boise's zoning map and as shown on the Syringa Valley Specific Plan Zoning Map (attached as Exhibit A).
5. Boise City Zoning Ordinance. The zoning regulations contained in Title 11 of the Boise City Code, or successor regulations.
6. Boise City Code. The code of the City of Boise. If the Boise City Code is amended, any reference to the Boise City Code in this Ordinance shall be deemed to refer to the applicable amended provision.

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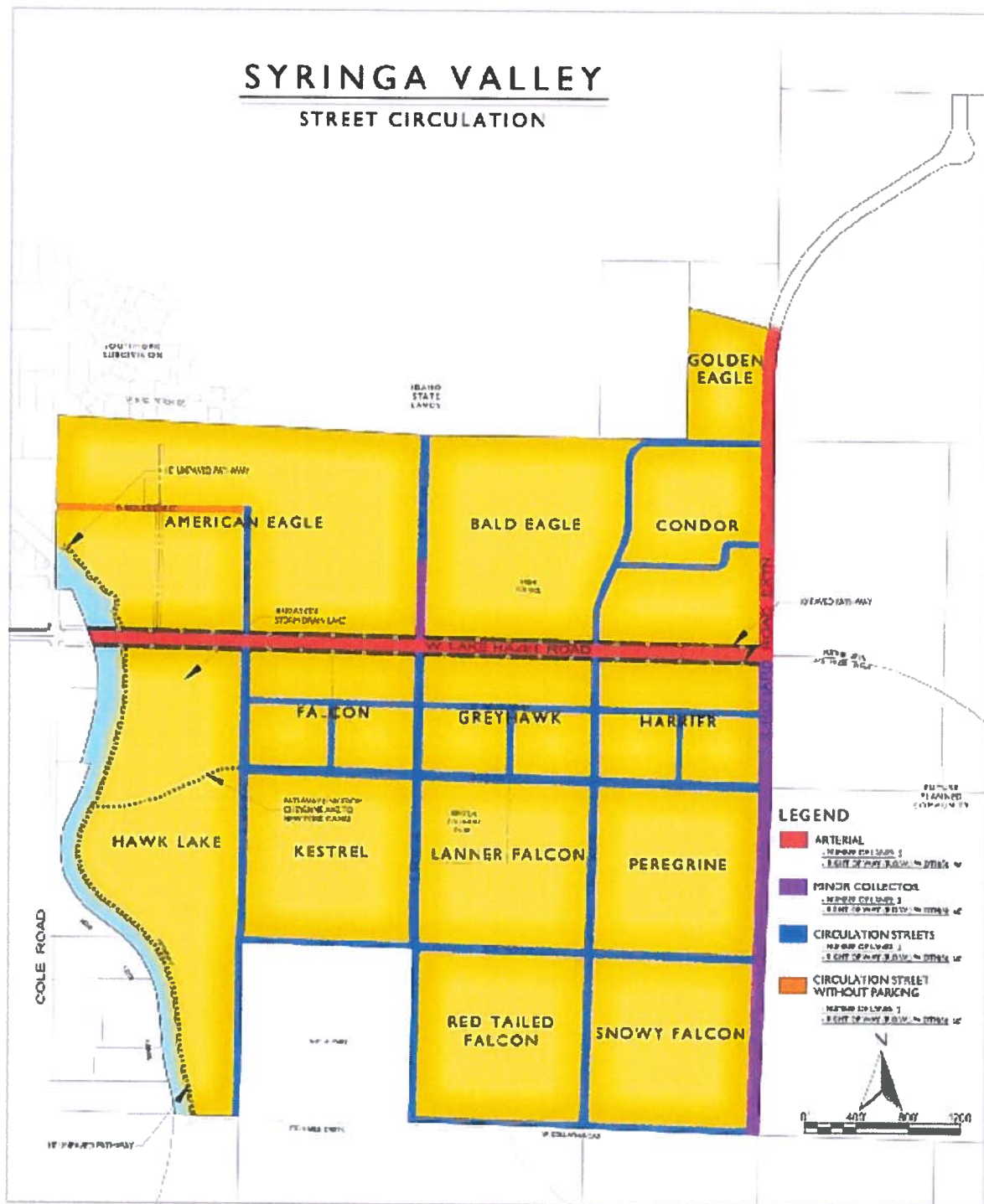
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Exhibit
A



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Exhibit
B



"For conceptual and illustrative purposes only. Exact locations and details are subject to change and shall be determined at time of the applicable final plan."

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