



City of Boise
Ordinance
First Reading

**Planning and Development
Services**
150 N Capitol Blvd
Boise, ID 83702
(208) 972-8531

TO: Mayor and Council
FROM: Cody Riddle, Planning and Development Services
NUMBER: **ORD-27-19**
DATE: June 18, 2019
SUBJECT: ZOA19-00002 / Ordinance

BACKGROUND:

On **May 6, 2019**, the Planning and Zoning Commission recommended approval of case ZOA19-00002.

On **June 11, 2019**, the City Council approved ZOA19-00002.

FINANCIAL IMPACT:

None.

ATTACHMENTS:

- ZOA19-00002 Redlined Code (PDF)
- ORD 27-19 Legal Notice (PDF)

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Ordinance NO. ORD-27-19

BY THE COUNCIL

CLEGG, LUDWIG, MCLEAN, SANCHEZ,
THOMSON AND WOODINGS

AN AMENDMENT TO THE DEVELOPMENT CODE REGARDING ACCESSORY DWELLING UNITS (SECTION 11-06-03.1(A)). CHANGES INCLUDE INCREASING THE MAXIMUM SIZE, ALLOWING A SECOND BEDROOM, AND REMOVING THE PARKING REQUIREMENT FOR ADUS WITH ONLY ONE BEDROOM.

WHEREAS, on May 6, 2019, following a public hearing, the Planning and Zoning Commission for the City of Boise City recommended approval of ZOA19-00002; and

WHEREAS, on June 11, 2019, the Boise City Council, following a public hearing, approved adoption of ZOA19-00002.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Boise City Code Title 11, Chapter 6, Section 3.1(A) shall be, and hereby is, amended to read as follows:

A. Accessory Dwelling Unit

- (1) The accessory dwelling unit (ADU) must be not larger than ten percent of the lot area or ~~600~~ 700 square feet, whichever is smaller, and shall not have more than ~~one~~ two bedrooms. 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~~ 700 square foot maximum be exceeded.

- (5) One parking space (full size or compact) shall be provided for ~~the accessory dwelling unit in addition to the existing minimum parking requirement for the primary dwelling~~ accessory dwelling units with two bedrooms. This space is in addition to those required for the primary dwelling. The driveway apron (~~driveway space within the front yard setback~~) or unrestricted on-street parking immediately adjacent to the site may be utilized for this requirement. On-street parking in a residential parking district does not satisfy the requirement. A waiver to the parking requirement may be granted by the Director subject to documentation that unusual circumstances of the occupancy will result in a reduced need for parking on the premises and will not negatively impact the neighborhood. The waiver and circumstances allowing for the waiver will be documented in the deed restriction

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required in Section (8), below.

Section 2. That following passage, approval, and publication, this ordinance may be visually reformatted administratively to ensure a consistent and correct appearance.

Section 3. That upon its passage, approval, and publication, this ordinance shall be in full force and effect.

ADOPTED by the Council of Boise City, Idaho, on July 16, 2019.

APPROVED by the Mayor of the Boise City, Idaho, on July 16, 2019.

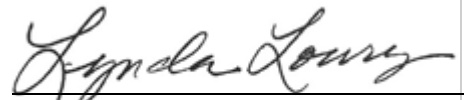
APPROVED:



David H. Bieter, Mayor



ATTEST:



Lynda Lowry, Ex-Officio City Clerk

7-22-19

BY THE COUNCIL CLEGG, LUDWIG, THOMSON AND WOODINGS AN AMENDMENT TO THE DEVELOPMENT CODE REGARDING ACCESSORY DWELLING UNITS (SECTION 3.11(A)). CHANGES INCLUDE INCREASING THE MAXIMUM SIZE, ALLOWING A SECOND BEDROOM, AND REMOVING THE PARKING REQUIREMENT FOR ADUS WITH ONLY ONE

WHEREAS, on May 6, 2019, following a public hearing, the Planning and Zoning Commission recommended the City of Boise City Council approval of Ordinance 2019-00002 and the Boise City Council, following a public hearing, approved adoption of 2019-00002.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Boise City Code Title 11, Chapter 6, Section 3.11(A) shall be, and hereby is amended to read as follows:

A. Accessory Dwelling Unit (ADU) must be not larger than ten percent of the lot area or more than one thousand (1,000) square feet, whichever is smaller, and shall not have size standard 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 or accessory unit. Under no circumstances may the ADU square foot maximum be exceeded.

(5) One parking space (full size or compact) shall be provided for the accessory dwelling unit in addition to the existing minimum parking requirement for the primary dwelling. This space is in addition to those units with two bedrooms. The driveway apron driveway space within the front yard setback or unrestricted on-street parking immediately adjacent to the site may be utilized for this requirement. On-street parking does not satisfy the requirement.

A waiver to the parking requirement may be granted by the Director subject to documentation that unusual circumstances exist on the premises and will not negatively impact the neighborhood. The waiver and circumstances allowing for the waiver will be documented in the deed restriction required in Section 18, below. Section 2. That following passage, approval, and publication, this ordinance may be visually reformatted administratively to ensure a consistent and correct appearance.

Section 3. That upon its passage, approval, and publication, this ordinance shall be in full force and effect.

ADOPTED by the Council of Boise City, Idaho, on July 16, 2019.
APPROVED by the Mayor of the City of Boise, Idaho, on July 16, 2019.
/s/ David H Bleter, Mayor
/s/ Lynda Lowry, Ex-Officio City Clerk
Pub. July 22, 2019

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