

CITY OF MERIDIAN ORDINANCE NO. 21-1932

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREALT, STRADER**

AN ORDINANCE AMENDING MERIDIAN CITY CODE AS CODIFIED AT TITLE 11, PERTAINING TO SPECIFIC USE STANDARDS IN THE OLD TOWN DISTRICT IN CHAPTER 2; DITCHES, LATERALS, CANALS OR DRAINAGE COURSES IN CHAPTER 3; COMPREHENSIVE MAP AMENDMENTS IN CHAPTER 5; AND COMMON DRIVEWAY STANDARDS IN CHAPTER 6; AND PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Unified Development Code is the official zoning ordinance for the City of Meridian and provides an opportunity to better support the Comprehensive Plan and provide a tool that is relevant and contemporary to the needs of the City; and,

WHEREAS, the City Council of the City of Meridian deems it to be in the best interest of the health, safety and welfare of its citizens to incorporate changes to the Unified Development Code within the City of Meridian.

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

Section 1. That Meridian City Code 11-2D-3B.4, Unified Development Code, be amended as follows:

4. ~~In the O-T district, additional height exceeding the maximum height allowed for the district requires approval through a conditional use permit.~~ In the O-T and TN-C districts, the additional height allowed is limited as follows:
 - a. In the area defined as the city core in chapter 1 of this title, additional building height may deviate up to twenty (20) percent of the minimum or maximum height in the O-T district subject to the alternative compliance procedures set forth in chapter 5, "administration", of this title. Proposed building height exceeding twenty (20) percent of the maximum or minimum height for the district requires approval through a conditional use permit. In no case shall the building height exceed fifty (50) percent of the maximum height allowed in the district.
 - ~~ba.~~ Additional building height not to exceed twenty (20) percent of the maximum height allowed for the TN-C district may be approved by the Director through the alternative compliance procedures set forth in chapter 5, "administration", of this title. Additional height shall be allowed when the development provides ten (10) percent of the building square feet in open space, courtyards, patios, or other usable outdoor space available for the employees and/or patrons of the structure, excluding required setbacks and landscape buffers.

~~cb.~~ Additional building height exceeding twenty (20) percent of the maximum height allowed for the TN-C district or when additional height is requested without providing the required open space in accord with subsection (B)(4)~~ab~~ of this section requires approval through a conditional use permit.

Section 2. That Meridian City Code Section 11-2D-4, Unified Development Code, be amended as follows:

The standards for development in the Old Town District are set forth in this section as follows:

A. Building Height: In the area defined as the city core in chapter 1, any new construction shall have a minimum height of thirty-five feet (35') and a maximum height of one hundred feet (100'). All other areas in the district, the M~~maximum~~ building height is seventy-five feet (75').

B. Number of stories. Minimum number of stories for new construction is two (2) and/or as set forth in the "City of Meridian Architectural Standards Manual".

~~C. Additional height. Additional height exceeding the maximum height allowed requires approval through a conditional use permit.~~

~~CD.~~ Streetscape improvements. Streetscape improvements within the city core shall be designed in accord with the "City of Meridian Public Works Design Standards Manual".

~~DE.~~ Residential to commercial conversions. Residential to commercial conversions within old town shall comply with the established standards set forth in the "Architectural Standards Manual" (ASM) and structure and site design standards set forth in section 11-3A-19 of this title. Where there are site constraints that prevent a conversion from wholly complying with these standards, the applicant may submit for a design standard exception as set forth in the ASM.

~~EF.~~ Public and other urban open spaces. When proposed as part of a development, public and other urban open spaces shall have sufficient pedestrian access and be integrated into the overall site design.

Section 3. That Meridian City Code Section 11-3A-6, Unified Development Code, be amended as follows:

A. Purpose. The purpose of this section is to limit the tiling and piping of natural waterways, including but not limited to, ditches, canals, laterals, sloughs and drains where public safety is not a concern as well as improve, protect and incorporate creek corridors (Five Mile, Eight Mile, Nine Mile, Ten Mile, South Slough and Jackson and Evan Drains) as an amenity in all residential, commercial and industrial designs. When piping and fencing is proposed, the following standards shall apply.

B. Piping.

1. Natural waterways intersecting, crossing, or lying within the area being developed shall remain as a natural amenity and shall not be piped or otherwise covered. See also subsection (C)(1) of this section.

2. Irrigation ditches, laterals, canals, sloughs and drains may be left open when used as a water amenity or linear open space, as defined in section 11-1A-1 of this title. See also subsection (C)(2) of this section.

3. Except as allowed above, all other irrigation ditches, laterals, sloughs or canals, intersecting, crossing or lying within the area being developed, shall be piped, or otherwise covered. This requirement does not apply to property with only an irrigation easement where the actual drainage facility is located on an adjoining property.

a. The decision-making body may waive the requirement for covering such ditch, lateral, canal, slough or drain, if it finds that the public purpose requiring such will not be served and public safety can be preserved.

C. Fencing.

1. Fencing along all natural waterways shall not prevent access to the waterway. In limited circumstances and in the interest of public safety, larger open water systems may require fencing as determined by the City Council, Director and/or Public Works Director.

2. Ditches, laterals, canals, sloughs and drains do not require fencing if it can be demonstrated by the applicant to the satisfaction of the Director that said ditch, lateral, canal, sloughs or drain serves as or will be improved as a part of the development, to be a water amenity or linear open space. If designed as a water amenity, ~~c~~Construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho shall be submitted to both the Director and the authorized representative of the water facility for approval.

3. Except as allowed above, all other open irrigation ditches, laterals, canals, sloughs and drains shall be fenced with an open vision fence at least six (6) feet in height and having an 11-gauge, two (2) inch mesh or other construction, equivalent in ability to deter access to said ditch, lateral, canal, slough or drain, which fence shall be securely fastened at its base at all places where any part of said lands or areas being subdivided touches either or both sides of said ditch, lateral, canal, slough or drain.

D. Improvements. Improvements related to piping, fencing or any encroachment as outlined in subsections(A), (B), and (C) of this section requires written approval from the appropriate irrigation or drainage entity.

E. Easements. In Residential Districts, irrigation easements wider than ten feet (10') shall be included in a common lot that is a minimum of twenty feet (20') wide and outside of a fenced area, unless ~~modified~~ otherwise waived by City Council ~~at a public hearing with notice to surrounding property owners.~~

Section 4. That Meridian City Code Section 11-5B-7C.3, Unified Development Code, be amended as follows:

3. The City Council shall not consider amendments to the land use map of the adopted comprehensive plan more than twice per calendar year. The application deadlines for amendments to the land use map component of the comprehensive plan shall be June 15 and December 15 of every year.

Section 5. That Meridian City Code Section 11-6C-3D, Unified Development Code, be amended as follows:

D. Common Driveways

1. Maximum Dwelling Units Served: Common driveways shall serve a maximum of ~~four~~^{six} (4~~6~~⁶) dwelling units. In no case shall more than three (3) dwelling units be located on one side of the driveway.
2. Width standards: Common driveways shall be a minimum of twenty (20) feet in width, unless a greater width is required by the City Engineer. All common driveways shall be on a common lot.
3. Maximum length. Common driveways shall be a maximum of one hundred fifty (150) feet in length or less, unless otherwise approved by the Meridian City Fire Department.
4. Improvement standards. Common driveways shall be paved with a surface with the capability of supporting fire vehicles and equipment.
5. Abutting properties. All properties that abut a common driveway shall take access from the driveway; however, if an abutting property has the required minimum street frontage, that property is not required to take access from the common driveway. In this situation, the abutting property's driveway shall be on the opposite side of the shared property line; away from the common driveway. Solid fencing adjacent to common driveways shall be prohibited, unless separated by a minimum five-foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover.
6. Turning radius. Common driveways shall be straight or provide a twenty-eight-foot inside and forty-eight-foot outside turning radius.
7. Depictions. For any plats using a common driveway, the setbacks, fencing, building envelope, landscaping and orientation of the lots and structures shall be shown on the preliminary plat and/or as an exhibit with the final plat application.
8. Easement. A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.

9. Alternative compliance. The Director may approve or recommend approval of alternative design or construction standards when the applicant can demonstrate that the proposed overall design meets or exceeds the intent of the required standards of this section and shall not be detrimental to the public health, safety, and welfare.

Section 6. That all other provisions of Title 11 as they relate to the Unified Development Code remain unchanged.

Section 7. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this 15th day of June, 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this 15th day of June, 2021.

APPROVED:

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk