
11-06-03.4. Additional Bonuses for Diverse and Affordable Housing

A. General Purpose

The purpose of this section is to provide healthy, diverse and sustainable choices in housing while promoting economic opportunity in areas throughout the City that will efficiently utilize the existing infrastructure.

B. Applicability

The incentives in this section shall be available in the residential, office, and commercial zoning districts listed in subsections F, G, and H below, but shall not be available in the R-O or the C-5 zoning districts or within the Foothills Planning Area.

C. Approval Procedure

The approval procedures for projects earning one or more of the housing bonuses shall be those otherwise applicable under this Code unless this section specifically modifies the procedure to allow a streamlined administrative approval. Any conditions attached to a project approval shall not reduce or modify the housing bonuses for which the project qualifies under this section.

D. Non-Conforming Uses and Structures

The housing bonuses created by this section shall be available regardless of whether the existing use of the property is a conforming use and regardless of whether any existing structures on the property are conforming structures. However, all structures will be required to meet the applicable building codes.

E. Enforcement

Projects that earn housing bonuses under this section and are approved for construction or reuse by the city, but that are not constructed, operated, or managed to maintain the conditions required by this section, shall be in violation of this Code and shall be subject to all enforcement actions and penalties applicable to other violations of this Code.

F. Incentives Provided

Incentives are offered for (1) the construction and preservation of affordable housing, (2) the construction of ~~transit-activity center~~ supportive housing, and (3) the adaptive reuse of existing structures that expand the supply of housing. The affordable housing incentive can be combined with either the transit-supportive housing incentive or the or adaptive reuse incentive to create two additional incentive options.

(1) Affordable Housing Bonus

(a) Earning the Bonus

Projects that comply with the following standards shall earn the incentives established in subsection (b) below:

i. Location and Affordability

A. Projects in the ~~R-2 and~~ R-3 zoning districts shall meet at least one of the following two criteria.

i. At least 15 percent of the total number of dwelling units within the project are income-restricted for a term of 30 years to households earning less than 100 percent of the Area Median Income (AMI) as defined by the US Department

of Housing and Urban Development and **rent shall not exceed 30% of AMI based on household size**; or

- ii. At least 10 percent of the total number of dwelling units within the project are income-restricted for a term of 30 years to households earning less than 80 percent of the Area Median Income (AMI) as described by the US Department of Housing and Urban Development and **rent shall not exceed 30% of AMI based on household size**.
- B. Projects in the N-O, L-O, **PC**, C-1, C-2, C-3, and C-4 zoning districts shall meet at least one of the following two criteria:
- i. At least 20 percent of the total number of dwelling units within the project are income-restricted for a term of 30 years to households earning less than 100 percent of the Area Median Income (AMI) as described by the US Department of Housing and Urban Development and **rent shall not exceed 30% of AMI based on household size**; or
 - ii. At least 15 percent of the total number of dwelling units within the project are income-restricted for a term of 30 years to households earning less than 80 percent of the Area Median Income (AMI) as described by the US Department of Housing and Urban Development and **rent shall not exceed 30% of AMI based on household size**.
- C. The income-restricted dwelling unit requirements in subsections A or B above may be satisfied by applying income restrictions to:
- i. Newly constructed dwelling units, or to existing dwelling units; or
 - ii. Existing dwelling units, with the consent of the owners of such dwelling units; or
 - iii. A combination of new and existing dwelling units.
- D. Each project for which an Affordable Housing Bonus for new or existing multi-family dwelling units is approved pursuant to this section F(1) shall submit an annual report to the City of Boise's Housing and Community Development Division demonstrating each resident of an income-restricted dwelling unit remains in compliance with the income limits described in subsections i or ii above, as applicable.

ii. Product Mix

In addition to complying with the requirements of subsection (i) above, each project shall comply with the standards in this subsection applicable to the zone district in which it is located.

- A. In the ~~R-2 and~~ R-3 zoning districts, at least 50 percent of the **affordable** dwelling units in the project shall have two or three bedrooms.
- B. In the N-O, L-O, **PC**, C-1, and C-2 zoning districts, at least 35 percent of the **affordable** dwelling units in the project shall have two or three bedrooms.
- C. In the C-3 and C-4 zoning districts, at least 25 percent of the **affordable** dwelling units in the project shall have two bedrooms or three.

(b) Bonus Earned

Projects that comply with the requirements of subsection (a) above shall earn the incentives shown in the table below.

Zoning District	Density Bonus	Maximum Building Height Increase - Standard [1]	Maximum Building Height Increase if at least 50% of Existing Dwelling Units are Preserved [1]	Parking Reduction	Approval Process
R-2	No dwelling unit per acre maximum	No increase from 35-feet	No increase from 35 feet	None	No change
R-3		From 45 to 55 feet	From 45 to 65 feet	20%	Projects containing less than 25 dwelling units may be approved administratively through a streamlined administrative process subject to any applicable Design Review
		No increase from 45-feet			
N-O		From 35 to 45 feet		20%	
L-O		From 45 to 55 feet		20%	Projects containing less than 50 dwelling units may be approved administratively through a streamlined administrative process subject to any applicable Design Review
PC		From 35 to 45 feet		20%	
N-O	No minimum lot area per dwelling unit		From 35 to 55 feet	20%	
L-O			From 45 to 65 feet	20%	
C-1		From 35 to 45 feet	From 35 to 55 feet	20%	
C-2		From 45 to 55 feet	From 45 to 65 feet	20%	
C-3		From 45 to 65 feet	From 45 to 75 feet	20%	
C-4		From 45 to 65 feet	From 45 to 75 feet	20%	

Table Notes:

[1]: Notwithstanding any bonus height earned, any portion of the structure located adjacent directly touching, across the street or across the alley to a residential zoning district containing a detached single-family or duplex dwelling shall have a maximum height of 35 feet for a minimum of 10 feet beyond the applicable side or rear setback.

(c) Relationship to Other Bonuses

If the project meets one of the criteria listed above, any available bonus can be combined with either the ~~Transit~~ Activity Center Supportive Housing Bonuses in Section 11-06-03.4.F(2) or the Adaptive Reuse Housing Bonuses in Section 11-06-03.4.F(3), but not both.

(2) ~~Transit~~ Activity Center Supportive Housing Bonus

(a) Earning the Bonus

Projects that meet at least one of the requirements in subsection (i) and both of the requirements in subsection (ii) below shall earn the bonuses established in subsection (b) below:

i. Location

- A. Projects in the R-3, N-O, or L-O zoning districts located within 1/8 of a mile of a Community Activity Center as defined in the Boise City Comprehensive Plan. The distance will be measured **as a radius** from the center of the intersection of the two largest streets adjacent to the Community Activity Centers.
- B. Projects in the **PC**, C-1, C-2, C-3, or C-4 zoning districts located within 1/4 of a mile of a Regional Activity Center as defined in the Boise City Comprehensive Plan. The distance will be measured from the center of the intersection of the two largest streets adjacent to the Community Activity Centers.

ii. Amount and Type Housing Required

- A. At least 65 percent of the gross floor area of the project building or buildings is occupied by residential uses; and
- B. At least 35 percent of the dwelling units in the project have at least two bedrooms.

(b) Bonus Earned

Projects that comply with the requirements of subsection (a) above shall earn the incentives shown in the table below.

Zoning District	Density Bonus	Maximum Building Height Increase – Standard [1]	Maximum Building Height Increase if at least 50% of Existing Dwelling Units are Preserved [1]	Parking Reduction
R-3	No dwelling unit per acre maximum	From 45 to 55 feet No increase from 45-feet	From 45 to 65 feet	10%
PC		From 35 to 45 feet		10%
N-O		From 35 to 45 feet		10%
L-O		From 35 to 45 feet		10%
N-O	No minimum lot area per dwelling unit	From 35 to 45 feet	From 35 to 55 feet	40%
L-O		From 45 to 55 feet	From 45 to 65 feet	40%
C-1		From 35 to 45 feet	From 35 to 55 feet	10%
C-2		From 45 to 55 feet	From 45 to 65 feet	10%
C-3		From 45 to 65 feet	From 45 to 75 feet	10%
C-4		From 45 to 65 feet	From 45 to 75 feet	10%

Table Notes:
 [1]: Notwithstanding any bonus height earned, any portion of the structure located **adjacent directly touching, across the street or across the alley to** a residential zoning district containing a detached single-family or duplex dwelling shall have a maximum height of 35 feet for a minimum of 10 feet beyond the applicable side or rear setback.

(c) Relationship to Other Housing Bonuses

- i. If projects that qualify for this bonus also meet the standards for the Affordable Housing Bonus:
 - A. The minimum parking requirements for any building containing income restricted housing units shall be reduced an additional 20 percent; and
 - B. Buildings containing less than 50 dwelling units that do not request any waivers or variances may be approved through a streamlined administrative process subject to any applicable Design Review requirements.
- ii. This bonus cannot be combined with the Adaptive Reuse Housing Bonus.

(3) Adaptive Reuse Housing Bonus

(a) Earning the Bonus

Projects that meet all of the following criteria shall earn the incentives established in subsection (b) below:

- i. The projects must involve the adaptive reuse of an existing primary building in the R-1A, R-1B, R-1C, R-1M, R-2, R-3, N-O, L-O, C-1, C-2, C-3, or C-4 zoning districts; and
- ii. After adaptive reuse, a minimum of 65 percent of the gross floor area of the project building or buildings must be occupied by residential uses; and
- iii. **The existing primary building being adaptively reused may be increased or reduced in size a maximum of 10%.**

(b) Bonus Earned

Projects that comply with the requirements of subsection (a) above shall earn the incentives shown in the table below.

Zoning District	Parking Reduction
R-1A, R-1B, R-1C, R-1M, R-2, or R-3	50% parking reduction
N-O, L-O, PC , C-1, C-2, C-3, or C-4	No additional parking beyond that already provided on the project site shall be required, but any existing parking on the site shall not be reduced below the amount otherwise required by this Code for the proposed reuse.

(c) Relationship to Other Housing Bonuses

- i. If projects that qualify for this bonus also meet the standards for the Affordable Housing Bonus:
 - A. In the R-1A, R-1B, R-1C, R-1M, R-2, or R-3 zoning districts, no additional parking beyond that already provided on the project site shall be required, but any existing parking on the site shall not be reduced or removed below the amount otherwise required by this Code for the proposed reuse; and
 - B. In all zoning districts, buildings containing less than 50 dwelling units may be approved administratively through a streamlined administrative process subject to any applicable Design Review requirements.
- ii. This bonus cannot be combined with the Transit Supportive Housing Bonus.