

11-013-03 SYRINGA VALLEY

1. APPLICABILITY OF ORDINANCE

This Syringa Valley Specific Plan Zoning Ordinance applies to all property designated on the Syringa Valley Specific Plan Overall Sub-Zoning Map (Figure 11-013.9 below) in lieu of Chapter 11-04, *Zoning Districts*, except where noted herein. All remaining chapters of this Code still apply, except where noted herein. If any provision of this section conflicts with any provision of the Code, the provisions of this section shall control.

2. INTERPRETATION OF DISTRICTS

A. Sub-Districts Established

- (1) Low-Density Residential (LR)
- (2) Medium-Density Residential (MR)
- (3) Village Center (VC)
- (4) Commercial/Business Campus (CB)
- (5) Industrial (IND)

B. District Boundaries

The location and boundaries of the Syringa Valley Specific Plan (SP-03) District are shown on the Syringa Valley Specific Plan Overall Sub-Zoning Map (Figure 11-013.9 below). The location and boundaries of the Syringa Valley Specific Plan Sub-Districts established herein are shown on the Syringa Valley Specific Plan Overall Sub-Zoning Map (Figure 11-013.9 below). 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.

3. CONFORMITY REQUIRED

A. General

Except as otherwise provided herein, all land, buildings and premises in any Sub-District established herein shall be used only in accordance with the regulations established herein for that district. Additionally, no property shall be allowed to maintain an unattractive appearance or public nuisance as defined by this Code and/or state code at any time.

B. Purpose of the Low-Density Residential (LR) Sub-District

The purpose of the LR Sub-District is to provide for the development of diverse urban housing products at a density of ranging from 2 to 6 units per gross acre. The LR Sub-District north of W. Lake Hazel Rd. will have a maximum density of 4.5 units per gross acre, and south of W. Lake Hazel Rd. the overall density cannot exceed 6 units per gross acre. This Sub-District 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 is not exceeded as outlined above. Accessory dwelling units and uses are also allowed, along with community uses such as parks, community centers and recreational facilities.

C. Purpose of the Medium-Density (MR) Sub-District

The purpose of the MR Sub-District is to (a) accommodate medium-density residential uses at a density of 10-20 units per gross 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.

D. Purpose of the Village Center (VC) Sub-District

The purpose of the VC Sub-District is to provide a location for mixed-use, pedestrian-oriented development featuring retail, offices and restaurants in conjunction with residential uses. Residential uses will include a mix of housing types with densities up to 18 units per acre on a net parcel basis.

E. Purpose of the Commercial/Business Campus (CB) Sub-District

The purpose of the CB Sub-District is to accommodate business and professional office uses, and neighborhood and regional serving commercial uses such as large and small retailers, hotels, restaurants, and theaters together with necessary off-street parking facilities. Large office buildings are allowed in this area, along with service, lodging, and civic uses. The CB Sub-District will emphasize high quality design, pedestrian orientation, and flexible development standards.

F. Purpose of the Industrial (IND) Sub-District

The purpose of the IND Sub-District is to provide for a convenient employment center for 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.

G. Residential District Standards

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

(1) Minimum Property Size

- (a) Each property shall be of sufficient size to meet the minimum setbacks as established in this section.
- (b) 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.

(2) Minimum Street Frontage

- (a) Properties with street frontages on a curve or at approximately a 90-degree angle shall be a minimum of 30 feet wide measured as a chord measurement.
- (b) Street frontage for 2 properties sharing a common drive shall be a minimum of 15 feet for each property
- (c) Street frontage for flag properties that do not share a common drive shall be a minimum of 30 feet wide.

H. Allowed Uses

Table 11-013.8 sets forth the allowed uses in each Sub-District established herein. Uses allowed by right are designated with an “A”, uses allowed by right, subject to administrative review are designated with an “A*”, and uses allowed with design review approval are designated with a “D”. Uses listed but not designated as allowed in Table 11-013.9 are prohibited. Uses not listed in Table 11-013.9 are allowed only upon a determination by the Planning Director that such uses are similar or compatible in nature to the allowed uses in Table 11-013.9. Any affected person may appeal such a determination of the Planning Director to the Planning and Zoning Commission within 10 calendar days following the date the decision is mailed in accordance with Chapter 11-03, *Review and Decision Procedures*.

TABLE 11-013.9: Uses Allowed in Sub-Districts

	SP-03-LR	SP-03-MR	SP-03-VC	SP-03-CB	SP-03-IND
RESIDENTIAL					
Apartment or Multiple Family Dwelling	D	D	D		
Row House (Townhouse)	A	A	A		
Duplex House	A	A	A		
Single Family Residence or Cottage	A	A	A		
Condominiums	D	D	D		
Home Occupation	A*	A*	A*		
Continuing Care Retirement Community		D			
Assisted Living Apartment		D	D		
Skilled Nursing Care Facility		D		D	
Memory Care Facility		D		D	
Accessory Dwelling Unit	A*	A*	A*		
Accessory Use	A*	A*	A*		
LODGING					
Hotel (no room limit)				D	
Hotel (up to 12 rooms)				D	
Inn (up to 5 rooms)			D	D	
Motel				D	
OFFICE/RETAIL					
Office – Business, Professional, Medical		D	D	D	
Retail Store (convenience, clothing, video rental, sundries, pharmacy etc.)		D	D	D	
Personal Service Store (dry cleaning, Laundromat, barber shop, etc.)	D	D	D	D	
Service Station				D	
Automobile Service				D	
Lot, Automobile Sales				D	
Drive-Up Window				D	
Billboard					
Shopping Center: Neighborhood or Community or Regional Commercial				D	
Car Wash				D	
Grocery (up to 60,000 square feet)				D	
Bank				D	
Building Materials Supply				D	
Wholesale Business				D	
Restaurant, Café, Coffee Shop	D	D	D	D	

TABLE 11-013.9: Uses Allowed in Sub-Districts

	SP-03-LR	SP-03-MR	SP-03-VC	SP-03-CB	SP-03-IND
Tavern, Lounge			D	D	
Liquor Store			D	D	
Temporary Sales Offices	A*	A*	A*	A*	
Model Homes or Units	A	A	A		
Health Club Facility				D	D
Spa/Resort			D	D	
Nursery (retail or greenhouse)				D	D
CIVIC (PUBLIC AND PRIVATE)					
Bus Shelter	A	A	A	A	A
Fountain or Public Art	A*	A*	A*	A*	A*
Library		D	D	D	
Theater				D	
Outdoor Auditorium				D	
Park	A	A	A	A	A
Playground	A	A	A	A	
Parking Lot - paid				D	
Parking Structure		D	D	D	D
Conference Center				D	
Community Center	D	D		D	
Religious Institution	D	D		D	
Clubs, Lodges, Social Halls		D		D	
Private Open Space	A	A	A	A	A
Recreation Center	D	D	D	D	
Outdoor Recreation Facility	A			D	
Swimming Pool	A	A		A	
Golf Course	D			D	
Golf Driving Range	D			D	
CIVIL SUPPORT					
Fire Station	D	D		D	D
Police Station	D	D		D	D
Cemetery	D			D	
Funeral Home				D	
Hospital				D	
Medical Clinic (accessory use only in MR and CB)		D		D	
Rehabilitation Clinic				D	
Hospital, Large Animal or Small Animal				D	
EDUCATION					
School (public, private or parochial)	D	D	D	D	D
School, Trade or Vocational		D		D	D
Family Child Care Home (1-6 children)	A	A	A		
Group Child Care (7-12 children)	A*	A*	A*	A*	
Intermediate or Large Child Care Center (13+ children)		D	D	D	
INDUSTRIAL					
Heavy Industrial Facility					D
Light Industrial Facility					D
Agriculture	A*				A

TABLE 11-013.9: Uses Allowed in Sub-Districts

	SP-03-LR	SP-03-MR	SP-03-VC	SP-03-CB	SP-03-IND
Laboratory					D
Public Utility Facility – Minor	D	D	D	D	D
Public Utility Facility – Major				D	D
Wireless Communication Facility or Micro-Cell	A*	A*	A*	A*	A*
Mini-Storage				D	D
Warehouse					D
Manufacturing Facility					D
Power Production Facility					D
Broadcasting Facility (e.g. TV, radio) or Micro-Cell				D	D

I. Lot and Structure Dimensions

Table 11-013.10 sets forth the lot, yard, density and structure height requirements for uses within each Sub-District established herein.

TABLE 11-013.10: Lot and Structure Dimensions in Sub-Districts

	SP-03-LR		SP-03 MR ¹		SP-03-VC	SP-03-CB	SP-03-IND
a. MAXIMUM DWELLING UNITS PER ACRE	6		20		18	0	0
	Attached	Detached	Attached	Detached	Attached		
b. MIN. LOT AREA (sq. ft.)							
Interior Lot	0	0	0	0	0	0	0
Corner Lot	0	0	0	0	0	0	0
c. MIN. AVG. LOT WIDTH							
Interior Lot	0	0	0	0	0	0	0
Corner Lot	0	0	0	0	0	0	0
d. MIN. STREET FRONTAGE (flag lot)	10/20 ²	10/20 ²	0	0	0	0	0
e. MIN. BUILDING SETBACKS							
Front Yard & Side Yard Abutting Public St. ³	10 ⁴	10 ⁴	10 ⁴	10 ⁴	10 ⁴	10 ⁴	10 ⁴
Abutting public park	5	5	5	5	5	30	30
Rear Yard	15 ⁵	15 ⁵	15 ⁵	15 ⁵	0/15 ¹	0	0
Side Yard – Interior	3	3	3	3	0/5 ¹	0	0
f. MIN. PARKING LOT/SERVICE DR SETBACKS							
Front Yard & Side Yard – Adj. to St.	15		10		10	10	10
Rear Yard & Side Yard – Interior	5		5		5	5	5

g. MAX. FLOOR AREA RATIO	--	--	--	--	--
h. MIN. LOT AREA PER UNIT (sq. ft.)	--	--	--	--	--
i. MAX. BUILDING HEIGHT (sq. ft.)	35	45	55	55	55
¹ Setback when property abuts a residential use ² 10' allowed with shared access easement ³ Measured from back of sidewalk ⁴ 20' setback required for garages accessed from public streets ⁵ 10' setback allowed on corner lots with garages accessed from side yard street					

J. Property Development Standards

Except as follows, the Property Development Standards for the Sub-Districts established herein shall be the same as those set forth in the Section 11-04-03 for residential uses and Sections 11-04-04 and 11-04-05 for office and commercial uses:

- (1) For attached single-family units, the minimum frontage requirement in Section 11-04-03 is reduced to 18 feet.
- (2) For lots with 0 feet 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 easements and declaration must be reviewed by the Boise City Attorney's office at the time of preliminary plat approval to ensure the access and maintenance obligations of this paragraph are addressed. 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.
- (3) Off-street parking and loading facilities shall be provided in accordance with Section 4 below.
- (4) The maximum number of residential units allowed within the Syringa Valley Specific Plan District is 2,500. To exceed this limit, the Syringa Valley Specific Plan Applicant must follow the rezone procedures of the Boise City Code to amend the Syringa Valley Zoning Ordinance. In so doing, the Applicant need not amend the entire Syringa Valley Specific Plan so long as the City finds that the revised limits are generally in accordance with the Syringa Valley Specific Plan.

K. Design Review

- (1) 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 Development Code, except where expressly modified herein.
- (2) Application Content: Any application to the City shall comply with Section 11-03-04.12 of the Boise City Code.
- (3) 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.
- (4) 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 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.

4. OFF-STREET PARKING AND LOADING REQUIREMENTS

In the LR, MR, VC, and CB Sub-Districts, off-street parking and loading facilities shall be provided in accordance with Section 11-07-03 of the Boise Development Code, except as noted herein. In the VC and CB Sub-Districts, off-street parking and loading facilities shall be provided in accordance with the Pedestrian Commercial Zoning District parking requirements in Section **Error! Reference source not found.**, except as noted herein. In lieu of the off-street parking ratio requirements in Sections 11-07-03 and 11-07-06.6.2, non-residential uses in the MR, VC, and CB Sub-Districts must meet an overall parking density of 3.5 per 1000 square feet. Assisted living apartments, independent living residences within the Continuing Care Retirement Community, and similar uses shall be subject to the off-street parking requirements for "Housing for Elderly" uses listed in Section 11-07-03. Memory care facilities, skilled nursing care facilities, and similar uses shall be subject to the off-street parking requirements for "Nursing Home" uses listed in Section 11-07-03.

5. ADMINISTRATIVE PROVISIONS

A. 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 shall not be required unless that 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 must still proceed through the normal hearing process with review by the Planning and Zoning Commission and City Council.

B. Annexation into SP-03 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 Section 11-05-08 of the Boise Development Code.

C. 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.

D. Exceptions

- (1) The Planning Director may grant exceptions to any setback, frontage, parking or height restriction up to 20 percent of the applicable limit and may grant exceptions to any use restrictions on a case by case basis.
- (2) The Planning and Zoning Commission may grant exceptions to any setback,

frontage, parking or height restriction greater than 20 percent of the applicable limit.

- (3) Any approval pursuant to this section shall be supported by each of the following findings:
 - (a) The exception is consistent with the Syringa Valley Specific Plan; and
 - (b) The exception is justified based on unique circumstances of the proposed use or exceptional design features or the shape of the land.
 - (c) The exception would not cause undue adverse impacts on any other property.
 - (d) For any approval pursuant to subparagraph b, the exception meets the general conditional use criteria in the Boise Development Code.
- (4) Applications pursuant to this section shall include such information as the Planning Director determines is necessary to make the applicable findings in subparagraph c. Applications shall be processed in accordance with the procedures established in the Syringa Valley Specific Plan for Design Review.
- (5) The decision on any requested exception may be appealed pursuant to the appeal provisions of the Boise City Code.

E. Periodic Review

The Planning Director may perform a review of the implementation of the Syringa Valley Specific Plan not more frequently than every 1 year after approval of the 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).

6. DEFINITIONS

The following definitions apply to this Section. If any conflict exists with definitions in other parts of the Code, the following definitions control.

A. Syringa Valley Specific Plan Zoning Ordinance

Section 0 of the Boise City Code or successor section specifically setting forth zoning regulations for the Syringa Valley Specific Plan District.

B. Syringa Valley Specific Plan

The Specific Plan adopted for the Syringa Valley Specific Plan District by the City of Boise on Month ??, 2016, as maintained in the official records of the City, including subsequent modifications.

C. Syringa Valley Specific Plan Applicant

Corey Barton Homes, Inc. d/b/a CBH Homes, or successor entities.

D. Syringa Valley Specific Plan District

The area designated as the SP-03 zone or successor designation on the City of Boise's zoning map and as shown on the Syringa Valley Specific Plan Overall Sub-Zoning Map (attached as Figure 11-013.9).

E. 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.

F. Gross Acres

For the purposes of calculating residential density (units per gross acre), gross acres shall

be defined as the total area in the LR, MR and VC Sub-Districts less the area included in the rights of way for S. Cole Rd., W. Lake Hazel Rd., and S. Orchard St.; less the area of the New York Canal easement; less the area of the Kirsten Coughlin City park; and less the area of the public elementary school.

G. Continuing Care Retirement Community

A campus-style facility (multiple buildings on a single lot) that provides housing, personal services and health care, including nursing home care to people of retirement age. The community must provide a continuum of care to meet the needs of the individual residents, from independent living to assisted living to skilled nursing care and, possibly, memory care support. Meals, housekeeping, linens, 24-hour security and recreational services usually are provided. Each individual resident enters into a contract with the retirement community that defines the type of housing and services to be provided and the fees that will be charged.

H. Memory Care Facility

Same as Skilled Nursing Facility except the residents also receive care for some form of memory impairment.

I. Skilled Nursing Facility

A residential facility that provides 24-hour supervision by licensed nurses. The care usually is prescribed by a physician. Emphasis is on medical care, supplemented by physical, occupational, speech and other types of therapies. Personal care services, such as help with meals, bathing, dressing and grooming are also provided along with social services, religious services and recreational activities. A nursing facility offers care for individuals suffering from chronic diseases or conditions that do not require the constant attention of physicians. Services are provided that address the individuals' personal care and social-emotional needs.

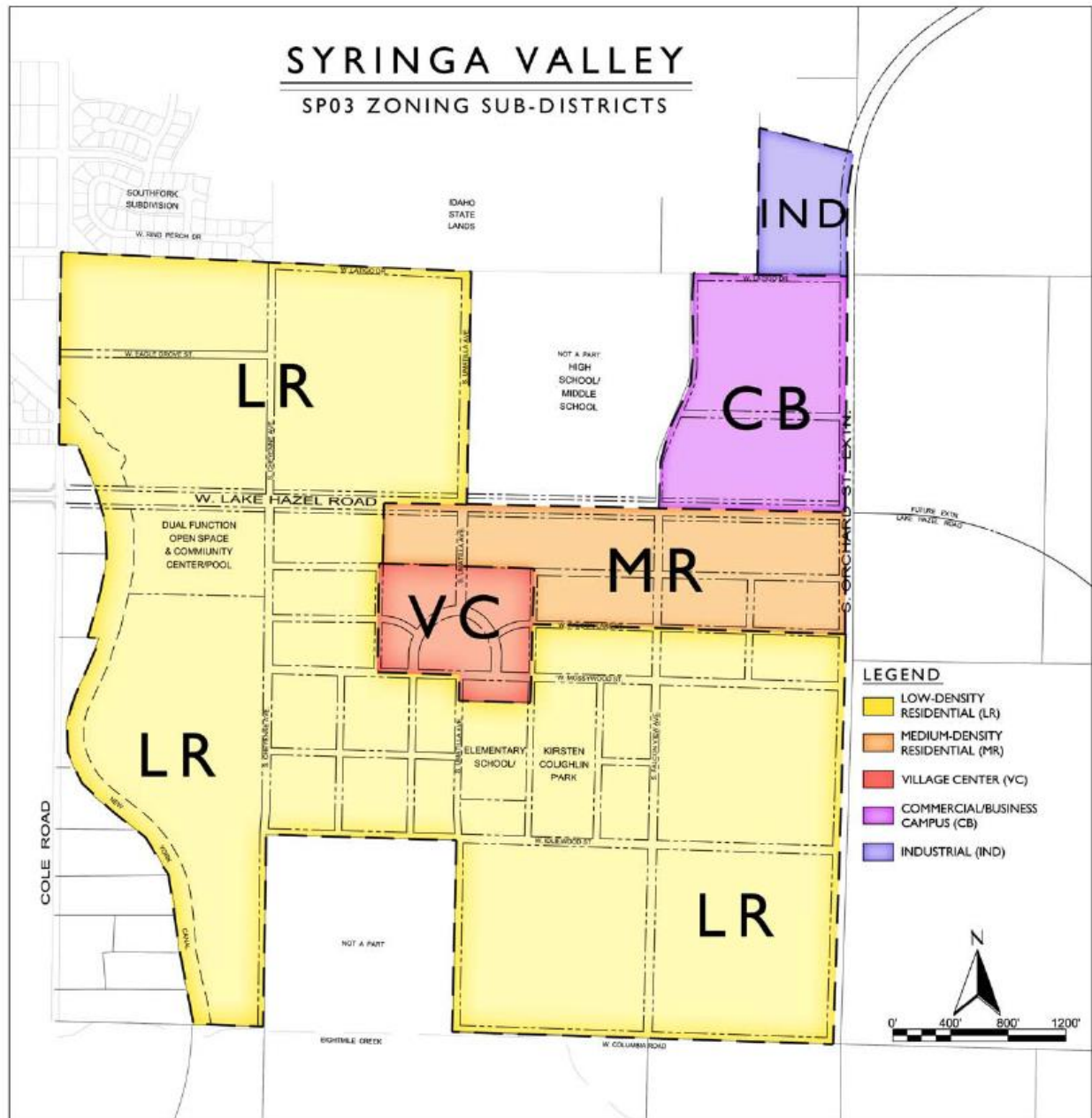


Figure 11-013.9: Syringa Valley Overall Sub-Zoning Map