

exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations;

- c. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network outside the PUD;
 - d. Any proposed commercial development can be justified at the locations proposed;
 - e. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the PUD and the adopted policy of the Council;
 - f. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
 - g. The PUD is in general conformance with the comprehensive plan; and
 - h. The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.
2. In allowing for uses not otherwise permitted in the district, the Commission shall make the additional findings:
- a. The uses are appropriate with the residential uses;
 - b. The uses are intended to principally serve the residents of the PUD;
 - c. The uses are planned as an integral part of the PUD;
 - d. The uses be located and so designed as to provide direct access to a collector or an arterial street without creating congestion or traffic hazards; and
 - e. A minimum of fifty percent (50%) of the residential development occurs prior to the development of the related commercial or industrial land uses.

8-6B-8 MINOR PLANNED UNIT DEVELOPMENT:

- A. **Purpose.** The purpose of the provisions for a Minor Planned Unit Development (PUD) is to allow for flexibility in the design and development on small residential lots of record that were platted prior to the adoption of the City's zoning ordinance. Specifically, these provisions are intended to:
1. Through more flexible standards, encourage innovation and creativity in residential lot development;
 2. Through innovative site design, create useable open space areas, a sense of place and neighborhood;

3. Provide for a variety of housing products that respond to changing demographics and housing needs including cottages, compact housing, residential courts, co-housing, and attached units;
4. Encourage interconnectivity within blocks and between lots of record;
5. Create an incentive for residential development that is designed with consideration for future development on adjoining lots and for combining lots of record; and
6. Establish provisions for quality and sustainable design; and
7. Provide a tool and process that expedites the development review process on smaller lots of record.

B. Applicability.

1. These provisions shall apply to any lot of record that is at least 100'± by 150' ± in size in the C-2, R-2, and R-3 Zoning Districts.
2. The provisions of this chapter shall apply only when requested by an applicant and are in lieu of the underlying zoning district requirements.

C. Allowed Uses.

1. Uses allowed in a Minor PUD shall include all residential uses that adhere to the provisions for a Minor PUD as set forth in this Chapter.
2. Uses allowed shall be: attached and detached single family; townhouse, two-family duplex; or multiple family dwelling units; cottages; co-housing development; or any combination of these housing uses. Work-live units in compliance with the provision set forth in Chapter 3, Article C WORK-LIVE-CREATE OVERLAY DISTRICT of this Title and small scale commercial uses are also allowed in structures fronting on a public street.

D. General Provisions for the Site Layout Template.

1. Site Layout Template: All Minor Planned Unit Developments (PUD's) shall be based on an approved site layout template, prepared by a licensed architect and reviewed as set forth in Section 8-6B-3 DESIGN REVIEW of this chapter and adopted through a public hearing process as set forth in Section 8-6A-7 of this Title.
2. The site layout template shall provide for the following elements:
 - a. Location of proposed building footprints, common areas, private open space, paved areas, service areas, access lanes, parking, pedestrian walkways and linkages;
 - b. Calculation of the number of units, building stories, parking spaces and amount of common area; and
 - c. A plan that shows the opportunities for future connectivity with adjoining properties.
3. The site layout template shall meet the following criteria:

- a. Fire access and protection shall be in compliance with the International Fire Code and as identified in the City’s adopted Design and Construction Guide.
- b. The Common Area shall be a minimum of eight percent (8%) of the site with a minimum dimension of twenty feet (20’).
- c. The minimum width of the access lane shall be twenty feet (20’).
- d. Interconnectivity shall be shall be designed to allow for shared access or shared common area with adjoining property. Shared access may be one of the following:
 - i. An access lane that has the ability to be widened or extended;
 - ii. Multiple pedestrian connections;
 - iii. A Common Area that has the ability to be widened or extended.
- e. The minimum dwelling unit size shall be 550 sf.
- f. Minimum Setbacks :
 - i. Between condominiums and multi-family structures without a fire wall separation shall be ten feet (10’).
 - ii. Between townhouse structures shall be six feet (6’).
 - iii. To the back of curb of a public street shall be twenty feet (20’); except for buildings with porches or stoops, a minimum of eight feet (8’) in depth, may be located eighteen feet (18’) from the back of curb.
 - iv. To property lines external to the original lot of record shall be five feet (5’).
 - v. To an internal access lane shall be five feet (5’).
- g. Maximum building height shall be thirty feet (30’), except where requirements of the International Fire Code can be satisfied, a maximum height of fifty-five feet (55’) shall be allowed.
- h. Required Parking:
 - i.

Units under 700 sf in size	1 parking space
Units 700 to 1,000 sf in size	1.5 parking spaces
Units over 1,000 sf in size	2.0 parking spaces
Commercial Space	1 unit/1000 sf
 - ii. Parking spaces shall be a minimum of 10’ x 20’ in dimension.
 - ii. Required parking spaces shall be provided in a garage or carport, with the exception that required parking may be satisfied through surface parking spaces when the space(s) are well integrated into the site design and shielded from adjoining properties; or are provided in diagonal parking spaces wholly or partially on public property.

E. General Provisions for a Minor Planned Unit Development (Minor PUD)

- 1. The Minor PUD for an individual property shall be in substantial conformance with an adopted site layout template. The site design may deviate from an adopted site layout template with fewer units, less density, less building footprint or greater open space. Relocation of building footprints, common areas, access lanes, parking, private open space may deviate up to ten percent (10%) from the adopted design layout template.

2. In addition to the requirements for the template identified in the General Provisions for the Site Layout Template, the Minor PUD shall also include the following elements:
 - a. A site plan showing the location of utility, meter boxes, fire hydrants, trash enclosures, street addresses, and site identity marker;
 - b. A landscape and surface materials plan showing the location and type of plant and hard surface materials;
 - c. Public street elevations of all buildings located adjacent to a public street;
 - d. Property dimensions, dimensions of all buildings, access lanes and common areas; and
 - e. A legal description.

3. The Minor PUD for an individual property shall meet the following criteria:
 - a. The requirements for the design layout template identified in General Provisions for the Site Layout Template.
 - b. Landscaping and irrigation shall be in compliance with the City's adopted Design and Construction Guide.
 - c. Street trees shall be located at thirty-five foot centers (35') in the parkway with a detached sidewalk; or within five feet (5') of the building side of an attached sidewalk; or within the sidewalk area in ten foot tree cut out areas.
 - d. Landscaping shall be provided around all building foundations.
 - e. Common Area:
 - i. Up to fifty percent (50%) of the common area requirement may be satisfied in private open space.
 - ii. At least fifty percent (50%) of all common areas shall be designed with impervious surfaces.
 - iii. Common areas may be constructed of turf; pavers; or colored, stamped or decorative concrete.
 - f. Private Open Space: Any private open space shall be a minimum of eighty square feet and may be a patio, lawn, porch, or deck.
 - g. Building orientation: The front doors and primary facades of all building shall be on either a public street or common area.
 - h. Public street elevation: The buildings facing a public street shall have a minimum transparency of ten percent (10%), excluding uninhabitable space. Blank, unrelieved walls shall not be allowed facing the public streets.
 - i. Site Identity Marker: A site identity marker shall be required and integrated into the design of the site at a prominent location.
 - j. Access lane:
 - i. The access lane may be a private street, a public alley, or a public minor

local street in compliance with the City's adopted Design and Construction Guide.

- ii. The access lane may also be constructed as a private street at one-half the dimensional requirements for a public street, if there exists the opportunity to fully develop and dedicate a public street with the adjacent property owner.
 - iii. The access lane shall be dedicated as a public street if the street is shown on the City's adopted Neighborhood Street Plan.
 - iv. Shared access with adjoining property shall be a condition of approval; or a plat condition on the final subdivision or condominium plat. The condition may include but is not limited to a requirement for a cross access agreement, easement or dedication.
- k. Service areas shall not be visible from the public street.
 - l. Utility vaults shall be integrated into the overall site design and landscaping plan.
 - m. Storm drainage shall be in compliance with the City's adopted Design and Construction Guide.
 - n. The ownership of the property may be as a subdivision, condominium, or single owner for entire property.

F. Procedures.

1. Applications for a Site Layout Template shall follow the provisions for a public hearing as set forth in 8-6A-7 of this Title.
2. Applications for a Minor PUD shall follow the provisions for an administrative decision with notice as set forth 8-6A-5 of this Title.
3. Applications for a Minor PUD in combination with a site layout template, subdivision, or any other application may be processed concurrently. The Minor PUD application shall follow the review procedures for a public hearing, if required by the other application.

G. Required Findings.

1. The Planning and Zoning Commission shall base their determination to adopt a Site Layout Template based on the recommendation of the Design Committee and the following findings:
 - a. The layout is in conformity with the purpose and intent of this Chapter and the City's Comprehensive Plan;
 - b. The layout demonstrates innovation and creativity in residential lot development;
 - c. The layout creates useable open space areas and the opportunity to create a sense of place and neighborhood on a site:
 - d. The layout could provide for a variety of housing products that respond to changing demographics and housing needs including cottages, compact housing, residential courts, co-housing, and attached units; and

- e. The layout provides for interconnectivity within blocks and between lots of record;
 - f. The layout creates an incentive for residential development that is designed with consideration for future development on adjoining lots and for combining lots of record.
2. The Planning Official or the Planning and Zoning Commission shall base their determination to approve a Minor PUD on the following findings:
 - a. The Minor PUD is in general conformance with an adopted Site Layout Template and any deviations are minor as defined in this section;
 - b. The Minor PUD meets all the findings for a Site Layout Template as set forth in Paragraph G above; and
 - c. The Minor PUD complies with requirements of the City and other agencies with jurisdiction; and
 - d. The Minor PUD has been designed to minimize impacts on adjacent properties.
 3. In approving a Minor PUD, the decision-maker may prescribe appropriate conditions and limitations in conformity with this ordinance which:
 - a. Minimize adverse impacts on adjacent properties; and
 - b. Provides a guarantee for interconnectivity between the site and adjacent properties.

8-6B-9 **VARIANCE:**

- A. **Purpose.** The purpose of this Section is to establish procedures for modification from the bulk and placement requirements of this Title.
- B. **Applicability.**
 1. The provisions of this Section shall apply to requests to vary from the requirements of this Title with respect to lot size, coverage, width, and depth; front, side, and rear setbacks; parking spaces; building height; and all other provisions of this Title affecting the size and shape of a structure or the placement upon properties.
 2. A variance does not relieve an applicant from any of the procedural provisions of this Title, nor does it allow establishment of a use that is not otherwise permitted in the applicable zoning district.
- C. **Process.** A variance shall be allowed only upon the approval of an application by the Commission, subject to the requirements of this Chapter, a showing of undue hardship because of unique physical characteristics of the site, and that the variance is not in conflict with the public interest.
- D. **General Provisions.**

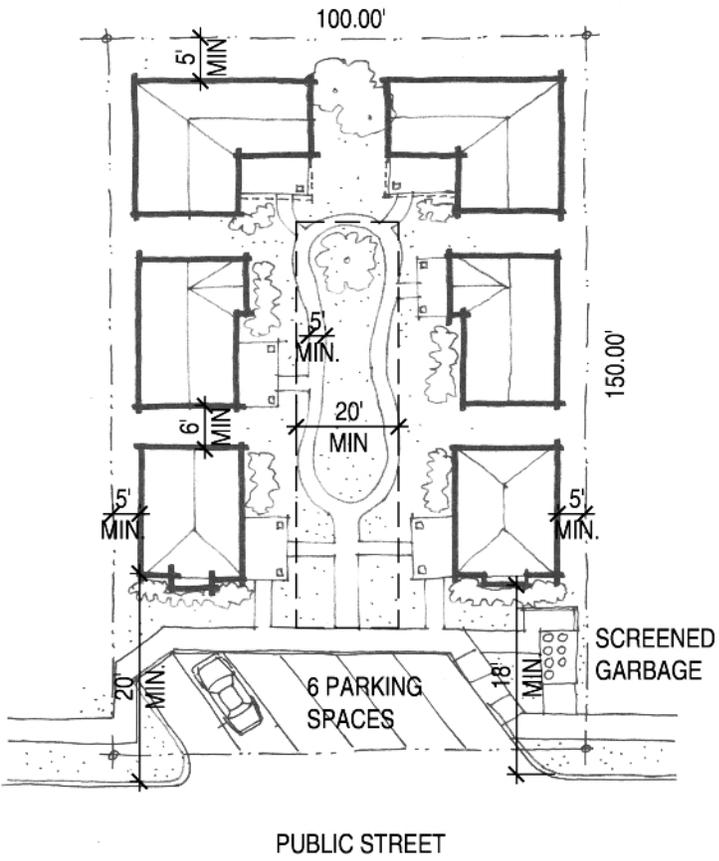
Number of Units: 6

Building Stories: 3 Stories Max.
or 30 Feet

Dwelling Unit Size: 550 S.F. Min.
As Shown: 600 S.F.

Required Parking: 1 Per Unit.
As Shown: 0 In Garage
6 On Street

Common Area: 8% of Site Min.
As Shown: 12% or 1818 S.F.



<p>McKibben + Cooper Architects Architecture + Urban Design 515 W. Hays St. Boise, ID 83702 208.343.7851</p>	<p>GARDEN CITY SITE LAYOUT TEMPLATE 1</p> <p>SCALE: 1:40 DATE: 9/26/07</p>
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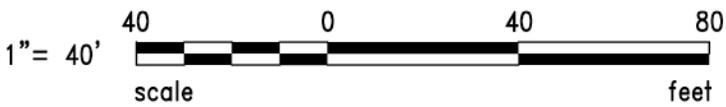
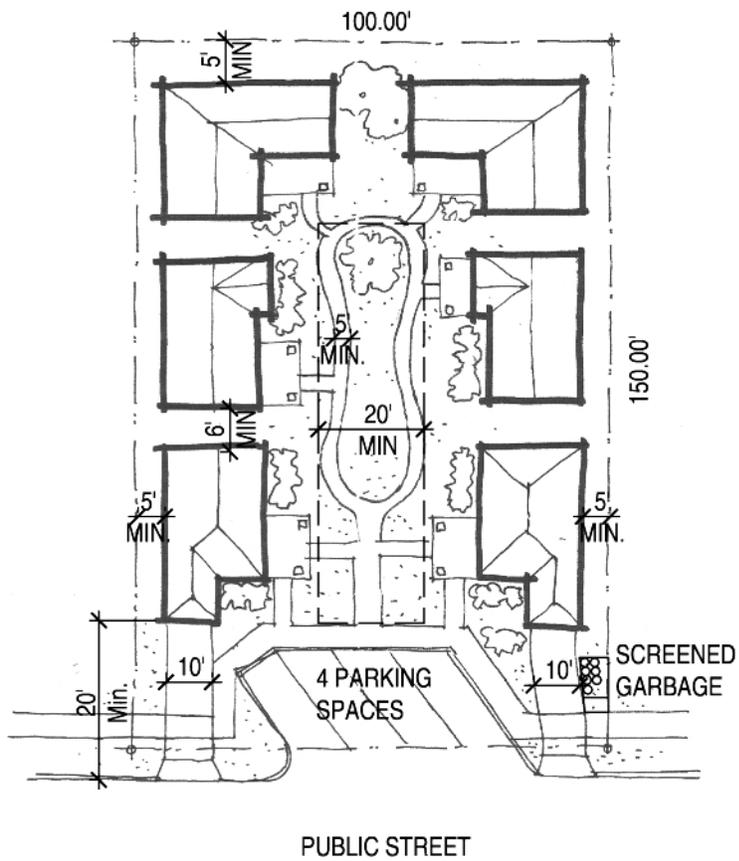
Number of Units: 6

Building Stories: 3 Stories Max.
or 30 Feet

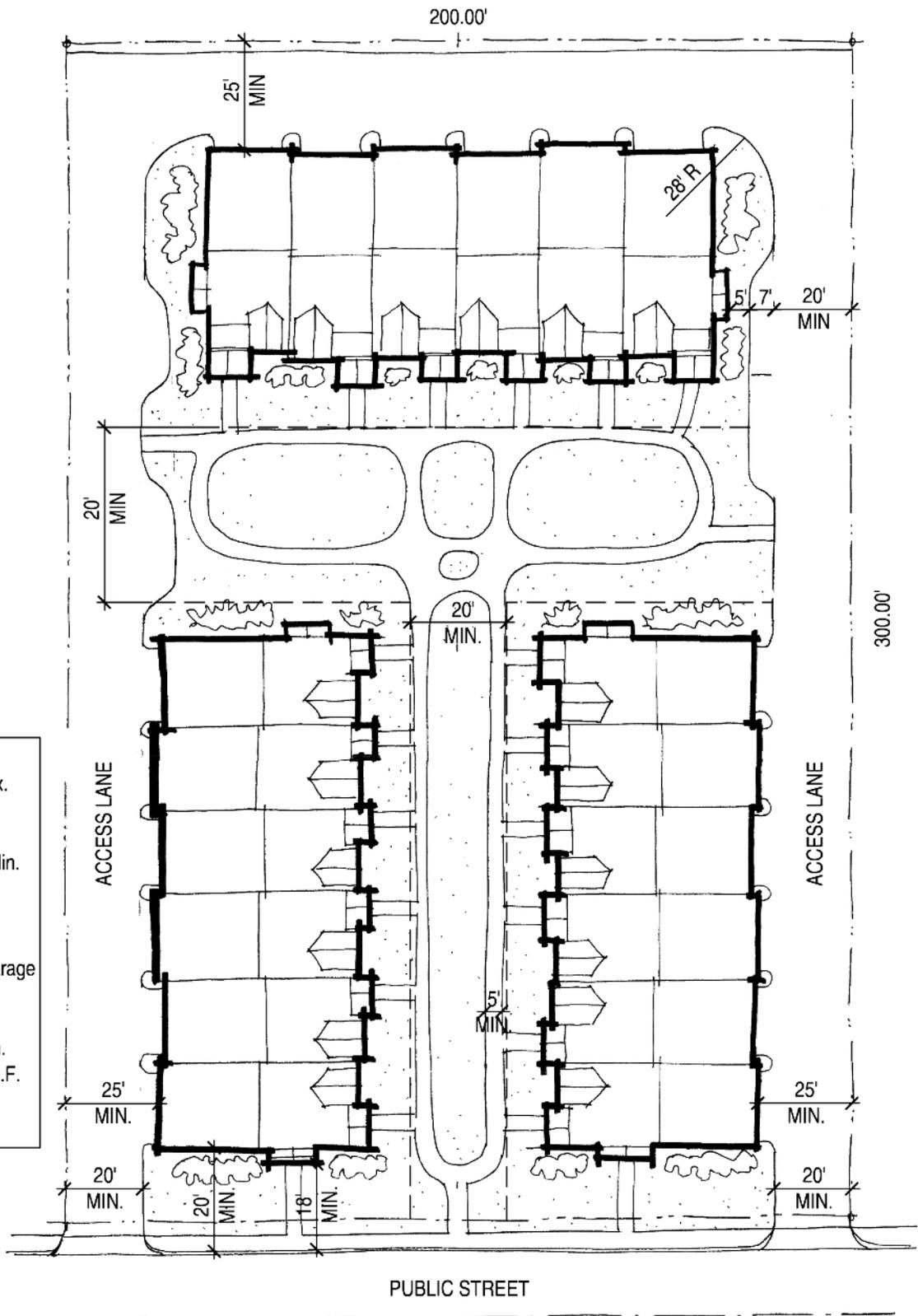
Dwelling Unit Size: 550 S.F. Min.
As Shown: 600 S.F.

Required Parking: 1 Per Unit.
As Shown: 2 In Garages
4 On Street

Common Area: 8% of Site Min.
As Shown: 12% or 1850 S.F.



<p>McKibben + Cooper Architects Architecture + Urban Design</p> <p>515 W. Hays St. Boise, ID 83702 208.343.7851</p>	<p>GARDEN CITY SITE LAYOUT TEMPLATE 1A</p> <p>SCALE: 1:40 DATE: 9/26/07</p>
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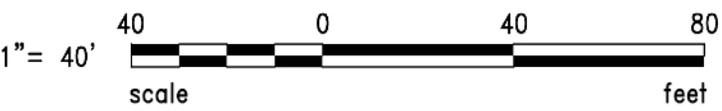


Number of Units: 18
 Building Stories: 3 Stories Max.
 or 30 Feet

Dwelling Unit Size: 550 S.F. Min.
 As Shown: 2100 S.F.

Required Parking: 2 Per Unit.
 As Shown: 2 Per Unit In Garage
 4 On Street

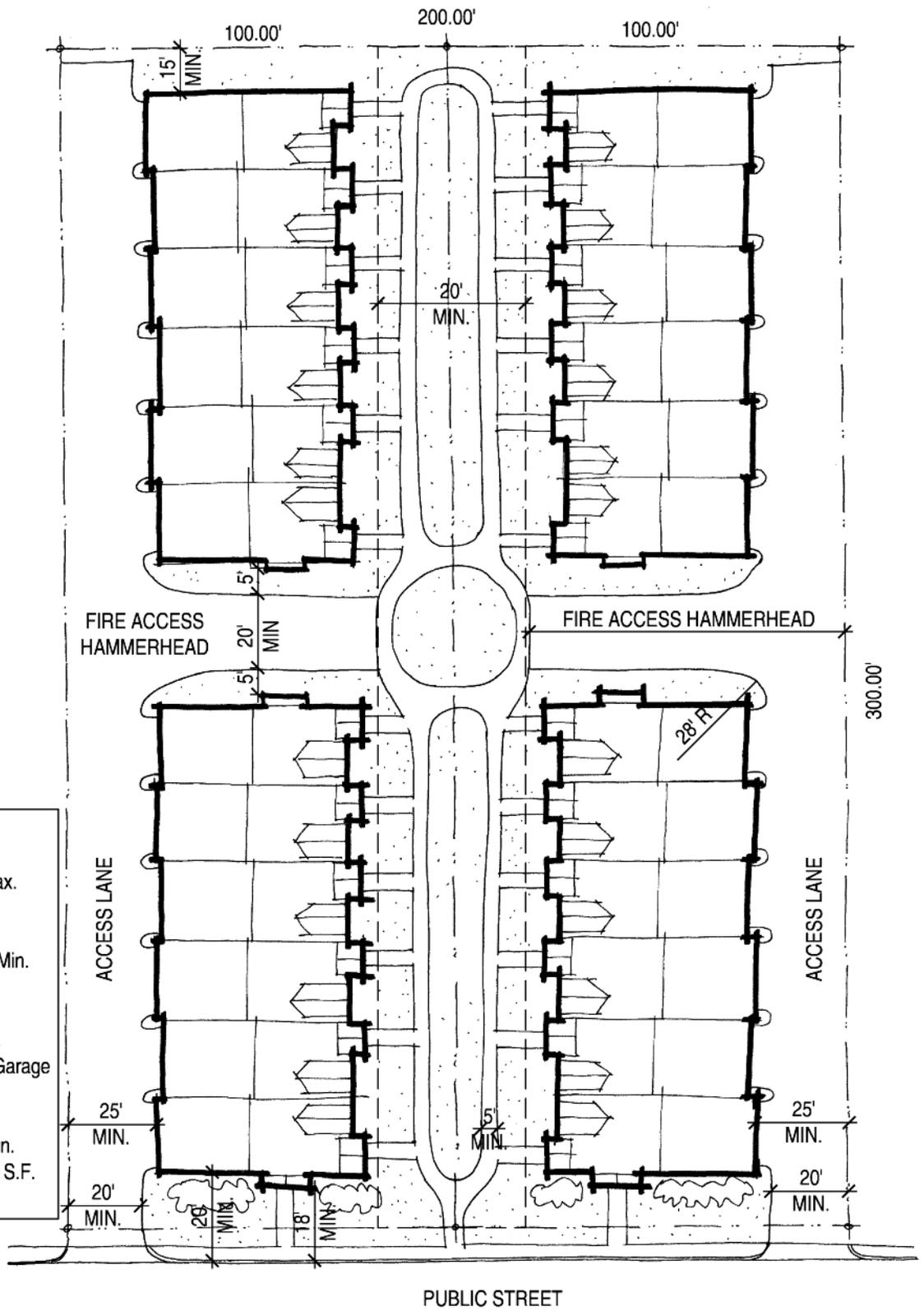
Common Area: 8% of Site Min.
 As Shown: 17% or 10349 S.F.



McKibben
 +
 Cooper
 Architects
Architecture + Urban Design
 515 W. Hays St. Boise, ID 83702
 208.343.7851

GARDEN CITY SITE LAYOUT TEMPLATE 2

SCALE: 1:40
 DATE: 9/26/07



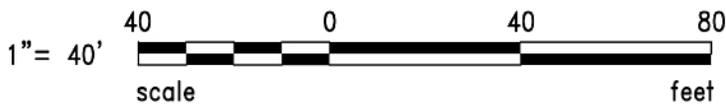
Number of Units: 24

Building Stories: 3 Stories Max.
or 30 Feet

Dwelling Unit Size: 550 S.F. Min.
As Shown: 2100 S.F.

Required Parking: 2 Per Unit.
As Shown - 2 Per Unit In Garage
0 On Street

Common Area: 8% of Site Min.
As Shown - 18% or 11318 S.F.



<p>McKibben + Cooper</p>	<p>GARDEN CITY SITE LAYOUT TEMPLATE 3</p>
<p>Architects Architecture + Urban Design 515 W. Hays St. Boise, ID 83702 208.343.7851</p>	<p>SCALE: 1:40 DATE: 9/26/07</p>

