



City of Boise
Ordinance
First/Second/Third Reading

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

TO: Mayor and Council
FROM: Celine Acord, Planning and Development Services
NUMBER: **ORD-52-19**
DATE: October 21, 2019
SUBJECT: ZOA18-00004 / Ordinance Amending City Code Title 11, Chapter 13

BACKGROUND:

On February 4, 2019, Planning and Zoning Commission recommended approval of the amendments.

On April 9, 2019, City Council approved the amendments.

FINANCIAL IMPACT:

None.

ATTACHMENTS:

- Exhibit A - Summary Harris Ranch (DOCX)
- Exhibit B - Harris Ranch Specific Plan (PDF)
- ORD 52-19 Summary Legal Notice (PDF)

CITY OF BOISE

Ordinance NO. ORD-52-19

BY THE COUNCIL

BAGEANT, CLEGG , HALLYBURTON,
SANCHEZ, THOMSON AND
WOODINGS

AN ORDINANCE AMENDING THE HARRIS RANCH SPECIFIC PLAN VOLUME 1 AND THE HARRIS RANCH SPECIFIC PLAN (TITLE 11, CHAPTER 13, SECTION 1 OF THE BOISE CITY CODE), ZOA18-00004, INCLUDING CHANGES TO CODE SECTION REFERENCES, DEFINITIONS, GENERAL PROVISIONS AND PROCESSES FOR THE DISTRICT, ADMINISTRATIVE AND DESIGN REVIEW, GENERAL AND SPECIFIC USE STANDARDS, STANDARDS FOR TRANSPORTATION AND SCHOOLS, LAND USE MAPS, MASTER PLANNING MAPS, CIRCULATION PLANS, RIGHT-OF-WAY SECTIONS, STREETSCAPES, BLOCK PROTOTYPES, ARCHITECTURE AND LANDSCAPE GUIDELINES, AND MINOR MODIFICATIONS TO THE ALLOWED USES TABLE; REPEALING AND REPLACING SP01; APPROVING A SUMMARY OF THIS ORDINANCE; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 11, 2007, following Boise City Ordinance No. 6626, the city of Boise City adopted the Harris Ranch Specific Plan Volume I and II and amended Title 11 to include the Harris Ranch Specific Plan District; and

WHEREAS, on February 4, 2019, following a public hearing, the Planning and Zoning Commission for the city of Boise City recommended approval of case ZOA18-00004, known as Amendment 7 to the Harris Ranch Specific Plan; and

WHEREAS, on April 9, 2019, the Boise City Council, following a public hearing, approved the adoption of ZOA18-00004, known as Amendment 7 to the Harris Ranch Specific Plan.

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

Section 1. That existing Boise City Code Title 11, Chapter 13, Section 1, Subsection 3, shall be, and hereby is, amended to read as follows:

Conformity Required

Except as otherwise provided herein, land, buildings, structures and uses in the Harris Ranch Specific Plan District shall hereafter be used and developed in accordance with the

CITY OF BOISE

Harris Ranch Specific Plan 2007, Volumes I and II (the “Harris Ranch Specific Plan”), the regulations herein established for the Harris Ranch Specific Plan District known as the Harris Ranch Specific Plan Code (hereinafter sometimes referred to as the “Code”) and, as applicable, Title 11, Chapter ~~67~~, Section ~~05-079~~ (Foothills Planned Development Ordinance, ~~and~~, Title 11, Chapter ~~147~~, Section 8 (Hillside and Foothill Areas Development Ordinance) in force and effect on the effective date of ~~application for~~ the Harris Ranch Specific Plan Amendment 7, as may be amended by applicable state and/or federal laws or regulations (collectively, the “Ancillary Ordinances”), which Ancillary Ordinances are reprinted in their entirety below. The Harris Ranch Specific Plan and the Ancillary Ordinances are hereby incorporated into and made a part of this Chapter by reference. The Ancillary Ordinances, as the same shall apply to Harris Ranch, shall not be amended, except as may be required by applicable state or federal laws or regulations, for a period of ~~thirteen~~ eighteen years from the Effective Date.

Section 2. That existing Boise City Code Title 11, Chapter 13, Section 1, Subsection 6, shall be, and hereby is, amended to read as follows:

Administrative Review-Design

All structural and open space improvements except single family detached homes will be subject to design review approval. The Planning Director, while giving due consideration and deference to the decision of the Harris Ranch Review Board, shall make such investigations as are necessary to compare the nature and characteristics of the proposed design with the design guidelines of the Harris Ranch Specific Plan and Code, and shall determine whether the design is, in all essentials, pertinent to the objectives of the Plan and Code for the Harris Ranch Specific Plan District. The Planning Director may allow up to a ~~40%~~ twenty percent (20%) variation from the Design Guidelines if it has been approved by the Harris Ranch Review Board and if the Planning Director Agrees. Upon such determination the Planning Director shall issue a Notice of Specific Plan Design Review Compliance. The determination of the Planning Director shall be final unless an appeal is made as provided in the Code. The findings, as applicable, to be made by the Planning Director in this regard are as follows:

- A. That the site plan minimizes impact of traffic on adjacent streets and that the pedestrian and bicyclist have been provided for by requiring sidewalks, paths, micro-pathways, landscape and safe parking lot design as appropriate.
- B. That the proposed site's landscape screens are adequate to protect adjacent uses, provide sound and sight buffers and can be adequately maintained; slope and soil stabilization have been provided for; and, that unsightly areas are reasonably concealed or screened.
- C. That on-site grading and drainage have been designed so as to minimize off-site impact and provide for erosion control.
- D. That signage for any proposed project provides for business identification and minimizes clutter and confusion on and off the site, and is in compliance with Harris Ranch Specific Plan Code.
- E. That utility service systems do not detract from building design and that size

CITY OF BOISE

- and location of all service systems are appropriate and maintainable.
- F. The mass of the building(s) or structure(s) is consistent with existing development in the immediate surrounding area and with the allowed use proposed by the applicant.
 - G. The height to width relationship of new structures is compatible and consistent with the architectural character of the area and the proposed use.
 - H. Openings in the facade are consistent with the architectural character of the area (for example, balconies, bays and porches are encouraged with a minimum of monotonous flat planes), to provide shadow relief.
 - I. Exterior materials are appropriate as they relate to building mass, shadow relief and existing area development; color is used to provide natural blending of materials with the surrounding area, shadow relief and building use; there is functional appropriateness of the proposed building design as it relates to the proposed use.
 - J. Multi-family building(s) are designed to include features which add to the visual and aesthetic appearance of the structure and prevent a sterile, box-like appearance; specific design features have been added to enhance the physical appearance of such multi-family residential buildings.
 - K. Commercial buildings adjacent to residential uses are designed to minimize impacts on adjoining (including across a street or alley) residential uses.
 - L. Design is compatible with design guidelines of the Harris Ranch Specific Plan.

CITY OF BOISE

DESIGN REVIEW PROCESS

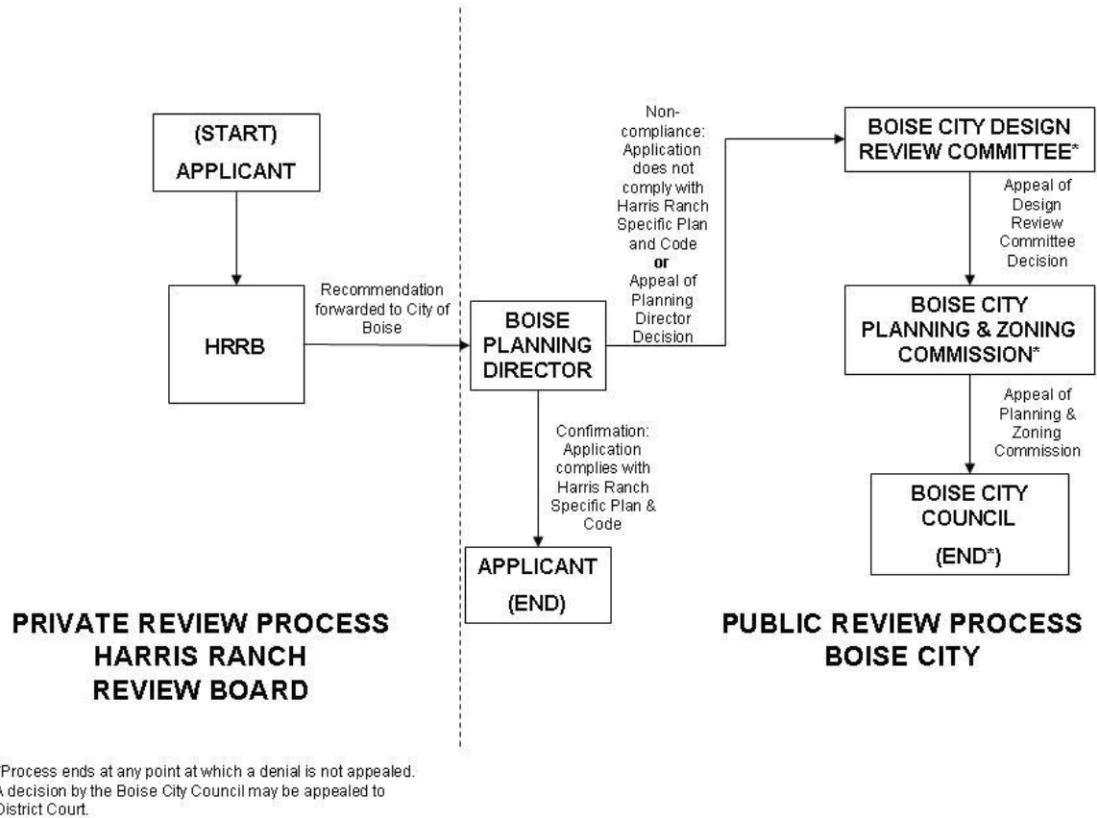


Figure 11-013.2: Design review process

Section 3. That existing Boise City Code Title 11, Chapter 13, Section 1, Subsection 8 (A), shall be, and hereby is, amended to read as follows:

General and Specific Use Standards

A. Purpose.

These standards are designed to ensure that development within the Harris Ranch Specific Plan District will produce an environment of stable, desirable character which is harmonious with existing and future development and is consistent with the intent and purpose of the Harris Ranch Specific Plan and Harris Ranch Specific Plan Code. Provided that the Planning Director may allow up to a ~~40%~~ twenty percent (20%) variation from General Standards if it has been previously approved by the Harris Ranch Review Board and the Planning Director agrees.

Section 4. That existing Boise City Code Title 11, Chapter 13, Section 1, Subsection 8 (B)(4), shall be, and hereby is, amended to read as follows:

CITY OF BOISE

(4) Transportation Standards

- ~~(a) Updates to traffic impact studies will be required after 200 lots have been preliminary platted or 5 years, whichever occurs first, and as required by ACHD Policy for any phase including commercial land uses. A traffic impact study may be required if there is a significant change in the current land use plan;~~
- ~~(b) Future Parkecenter Boulevard will not be reclassified until the interim 2 land parkway arterial is built and accepted by ACHD. A turn lane warrant analysis may be required on a case-by-case basis depending on the proposed land use. Contact ACHD to determine if a turn lane analysis is required prior to submitting a development application;~~
- ~~(c) No alteration to or construction in future Parkecenter Boulevard until after Roundabout 1 and Parkecenter Boulevard west to the east Parkecenter Bridge is completed. When parcels abutting Warm Springs Avenue are preliminary platted, provide current roadway segment traffic counts and intersection counts (raw data) for the segment of Warm Springs Avenue abutting the site and the nearest intersection(s) (Wise Way/Warm Springs, Old Hickory Way/Warm Springs, or Millbrook Way/Warm Springs). ACHD will analyze the data to determine if roadway or intersection improvements are needed to mitigate the development;~~
- ~~(d) Requests for modification of ACHD policy will be made with preliminary plat applications. The developer shall ensure that adequate real property is dedicated for the future installation of four lanes at E. Warm Springs Ave., commonly referred to as the Warm Springs Bypass, in the event traffic conditions warrant such widening;~~
- ~~(e) With regard to roundabouts on E. Warm Springs Ave., when warranted the developer shall construct an interim single-lane roundabout similar to that shown on attachment 4 to ACHD's March 6, 2019 action, which can be widened to a dual lane roundabout if traffic conditions warrant such a widening.~~

Section 5. That existing Boise City Code Title 11, Chapter 13, Section 1, Subsection 8 (C)(26), shall be, and hereby is, amended to read as follows:

(26) Schools

General Standards for Schools:

- (a) Off-street parking shall be provided as per this Code.
- (b) There shall be an off-street client pick-up area in addition to the required off-street parking if required by ACHD at the time of the future school development application. On arterial or collector streets, a circular driveway or an off-street turnaround (Which does not involve any space from a required off-street parking space) shall be provided for the client pick-up area.

CITY OF BOISE

(c) ~~Hours of client pick up and/or drop off shall be between 7:00 A.M. and 10:00 P.M. [Reserved].~~

(d) In instances where a restaurant or retail store seeks to sell, serve, or dispense alcoholic beverages at a business premises located within three hundred feet (300') of any school site, notwithstanding Boise City Code or any other law or ordinance of similar import, the Boise City Clerk's office shall be authorized to review and approve a waiver of the foregoing City requirements in accordance with standards and procedures as may be adopted by the Boise City Clerk's office. The waiver procedure identified herein shall not apply to bars or establishments catering to or including adult uses, as defined in Boise City Code.

Section 6. That existing Boise City Code Title 11, Chapter 13, Section 1, Subsection 10, Table 11-013.7, shall be, and hereby is, amended to read as follows:

TABLE 11-013.7: SUMMARY OF SIZE AND LOCATION OF SIGNS PERMITTED IN HARRIS RANCH							
Sign Type	Maximum Background Area	Maximum Height	Location	Illumination	Number Allowed	Projection	Clearance (from above) Public Right-of-Way
Tier I Blocks: NW4-16; NW18-24; NW26-30; NE1-7; NE9-1012; SE14C-F; SE17; SE23-24							
Rent; Lease; Sale	4 sq. ft.	4 ft.	5 ft. from back of sidewalk (minimum)	None	1 per Lot		
Home Occupation; Live-Work	2 sq. ft.	Not higher than eave line for projecting roof and parapet line for Flat Roof	Attached flat on Building, or on an awning	Indirect	1 per Lot	None	
Apartment, Condominium Complex Identification	4 sq. ft.	3 ft.	5 ft. from back of sidewalk (minimum)	Indirect	1 per street frontage		

CITY OF BOISE

All Other Signs	PROHIBITED						
Tier II Blocks: SW2-3; SW5; SW7; SW9-10; NW31; TC8-9; SE1-56							
Rent; Lease; Sale	4 sq. ft.	4 ft.	5 ft. from back of sidewalk (minimum)	None	1 per Lot		
Home Occupation; Live-Work; Work-live	2 sq. ft.	Not higher than eave line	Attached flat on Building	Indirect	1 per Lot	None	
Apartment, Condominium Complex Identification	4 sq. ft.	4 ft.	5 ft. from back of sidewalk (minimum)	Indirect	1 at each entrance point		
Business Identification Signs (attached; 50% maximum background area for awning Sign)	1 sq. ft. per 3 lineal ft. of Building wall facing a Street; maximum 50 sq. ft.	Not higher than eave line	On wall face facing Street	Indirect	1 per Lot		
On-site Signs: Wall or Canopy or Marquee	20 sq. ft. (maximum).	Not to exceed height of wall	On wall face facing Street	Indirect	1 or more not to exceed total sq. ft. allowed	3 ft. from wall; may not project above Building	
All Other Signs	PROHIBITED						
Tier III Blocks: SW11-13; SW12-14; TC1-2, 4-7; SE7-12; 14B; SE14G; SE16-17; SE18A; SE18B; NE14							
Rent; Lease; Sale	16 sq. ft.	10 ft.	On wall face	None	1 per Street Frontage		
On-premise Wall or Company or Marquee*	20 sq. ft. (maximum)*	Not to exceed height of wall	On wall face facing Street	Indirect	1 or more; not to exceed total sq. ft.	3 ft. from wall if a projecting sign	12 ft.

CITY OF BOISE

					allowed 1 per Alley		
Marquee/ Canopy/ Awning	50% (None for Alley or Parking Lot)	15 ft.		Indirect	1 per business		10 ft. with less than 2/3 projection from property line to curb; 12 ft. with more than 2/3 projection from property line to curb
Under Marquee/ Canopy	Length not to exceed 75% of marquee width			Indirect	1 per business	3 ft. if projecting sign	10 ft.
<p>* When combination of wall and free-standing signs are used, total area for signs must be reduced by 50%. ** A sign on a building wall that does not face a street may be permitted when: (1) the sign background area is a maximum of 10% of the building wall; and (2) The adjoining block is predominantly commercial.</p>							

Section 7. The Harris Ranch Specific Plan is hereby repealed and replaced and attached hereto as Exhibit B.

Section 8. That the summary of this Ordinance, attached as Exhibit A, be, and the same is hereby, approved as to both form and content.

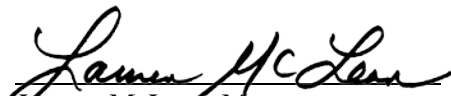
Section 9. That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

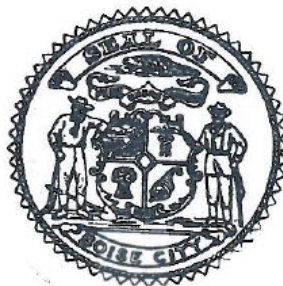
ADOPTED by the Council of Boise City, Idaho, on November 19, 2019.


APPROVED by the Mayor of the Boise City, Idaho, on November 19, 2019.

APPROVED:

ATTEST:


Lauren McLean, Mayor




Lynda Lowry, Ex-Officio City Clerk

CITY OF BOISE

EXHIBIT "A"
**STATEMENT OF BOISE CITY ATTORNEY AS TO ADEQUACY OF
SUMMARY OF
ORDINANCE NO. ORD-52-19**

The undersigned, James Smith, in his capacity as Deputy City Attorney of the city of Boise City, Idaho, hereby certifies that he is a legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. ORD-52-19 of the City of Boise City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code Section 50-901A(3).

DATED this 19th day of November 2019.

/s/ James Smith

James Smith Deputy City Attorney
**SUMMARY OF ORDINANCE NO. ORD-52-19
OF THE CITY OF BOISE CITY, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the city of Boise City, Idaho, adopted at its regular meeting of November 19, 2019 that Ordinance No. ORD-52-19 entitled: **AN ORDINANCE AMENDING THE HARRIS RANCH SPECIFIC PLAN VOLUME 1 AND THE HARRIS RANCH SPECIFIC PLAN (TITLE 11, CHAPTER 13, SECTION 1 OF THE BOISE CITY CODE), ZOA18-00004, INCLUDING CHANGES TO CODE SECTION REFERENCES, DEFINITIONS, GENERAL PROVISIONS AND PROCESSES FOR THE DISTRICT, ADMINISTRATIVE AND DESIGN REVIEW, GENERAL AND SPECIFIC USE STANDARDS, STANDARDS FOR TRANSPORTATION AND SCHOOLS, LAND USE MAPS, MASTER PLANNING MAPS, CIRCULATION PLANS, RIGHT-OF-WAY SECTIONS, STREETSCAPES, BLOCK PROTOTYPES, ARCHITECTURE AND LANDSCAPE GUIDELINES, AND MINOR MODIFICATIONS TO THE ALLOWED USES TABLE; REPEALING AND REPLACING SPO1; APPROVING A SUMMARY OF THIS ORDINANCE; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.**

This ordinance amends the Harris Ranch Specific Plan Volume 1 and the Harris Ranch Specific Plan (Title 11, Chapter 13, Section 1 of the Boise City Code), including changes to code section references, definitions, general provisions and processes for the district, administrative and design review, general and specific use standards, standards for transportation and schools, land use maps, master planning maps, circulation plans, right-of-way sections, streetscapes, block prototypes, architecture and landscape guidelines, and minor modifications to the Allowed Uses Table.

The ordinance establishes an ordinance effective date and approves this ordinance summary. The effective date of the ordinance is the date of its passage, approval and publication. A copy of the full text of the ordinance is available at the City Clerk's office, 150 North Capitol Boulevard, in Boise, Idaho 83701. Examination may be requested in writing or in person during regular business hours of the City Clerk's office, from 8:00 a.m. until 5:00 p.m. pursuant to Section 50-901A(4), Idaho Code.

DATED this 19th day of November 2019.

City of Boise City, Idaho ATTEST:

/s/ David H. Bieter
MAYOR David H. Bieter
/s/Lynda Lowery
EX-OFFICIO CITY CLERK

0004469788-01