

**CITY OF MERIDIAN ORDINANCE NO. 22-2001**

**BY THE CITY COUNCIL:**

**BERNT, BORTON, CAVENER,  
HOAGLUN, PERREAULT, STRADER**

**AN ORDINANCE AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-1A-1 BY ADDING AND AMENDING CERTAIN DEFINITIONS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-2A-2, TABLE 11-2A-2, CONCERNING ALLOWED USES IN RESIDENTIAL DISTRICTS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-2B-2, TABLE 11-2B-2, CONCERNING ALLOWED USES IN COMMERCIAL DISTRICTS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-2D-2, TABLE 11-2D-2, CONCERNING ALLOWED USES IN TRADITIONAL NEIGHBORHOOD DISTRICTS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3-5 CONCERNING PATHWAYS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3A-17(C) CONCERNING SIDEWALKS AND PATHWAYS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3A-19(B) CONCERNING STRUCTURE AND SITE DESIGN STANDARDS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3B-2(C) CONCERNING APPLICABILITY OF LANDSCAPE PLANS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3B-5(O) CONCERNING WATER CONSERVING DESIGN STANDARDS AND INSTALLATION; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3B-7(C) CONCERNING LANDSCAPE BUFFERS ALONG STREETS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3C-5(A) CONCERNING USE AND DESIGN OF PARKING AREAS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3C-6, TABLE 11-3C-6, CONCERNING REQUIRED PARKING SPACES FOR RESIDENTIAL USE; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3F-2 CONCERNING THE APPLICABILITY OF PRIVATE STREET REQUIREMENTS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3F-4(A) CONCERNING PRIVATE STREET STANDARDS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3G-4, TABLE 11-3G-4, CONCERNING SITE AMENITIES; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-3G-5(B) CONCERNING IMPROVEMENTS AND LANDSCAPING FOR COMMON OPEN SPACE; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-10 CONCERNING DRINKING ESTABLISHMENT SPECIFIC USE STANDARDS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-12 CONCERNING SECONDARY DWELLING SPECIFIC USE STANDARDS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-16 CONCERNING ADULT ENTERTAINMENT ESTABLISHMENT SPECIFIC USE STANDARDS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-27(C) CONCERNING COMMON SPACE DESIGN REQUIREMENTS FOR MULTI-FAMILY DEVELOPMENTS; ADDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-27(G) CONCERNING POLICE ACCESS FOR MULTI-FAMILY DEVELOPMENTS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-34(H) CONCERNING SELF-SERVICE STORAGE FACILITY SPECIFIC USE STANDARDS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-41 CONCERNING VERTICALLY INTEGRATED RESIDENTIAL PROJECT SPECIFIC USE STANDARDS; ADDING UNIFIED DEVELOPMENT CODE SECTION 11-4-3-50 CONCERNING LIVE/WORK RESIDENTIAL PROJECT SPECIFIC USE STANDARDS; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-5A-2, TABLE 11-5A-2, CONCERNING DECISION MAKING AUTHORITY AND PROCESS BY**

**APPLICATION; AMENDING UNIFIED DEVELOPMENT CODE SECTION 11-5B-3(C) CONCERNING ANNEXATIONS AND REZONES; 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.

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

**Section 1.** That Unified Development Code section 11-1A-1 be amended as follows:

**11-1A.1 – Definitions of Terms.**

As used in this title, each of the terms defined shall have the meaning given in this section unless a different meaning is clearly required by the content. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. The most current version of the "Merriam-Webster's Unabridged Dictionary of the English Language" shall be considered as providing accepted meanings. References to the NAIC are "North American Industrial Classification System (NAIC)", published by the United States Department of Commerce.

*Abandoned.* To cease or discontinue a use or activity for twelve (12) months.

*Abut or abutting.* Having a common border with the subject property.

*Accessory structure.* A detached structure in a residential zoning district that is incidental and subordinate to the principal structure and is located upon the same property. The term accessory structure shall include, but not be limited to, the following: Private garage, storage structure, workshop, and/or greenhouse. The term shall not include additional structures for approved public, commercial, or industrial uses.

*Accessory use, home occupation.* A commercial use or activity that is incidental and secondary to a residential dwelling unit. This term shall not include "daycare facility" as herein defined.

*Accessory use, nonresidential.* A use or activity that is incidental and secondary to the principal use and is conducted upon the same property.

*Accessory use, residential.* A use or activity on a residential property that is secondary to the principal use.

*Ada county street name committee.* An advisory group on street naming.

*Alley.* A public or private way affording only secondary means of access to abutting property at the back or side of a property.

*Allowed use.* Any use listed in sections 11-2A-2, table 11-2A-2; 11-2B-2, table 11-2B-2; 11-2C-2, table 11-2C-2; and 11-2D-2, table 11-2D-2 of this title, as a principal permitted, conditional, or an accessory use.

*Alterations, structural.* Any change, other than incidental repairs, which would prolong the life of the supporting members of a building or structures, such as bearing walls, columns, beams, and girders.

*Alternative compliance.* An administrative determination that a specific application achieves or exceeds specific requirements as set forth in this title. Consideration of alternative compliance is limited in circumstances as identified in this title.

*Animal care facility.* Any structure, or portion thereof, that is designed or used for the boarding, care, grooming, diagnosis or treatment of animals, including, but not limited to, sick, ailing, infirm or injured animals, and those that are in need of medical or surgical attention. The term animal care facility shall include, but not be limited to, an animal clinic, animal hospital, or veterinary office or kennel.

*Annexation.* The process by which the city's corporate boundary is expanded to incorporate additional property pursuant to Idaho Code § 50-222.

*Antenna.* A transmitting or receiving device used in telecommunication that radiates or captures radio or other signals, including omnidirectional or whip, directional or panel, parabolic or dish, and ancillary antennas.

*Antenna, ancillary.* An antenna that is less than twelve (12) inches in its largest dimension and that is not directly used to provide personal wireless communication services (i.e., cellphone service). An example would be a global positioning antenna.

*Antenna, directional* (also known as "panel antenna"). Receives and transmits a signal in a directional pattern typically encompassing an arc of one hundred twenty (120) degrees.

*Antenna, omnidirectional* (also known as "whip antenna"). Receives and transmits signals in a three hundred sixty-degree pattern of varying lengths and typically less than four (4) inches in diameter.

*Antenna, parabolic* (also known as "dish antenna"). A bowl-shaped device that receives and transmits signals in a specific directional pattern.

*Approach.* An access from a state highway. The access may be a driveway, common drive, private street, or a commercial/industrial drive aisle.

*Approved use.* Shall include, but not be limited to: a principal permitted use with a certificate of zoning compliance; an approved conditional use; or an approved accessory use.

*Architectural blade.* An integral part of the design and function of the structure, rather than an object added to or standing on the structure.

*Arterial.* See definition of "street, arterial."

*Artist's studio.* The use of the site for small scale, craftsman operated production of materials, assembly of parts, or the blending of materials, including metal, plastics, computer components, electronics, oils, and resins. Uses included are furniture refinishing, machine shops, cabinetmakers, frame shops, and works of art.

*Arts, entertainment and recreation facilities.* The use of a site or facility for entertainment, spectator sports or recreational activities. The use includes, but is not limited to: amusement parks, carnivals, motion picture and performing arts theaters, racetracks, sports fields, golf courses, fitness clubs, karate lessons, yoga classes, activity studios, museums, zoos, marinas, bowling, video and other games and amusements.

*Automated teller machine (ATM).* A pedestrian oriented banking device operated by a financial institution for use by its customers for conducting transactions. The machines may be located at or within the financial institutions, or in other locations. ATMs for use by customers in vehicles are included in the definition of "drive-through establishment" of this section.

*Automobile.* A vehicle with a gross vehicle weight rating (GVWR) of under twelve thousand (12,000) pounds primarily designed for transporting passengers and light cargo upon streets.

*Awning.* A projecting cover extending over a door, window or wall section with support attached to the structures and used as cover, protection, or as decoration.

*Babysitting.*

- A. The act of caring for up to three (3) children at the home of the babysitter while the parents or usual guardians are absent on a sporadic or occasional basis; or
- B. The act of caring for sibling children at their home or at the home of a relative.
- C. Babysitting is not regulated by this title.

*Barrier.* A vertical element including, but not limited to, a fence, wall, structure, or a combination thereof, that completely surrounds an area and controls access to such area.

*Berm.* An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

*Brewery.* The use of a site that manufactures beer or malt liquor. The use may include the ancillary sale or dispensing of beer or malt liquor by the drink or glass.

*Buffer.* A combination of physical space and vertical elements, including, but not limited to, trees, shrubs, berms, artwork, fountains, seating and/or other landscape features.

*Building.* A building shall be as defined by title 10, chapter 1, "building codes", of this Code.

*Building envelope.* The area on a property exclusive of the required yards, setbacks, buffers, and unbuildable areas. See section 11-1A-2, figure 1 of this article.

*Building material, garden equipment, and supplies (NAICS Code 444).* The use of a site for the retail sale and service of merchandise used in home and garden improvements. The use includes home and garden centers; hardware stores; lawn and garden equipment supply stores; paint and wallpaper stores; lumberyards; nursery, garden and farm supply stores.

*Building official.* The officer or other designated authority charged with the administration and enforcement of the Building Code as established by title 10 of this Code or the building official's duly authorized representative.

*Business center.* A neighborhood service area to meet the limited needs of residents running home occupations and/or telecommuting from home.

*Caliper.* A measurement of the diameter of the trunk of a deciduous tree. The caliper of the trunk shall be measured six (6) inches above the ground for all trees up to and including four-inch caliper size, and twelve (12) inches above the ground for larger sizes.

*Canopy.* A rooflike structure projecting from the exterior surface of a structure and of sufficient height and design to drive under. Detached canopy structures, e.g., a fuel station facility, shall be considered a separate structure.

*Cash escrow.* Cash or certified check submitted to the City Clerk for incomplete landscape improvements in order to secure a temporary certificate of occupancy.

*Cemetery.* The use of a site for the interment of human remains or cremated remains. The use includes burial parks, mausoleum for vault or crypt interments, columbarium for cinerary interments or a combination thereof.

*Certificate of occupancy.* Official certification that a building and site conform to the provisions of city codes, including appropriate conditions such as a development agreement, and/or conditional use permit.

*Certificate of zoning compliance.* A document issued by the Director that certifies that the structure or use meets the requirements of this title.

*Chord measurement.* A straight line measurement from the beginning point of a curvature to the ending point of a curvature.

*Church or place of religious worship.* An establishment that by design and construction is primarily intended for conducting organized religious services, meetings, and associated activities and that is recognized as a religious corporation or society of the State of Idaho with a state tax exempt status in accord with Idaho Code § 63-602B.

*City.* The City of Meridian, Idaho.

*City core.* The area bordered on the north by E. Carlton Avenue, on the south by E. Ada Street, on the west by N. Meridian Road, and on the east by NE Third Street. The City core includes abutting properties on both sides of the street.

*City engineer.* The City Engineer of the City of Meridian, Idaho, or an authorized representative of the Meridian Public Works Department.

*Civic, social and fraternal organizations (NAICS Code 813).* A facility owned or operated by an organized association of persons for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests; and not primarily operated for profit nor to render a service that is customarily carried on as a business.

*Clear vision triangle.* The boundaries of an area at the intersection of:

- A. Two (2) public streets;
- B. The intersection of a public street and driveway;
- C. The intersection of a public street and alley; or
- D. At the crossing of a railroad over a street, where visual observations are limited and specified by this title for the purpose of protecting public health and safety.

Also known as a sight vision triangle. See Section 11-3A-3, Figure 1 of this Title.

*Collocation.* The use of a single tower to support more than one (1) wireless telecommunication service provider's equipment, or the mounting of an antenna to a preexisting structure.

*Commission.* The Planning and Zoning Commission of the City of Meridian, Idaho.

*Common drive.* An access shared by adjacent property owners that is privately owned and maintained.

*Comprehensive plan.* The duly adopted Comprehensive Plan for the City of Meridian, Idaho, pursuant to the "Local Land Use Planning Act", I.C. 67-6501 et seq., as amended.

*Conditional use.* A use that, owing to some special characteristics attendant to its operation or installation (for example, potential danger, hours of operation, or noise), is allowed in a district subject to approval by the Planning and Zoning Commission and subject to special requirements in conformance with Chapter 5, Article B of this Title and as enabled by I.C. 67-6512.

*Condominium.* An estate in real property as defined in I.C. 55-101B that is not a subdivision.

*Conference center.* A facility that is designed, constructed, and devoted to hosting conferences, exhibitions, large meetings, seminars, and training sessions.

*Construction sand and gravel mining (NAICS Code 212321).* The use of a site for one (1) or more of the following activities:

- A. Operating commercial grade (i.e., construction) sand and gravel pits;
- B. Dredging for commercial grade sand and gravel; and
- C. Washing, screening, or otherwise preparing commercial grade sand and gravel (excluding crushing operations).

*Contiguous land.* Unplatted parcels held in one (1) ownership that abut each other at a common boundary.

*Contractor.* A person who agrees to furnish materials or perform services at a specified price, especially for construction. The term contractor shall include, but not be limited to, building, landscaping, electrical, plumbing, heating, or air conditioning contractors.

*Contractor's yard.* Any area of land used by a contractor for storage, maintenance, or processing incidental to the business of building, hauling, excavation, demolition, or similar activity and including any area of land used for minor preinstallation work or repair of machinery used for any of the above listed activities.

*Corner property.* See definition of property, corner.

*Council.* Meridian City Council.

*Cul-de-sac.* See definition of street, cul-de-sac.

*Daycare facility.* Any home, structure or place where nonmedical care, protection or supervision is regularly provided to children under twelve (12) years of age, or disabled persons of any age, for periods of less than twenty-four (24) hours per day, while the parents or guardians are not on the premises. There are three (3) types of daycare facilities distinguished by the number of individuals served.

A. *Daycare center.* More than twelve (12).

B. *Daycare, group.* More than six (6) but no greater than twelve (12).

C. *Daycare, family.* Six (6) or fewer.

*Decision-making body.* The Director, Commission, or Council, as set forth in chapter 5 of this title.

*Dedication.* The setting apart of land or interests in land for public use, charitable, religious, or educational purposes.

*Density.* The number of dwelling units per acre of land.

*Density, gross.* The ratio of the total number of dwelling units within a development divided by the total area, including streets, alleys, easements, waterways, and common spaces.

*Density, net.* The ratio of the total number of dwelling units within a development divided by the total area, excluding streets, alleys, easements, waterways, common spaces, and any other area not devoted to the residential lots.

*Development.* Any construction or installation of a structure, or any change in use of a structure, or any subdivision of property, or any change in the use of the land that creates additional demand and/or need for public facilities.

*Development agreement.* A written agreement as a condition of annexation or rezone between the Council and an owner or applicant concerning the use or development of a property in accord with Idaho Code § 67-6511A and chapter 5, "administration", of this title.

*Development application.* An application for development that requires approval and/or action by the Director, Commission, or Council.

*Direct sales.* The sale, distribution, presentation, demonstration, or supply of goods directly to consumers from the fabricator or producer of such goods through independent consultants, agents, or contractors.

*Director.* The Director of the Meridian City Community Development Department or an authorized representative.

*Dismantled vehicle:* Any vehicle, or parts thereof, which:

- A. Cannot be safely operated under its own power;
- B. Is missing any one (1) of the following: foot brakes, hand brakes, headlights, taillights, horn, muffler, rearview mirrors, windshield wipers, or adequate fenders;
- C. Has been declared salvage, or has been physically damaged to the extent that the cost of parts and labor minus the salvage value would make it uneconomical to repair or rebuild such vehicle; or is otherwise in a wrecked, inoperative, or dilapidated condition.

*Distillery.* The use of a site that manufactures distilled beverages. The use may include the ancillary sale or dispensing of liquor by the drink or glass.

*District or zone.* The zone district classification, listed in Chapter 2 of this Title, in effect on any given property.

*Double fencing.* Two (2) fences as defined in this section that parallel each other along an abutting common property line.

*Drinking establishment.* The use of a site primarily for the sale or dispensing of alcohol by the drink or glass. This use is commonly referred to as a bar, lounge, nightclub, and tavern.

*Drive-through establishment.* The use of a portion of a structure where business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle. The term drive-through establishment shall include, but not be limited to, providing food or beverage service, bank service, and/or film processing. The term drive-through establishment shall not include "fuel sales facility" or "vehicle washing facility" as herein defined.

*Dustless materials.* Hard surfaces used for driveways, loading and parking including, but not limited to, concrete, asphalt, grasscrete, pavers, bricks, and macadam.

*Dwelling, multifamily.* A structure, or portion thereof, that contains three (3) or more dwelling units or apartments, where all such units are located on the same property. For the purposes of this title, a multifamily dwelling shall be deemed multifamily development.

*Dwelling or dwelling unit.* Any structure, or portion thereof, providing independent living facilities for one (1) "family" as herein defined, including provisions for living, sleeping, eating, cooking, and sanitation. See section 11-1A-2, figure 2 of this article, for types of dwellings.

*Dwelling, secondary.* A habitable dwelling unit established in conjunction with and subordinate to a single-family dwelling unit constructed on a foundation and connected to municipal services. The term shall include guesthouse, granny flat, tiny house, carriage house, and garage apartment and caretaker unit.

*Dwelling, single-family attached.* A structure containing two (2) dwelling units attached by a common wall or walls, where each dwelling unit is located on a separate property.

*Dwelling, single-family detached.* A detached structure that accommodates a single dwelling.

*Dwelling, townhouse.* A structure containing three (3) or more dwelling units attached by common walls where each dwelling unit is located on a separate property.

*Dwelling, two-family duplex.* A structure containing two (2) dwelling units attached by a common wall, where both dwelling units are located on the same property.

*Easement.* A right of use, falling short of ownership, and usually for a certain stated purpose, as defined by Idaho Code § 50-1301.

*Education institution, private.* The use of a site for education purposes not supported by the State of Idaho. The use includes, but is not limited to, elementary and secondary schools; institutions of higher learning; professional, technical and trade schools; driving schools; and fine arts schools.

*Education institution, public (NAICS Code 61).* The use of a site for education supported by the State of Idaho. The use includes, but is not limited to, elementary and secondary schools; institutions of higher learning; and vocational schools.

*Employee.* A person employed on the premises by the property owner and receiving not less than seventy-five (75) percent of the employee's annual income from said property owners.

*Entertainment, adult.* Adult entertainment shall include a place of business or commercial establishment providing or selling, as a substantial or significant portion of its stock or trade, live or pre-recorded entertainment, activity, goods, services, or media of a sexually prurient nature, meaning any image, depiction, communication, or product that, in context, is obscene, lewd, lascivious, or indecent, including: A) nude or substantially nude person(s), including persons dancing, stripping, or exhibiting or modeling lingerie, bikinis or similarly styled garments; B) personal contact of a sexual nature between persons or devices; or C) adult stores distinguished or characterized by their emphasis on such matter or which sells or displays for sale devices designed to stimulate sexual arousal by contact with the skin or bodily orifices. Terms used herein shall be defined as set forth in Idaho Code section 18-1514 and 18-4101. ~~Adult entertainment shall be as defined in title 3, chapter 10 of this code and shall include adult theaters, establishments with adult arcade machines, and adult stores, excluding adult stores having only a segment or section devoted to the sale or display of:~~

~~A. Stock or trade, books, magazines or films which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to adult entertainment; and/or~~

~~B. Devices designed to stimulate sexual arousal by contact with the skin or orifices.~~

*Equipment sales, rental and services.* The use of a site for the sale, rental or servicing of tools, trucks, tractors, construction equipment, agricultural implements, or similar industrial equipment.

*Family.*

A. A person living alone or two (2) or more persons related by blood or marriage;

B. A group of not more than ten (10) persons who need not be related by blood or marriage living together in a dwelling unit;

C. Eight (8) or fewer unrelated mentally and/or physically handicapped or elderly persons residing in a dwelling under staff supervision, provided that no more than two (2) staff members reside in the dwelling at any one (1) time.



*Fence.* An enclosure or barrier constructed of wood, masonry, stone, wire, metal or other manufactured materials used to enclose, screen or separate areas. Walls, latticework, and screen are considered fences.

*Fence, closed vision.* A fence that does restrict or impede vision or sight through the fence by more than twenty (20) percent.

*Fence, nonscalable.* A fence erected as a barrier to unauthorized access by persons or vehicles, usually six (6) feet in height and often made of wrought iron or woven wire.

*Fence, open vision.* A fence that does not restrict or impede vision or sight through the fence by more than twenty (20) percent.

*Fence, semiprivate.* A fence that does not restrict or impede vision or sight through the fence by more than fifty (50) percent.

*Fence, solid.* A fence that effectively conceals from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it.

*Final plat.* See definition of plat, final.

*Financial institution (NAICS Code 52).* The use of a site for lending, exchanging and handling money or currency for customers. The use includes, but is not limited to, credit unions, savings and loans, commercial banks, cash machines, insurance agents, and loan establishments.

*Flag.* Any fabric, banner, or bunting containing distinctive colors, patterns or symbols, used as a symbol of government, political subdivision, or other entity.

*Flammable substance storage.* An establishment, or portion thereof, wherein combustible substances (as defined by the fire code) are stored.

*Flex space.* The use of a building or portion thereof for small scale warehousing and/or light industry with associated office and/or retail showroom space. Flexibility in use of the interior spaces and low scale, attractive exterior appearance characterize flex buildings.

*Floor area, gross.* The measure of total square footage of habitable space of a structure.

*Food and beverage products processing; major (NAICS Code 311).* The use of a site for producing, manufacturing, processing or storage of food products. The use includes, but is not limited to, beverages, coffee, ice, snacks, fruits, vegetables, spices, confectionery, and dairy products.

*Food and beverage products processing; minor.* The use of a site or portion thereof for small scale operation of producing; manufacturing; processing and storage of food and beverage products. The use must contain a tasting room, dining area, retail showroom or any combination of these areas. The term includes brewery; distillery and winery. A use that does not meet the specific use standards listed in chapter 4 of this title shall be defined as food and beverage products processing, major.

*Foot-candle.* A standard unit of measurement used to identify the intensity of light. A unit of illumination equal to that given by a source of one (1) candela at a distance of one (1) foot. This is the SAE/imperial unit of measurement whereas lux is the metric unit of measurement.

*Footprint.* Area of the ground covered by a structure, including the foundation and all areas enclosed by exterior walls and/or footings.

*Freight terminal.* See definition of terminal, freight or truck.

*Front property line.* See definition of property line, front.

*Frontage.* The front of the property, measured along the street from side property line to side property line. On corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage.

*Frontage, street.* See definition of street frontage.

*Fuel sales facility.* A retail establishment that sells and supplies motor fuel, lubricating oils, and/or grease to on premises trade. The use may also include an accessory convenience store selling a limited line of groceries and self-service food items.

*Fuel sales facility, truck stop.* A retail establishment that sells and supplies motor fuel, lubricating oils, and/or grease to on premises trade, primarily to trucking industry. The use may also include accessory repair shops, automated washes, convenience store, restaurant and/or motel.

*Full cutoff shield.* In its installed position, a light fixture with a full cutoff shield will not allow any direct light above a horizontal plane and no more than five (5) percent of the total light output may come from the zone from fifteen (15) degrees below the horizontal to the horizontal plane. See section 11-3A-11, figure 1 of this title.

*Girdling.* Damaging or removing the bark and cambium layer around a tree trunk in a manner that usually kills the tree.

*Glare.* Light emitted from a fixture with intensity great enough to cause visual discomfort, eye fatigue, reduction in a viewer's ability to see and, in extreme cases, momentary blindness.

*Grade.* The elevation of the finished surface of the ground adjacent to the midpoint of any exterior wall of a building or structure.

*Grandfather rights.* See article B, "nonconforming property, use, structure or sign", of this chapter.

*Gross land area.* The total area of the land being developed, exclusive of required street buffers and buffers between incompatible land uses. The calculation for required open space in residential subdivisions and multi-family residential development is based on the gross land area of the land being developed.

*Hardship.* An unusual situation on an individual property that will not permit the property owner to enjoy the full utilization of their property as is enjoyed by others in the same district. A hardship can exist only when it is not self-created. Examples of hardship include unusual shape of the property, natural features, or other exceptional physical conditions on the property.

*Head to head spacing.* Placement of sprinkler heads in a rectangular pattern such that one (1) sprinkler head sprays to the next (spacing is fifty (50) percent of the sprinkler's spray diameter).

*Health authority.* The Central District Health Department, the Idaho Department of Health and Welfare, the United States Environmental Protection Agency, and any agency as may succeed to any of their powers. The term health authority shall be liberally construed to include all of the adopted, approved or certified plans, rules, regulations, statutes or laws of the health authority.

*Healthcare and social services (NAICS Code 62).* The use of a site for ambulatory healthcare services. Included in this use are offices of dentists; physicians; chiropractors; optometrists; mental health practitioners; physical, occupational and speech therapists; audiologists; outpatient care centers; family planning centers, medical and diagnostic laboratories, imaging centers, kidney dialysis centers; blood and organ banks. Social service uses include, but are not limited to, individual and family services; community food and housing, emergency and other relief services; vocational rehabilitation services; services for the elderly and persons with disabilities; vocational rehabilitation services; and emergency and other relief services.

*Heat island.* In urban areas, the absorption of solar radiation from low reflectance materials that leads to a gradual increase in temperatures versus rural and undeveloped areas.

*Heavy industry.* See definition of industry, heavy.

*Height, wireless communication facility.* The vertical distance measured from finished grade to the top of the pole, structure, or tower, including the antenna.

*Hospital.* A medical institution licensed by the state that is devoted to the maintenance and operation of facilities for the medical or surgical care of patients twenty-four (24) hours a day, including air transport facilities. The term hospital does not include healthcare and social services, nursing and residential care facility, or establishments that forcibly confine patients.

*Hotel or motel.* An establishment that provides lodging to the public for a fee as defined by Idaho Code § 67-4711.

*Illumination.* See definition of "sign: illuminated sign."

*Impact area.* The area of future possible city incorporation as established by the area of city impact agreement with Ada County.

*Impervious surface.* A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration or absorption by water. It includes surfaces such as compacted sand or clay as well as most conventionally surfaced streets, roofs, sidewalks and parking lots.

*Indoor shooting range.* A controlled area of activity, specifically designed for the discharging of firearms at targets. The term does not include arts, entertainment and recreation facilities.

*Industry, heavy.*

- A. A use engaged in the basic processing and manufacturing of materials or products, predominately from extracted or raw materials;
- B. A use engaged in storage or manufacturing processes using flammable or explosive materials;
- C. Storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Included uses are animal products, seafood, milling and refining.

*Industry, information (NAICS Code 51).* The use of a site for processing data. The use includes, but is not limited to, publishing industries such as newspapers, books, music, internet and software; recording and broadcasting studios; data processing centers, call centers, internet providers and other information systems.

*Industry, light.* A use engaged in the manufacture, processing, fabrication, assembly, treatment, and/or packaging of finished products or parts, predominantly from previously prepared materials.

*Infill.* Any vacant lot or parcel within a developed area of the City, where at least eighty (80) percent of the land within a three hundred-foot radius of the site has been developed, and where water, sewer, streets, schools and fire protection have already been developed and are provided.

*Interior common open space.* "Open space" as defined in this section located internal to a development; exclusive of open space on the perimeter of a development.

*Junk.* Discarded, used, or secondhand materials, including, but not limited to, used machinery, scrap copper, brass, iron, steel, other ferrous and nonferrous metals, tools, appliances, implements, vehicles or portions thereof, furniture, beds and bedding, rags, glass, plastic, cordage, rubber, building materials (excluding lumber), or other waste that has been abandoned from its original use and may be used again in its present or in a new form.

*Landscape maintenance.* Watering, weeding, pruning, mowing, litter removal, pest control, and removal/repair of vandalism as needed to maintain a neat and orderly appearance.

*Laundromat.*

- A. An establishment that provides washing, drying, and/or ironing machines for hire;
- B. An establishment that provides washing, drying and/or ironing services to walk-in retail customers.

*Laundry and dry cleaning.* An establishment that washes large quantities of laundry or dry cleaning for commercial patrons in machines larger than standard laundry machines.

*Letter of credit.* A letter issued by a bank or other guaranteed financial institution authorizing the City of Meridian to draw a stated amount of money from the issuing bank under specific, stated conditions.

*Light industry.* See definition of industry, light.

*Light trespass.* Light emitting from one (1) property that crosses the property line of another property in excess of 0.1 foot-candle as measured at a height of sixty (60) inches above grade in a plane at any angle of inclination.

*Lighting, direct.* Lighting, the source of which is visible to a viewer and/or which is reflected from the surface of a sign or building. This definition shall include exposed neon lights and tubing.

*Lighting, indirect or internal.* Lighting for which the source of light is located in such a manner that the light must travel through a translucent material other than the bulb or tube necessary to enclose the light source, which material has the effect of dispersing the light before it strikes the eye of the viewer.

*Live/work residential project.* A structure used for both residential and nonresidential uses, where: (1) the structure includes a dwelling unit; (2) the nonresidential square footage exceeds the area allowed for home occupations and is less than 1,500 square feet, and (3) the structure is designed to integrate residential occupancy and work activities, including complete kitchen and sanitary facilities and working space used by one or more occupants of the unit.

*Living area.* The area of a residential dwelling as measured in square feet, excluding the garage.

*Lot.* A portion of a subdivision intended as a unit for transfer of ownership and development.

*Lot, common.* A lot held in common ownership among all owners of the subdivision and separate from individual building lots.

*Lumen.* A lighting industry standard unit of measurement used to measure the total quantity of visible light emitted by a source.

*Manufactured home.*

- A. A dwelling constructed according to HUD/FHA construction and safety standards and as defined by Idaho Code § 39-4105.
- B. A rehabilitated dwelling certified by the State of Idaho Department of Labor and Industry, Building Safety Division.

*Manufactured home park.* A multifamily residential development developed exclusively for siting manufactured homes on individual spaces that are rented or leased.

*Matched precipitation rates.* Sprinklers that are designed to work together on the same irrigation valve to deliver an equivalent rate of water application, regardless of the arc of the nozzle being used.

*Mew.* Dwelling units built around a common open space area or court where the units face the open space area and are generally not accessed from a public street.

*Micropathway.* A pedestrian passageway providing access by way of a short travel link between points of destination.

*Mitigation.* An action that will eliminate, minimize or compensate for impacts from development or uses.

*Mobile home.* A transportable structure suitable for year round single-family occupancy and having water, electrical, sewage connections similar to those of conventional dwellings. This definition applies only to units constructed prior to June 15, 1976.

*Mobile services.* Contractors and other personal and/or professional services that typically are invited to travel to the customer as part of the service provided. Mobile services include, but are not limited to, taxis, landscape maintenance contractors, carpet cleaners, maid service, and grocery and/or food delivery. This use excludes the service and/or repair of fleet vehicles.

*Mortuary.* An establishment in which deceased human bodies are kept and prepared for burial or cremation.

*Motel.* See definition of hotel or motel.

*Mulch.* A protective covering placed around plants to prevent the evaporation of moisture, the freezing of roots, and the growth of weeds.

*Multifamily development.* Development where there are three (3) or more dwelling units or apartments located on the same property. A multifamily dwelling may or may not be present on the property.

*Multifamily dwelling.* See definition of dwelling, multifamily.

*Multiuse pathway.* A passageway, typically 10 feet in width, that is designed to provide walking, bicycling and other nonmotorized recreational opportunities between areas and facilities.

*Murals and artistic graphics.* Any abstract mosaic, mural, painting, graphic art technique, or any combination thereof that does not contain any copy, business logo, or other visual elements intended to advertise.

*Natural waterways.* As defined by the United States Army Corps of Engineers, including, but not limited to, the Five Mile Creek, Eight Mile Creek, Ten Mile Creek, and Jackson Drain.

*Neighboring properties.* Abutting properties and any properties separated from the subject property solely by a roadway or dedicated easement.

*Nonconforming property.* A property that lawfully existed prior to the effective date of this title, but that does not now conform to the dimensional standards for the district in which it is located.

*Nonconforming sign.* See definition of "sign: nonconforming sign."

*Nonconforming structure.* A structure that was lawfully constructed and/or existing prior to the effective date of this title but that does not conform to the dimensional standards for the district in which it is located.

*Nonconforming use.* A use that lawfully existed prior to the effective date of this title but that does not now conform to the allowed uses for the district in which it is located. For the purposes of this title, nonconforming parking lot design and landscaping shall be deemed a nonconforming use.

*Nursery or urban farm.* Any grounds, structures, greenhouses, or premises in which garden, landscaping, or florist's stock is propagated, grown, stored, or packed for commercial sale, and where the general public may purchase goods.

*Nursing and residential care facility (NAICS Code 623).* The use of a site for providing assistance to individuals needed to perform the routines of daily life. The use includes, but is not limited to, children's treatment facility, assisted care, skilled nursing facility, residential care facility, and drug and alcohol treatment facility.

*Open space.* An area substantially open to the sky that may be on the same property with a structure. The area may include, along with the natural environmental features, linear open spaces, parks, playgrounds, trees, water areas, swimming pools, tennis courts, community centers or other recreational facilities. This term shall not include streets, parking areas, or structures for habitation.

*Outdoor activity area.* An area not fully enclosed that is associated with the use, including storage, equipment, loading and docking, but excluding vehicle parking.

*Owner.* A "person", as herein defined, having sufficient proprietary interest in the land to maintain proceedings under this title.

*Parcel.* A tract of unplatted land or contiguous unplatted land held in single ownership, considered a unit for purposes of development.

*Parcel of record, original.* A parcel of land that was of record in the Ada County Recorder's Office prior to April 2, 1984.

*Park.* A public or private open space that is primarily used for active recreation and community events.

*Parking facility.* The use of a site for parking vehicles for a fee.

*Parking lot overlay.* The addition of one (1) or more layers of pavement over an existing parking lot.

*Parking lot reconstruction.* Removal and replacement of an existing parking surface done for the purpose of improvement or repair.

*Parking lot, restriping.* Any change in the configuration, size or distribution of existing painted stripes designed to create spaces for motorized vehicles.

*Parking space, off street.* An area adequate for parking an automobile with dimensions conforming to the requirements of chapter 3, article C, "off street parking and loading requirements", of this title.

*Parkway.* A landscaped area located between the edge of a street section or curb and a sidewalk dedicated to separate pedestrian and vehicular traffic.

*Pathway.* Shall include, but not be limited to, micropathways and multiuse pathways as herein defined.

*Pedestrian scale.* The proportional relationship between buildings, outdoor spaces, or streetscapes and the dimensions of the human body. Design on a pedestrian scale is dimensionally smaller than design intended for vehicular traffic flow. Examples are lighting and other street features that are no higher than twelve (12) feet; surfaces with small dimensions such as brick and pavers, a variety of planting and landscaping; arcades or awnings that reduce the perception of wall heights; buildings that reflect detail, texture and variety, and signs that are designed for the pedestrian viewing from a short distance.

*Permitted use.* See definition of principal permitted use.

*Person.* Includes, but is not limited to, an individual, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other or any other similar entity.

*Personal property.* Any property that is not real property.

*Personal services.* The use of a site for the provision of individualized services generally related to personal needs. Personal service uses include, but are not limited to, beauty services such as salons, hair, nail and skin care, spa, and barbers; fitness training and instruction; locksmiths; and repairs such as footwear and leather goods, and watches.

*Planned unit development (PUD).* Property planned as a unit that demonstrates innovation and creativity in site design to protect natural features, preserve open space and create public amenities.

*Plat, final.* A map or plan of an approved preliminary plat meeting all the requirements as set forth in chapter 6, "subdivision regulations", of this title and in a form required for recording with the Ada County Recorder.

*Plat, preliminary.* A tentative map or plan of a proposed subdivision of land, cemetery, or replatting of land, meeting all the requirements set forth in chapter 6, "subdivision regulations", of this title.

*Plat, recorded.* A plat including certificates, descriptions, approvals and requirements as set forth in chapter 6, "subdivision regulations", of this title and the Idaho Statutes, and recorded with the Ada County Recorder.

*Power plant.*

- A. An electricity generating facility regulated by the Federal Energy Regulatory Commission including, but not limited to, fossil fuel, geothermal, hydroelectric, biomass, and wind energy conversion facilities; or
- B. A qualifying facility as set forth in 18 CFR part 131.80.

*Principal permitted use.* The use of land or a structure allowed in a specific district as distinguished from an accessory or conditional use.

*Professional services.* Professional service uses include, but are not limited to: architects, landscape architects and other design services; graphic designers; consultants; lawyers; media advisors; photography studios; and general offices. The term does not include healthcare and social service.

*Prohibited use.* Any use that is not listed as an allowed use for that district in sections 11-2A-2, table 11-2A-2; 11-2B-1, table 11-2B-1; 11-2B-2, table 11-2B-2; 11-2C-2, table 11-2C-2; and 11-2D-2, table 11-2D-2 of this title, or as determined by the Director in accord with this chapter.

*Property.* A "lot" or "parcel" as defined herein.

*Property boundary adjustment.* The division for conveyance of a lot or parcel for the purpose of adjusting the boundary between properties.

*Property, corner.* A property located at the intersection of two (2) or more streets.

*Property, flag.* A property in the shape of a flag on a pole where access to the street is from a narrow right-of-way.

*Property line, front.* The line separating the lot or parcel from the street on which it takes access, excluding alleys.

*Property line, rear.* The property line opposite and most distant from the front property line. Where the lot or parcel is irregular and the property lines converge, the rear property line shall be deemed to be a line at a point where the side property lines are not less than twenty (20) feet apart.

*Property line, side.* Any property line other than a front or rear property line. A property line adjoining a street is called a street side property line. A property line adjoining another property is called an interior side property line.

*Property size.* The computed horizontal area contained within a property.

*Property, through.* A property other than a corner property having frontage on two (2) parallel or approximately parallel streets, excluding alleys.

*Public amenity.* The term public use or amenity shall include, but not be limited to, the following. school site, bike path, transit shelter, park site, and public safety facility such as police, fire, or emergency medical facilities.

*Public infrastructure.* The use of a site for a public infrastructure including, but not limited to:

- A. Power substation, electric substation, grid switching site, electric transmission line;
- B. Water reservoir; and
- C. Municipal wastewater and treatment facility.

*Public or quasi-public use.* The use of a site for a public purpose or public facility, including municipal, state and federal services. The use includes, but is not limited to, City Hall; community centers; courts; emission testing facility; fire station; law enforcement; library; park and ride lot; Post Office; and transit stations.

*Public right-of-way.* A right-of-way open to the public and subject to the jurisdiction of a public highway agency.

*Public utility.* Facilities owned and operated by a public utility as defined in Idaho Code § 61-129.

*Public utility, major.* The use of a site for a public purpose, including, but not limited to, sanitation services facility, school busing facility, and municipal and utility shops, garage, or storage.

*Public utility, minor.* The use of a site for minor public utility infrastructure including, but not limited to:

- A. Pumping station for water, sewer, or gas;
- B. Electric subtransmission line, electric distribution line; and
- C. Storm drainage facility and storm detention facility that is not within a right-of-way.

*Quasi-public use.* See definition of public or quasi-public use.

*Rear property line.* See definition of property line, rear.

*Rear yard.* See definition of yard, rear.

*Recreation item, personal.* The term "personal recreation item" shall include, but not be limited to, boat, snowmobile, motorbike, and all-terrain vehicles.

*Recreational vehicle.* A vehicle or portable structure primarily designed as temporary living accommodation for recreational, camping, and travel use. The term shall include, but not be limited to, motor home, travel trailer, fifth wheel trailer, truck camper, fold down camping trailer, park trailer, mobile tiny homes and travel trailer.

*Recreational vehicle park.* A premises upon which two (2) or more parking sites are located, established, or maintained for occupancy by recreational vehicles for temporary use for recreation or vacation purposes.

*Recycling center.* An establishment that is not a junkyard and in which recoverable resource materials, such as paper products, glassware, and metal cans, are collected, sorted, flattened, crushed,



or bundled within a completely enclosed structure prior to shipment to others who use such resource materials to manufacture new products.

*Required yard.* See definition of yard, required.

*Research and development facility.* A business engaged in research and development of ideas and applications in technologically intensive fields including, but not limited to, medical and biomedical technology, computer software and information systems, and telecommunications. Prototype development, assembly and testing as well as supportive administrative and corporate functions may be associated with such uses.

*Residential district.* For the purposes of this title, the term residential district shall include the low-density residential district (R-2), medium low-density residential district (R-4), medium-density residential district (R-8), medium high-density residential district (R-15), high-density residential district (R-40), and traditional neighborhood residential district (TN-R).

*Restaurant.*

- A. The use of a site for the primary purpose of food preparation, having a commercial kitchen and cooking facilities, and where meals are regularly served to the public for compensation. The use includes, but is not limited to, cafe, coffee shop, delicatessen, diner, eatery, grill, pizza parlor, restaurant, retail bakery, sushi bar, steakhouse.
- B. Establishments with a liquor and/or beer and wine license that includes a restaurant certificate and that meet the definition of restaurant as set forth in Idaho Administrative Code 11.05.01.010.07.

*Retail sales.* The sale, distribution, presentation, demonstration, or supply of goods to consumers through or at a retail store.

*Retail store.* The use of a site that offers merchandise to the public for monetary compensation. The use includes, but is not limited to, convenience stores; food stores; apparel and accessories stores; book, computer, and music stores; electronics and appliances; florists; furniture and home furnishings; general merchandise stores; health and personal care stores; hobby, office supplies, stationery and gift stores; specialty stores; sporting goods; and used merchandise stores.

*Retail store, wine and beer sales and servings.* The use of a site that offers wine and/or beer to the public for monetary compensation for off-site consumption as well as offers servings of such for purchase by the bottle or glass. The use includes, but is not limited to, wine shops and brewing supply stores. The use does not include, brewery, distillery, drinking establishment, restaurant or winery as herein defined. The use does not include stores that sell wine and beer but do not offer servings.

*Right-of-way.* See definition of public right-of-way.

*Riparian area.* A native vegetated area along waterways such as flood plains and streambanks that are distinctly different from surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by the presence of water.

*Section line roads.* The following roads are section line roads within the Meridian Comprehensive Plan. Chinden, McMillan, Ustick, Fairview, Franklin, Overland, Victory, Amity, Lake Hazel, Columbia, Can-Ada, Star, McDermott, Black Cat, Ten Mile, Linder, Meridian, Locust Grove, and Eagle. The term shall include other roadways that follow surveying section lines as additional areas are added to the Meridian Comprehensive Plan.

*Self-service storage facility, residential.* Any real property designed and used for renting or leasing individual storage spaces incidental to residential property or dwelling units, to which the occupants thereof have access for storing or removing personal property.

*Self-service uses.* Any commercial use in which there is not an attendant on the site during all hours of operation, including, but not limited to, automated teller machines, laundromats, vehicle washing, fuel sales facilities, and storage facilities.

*Setback.* The minimum required distance between the property line and the nearest structure. See section 11-1A-2, figure 1 of this article.

*Side property line.* See definition of property line, side.

*Side yard.* See definition of yard, side.

*Sight vision triangle.* See definition of clear vision triangle.

*Sign.* The following definitions apply to signs:

*Awning sign.* The copy area or separate background areas attached to an awning.

*Background area.* The area comprising the portion of a sign on which copy could be placed, not including the supporting structure.

*Banner.* A sign made of fabric or other similar nonrigid material with no enclosing framework or electrical components that is supported or anchored on two (2) or more edges or at all four (4) corners. Banners also include nonrigid signs anchored along one edge or two (2) corners.

*Building sign allowance.* The allowed sign area for each elevation, excluding freestanding signs and including, awning signs, canopy signs, changeable copy signs, hanging signs, projecting signs, wall signs, and window signs.

*Business identification sign.* A sign that serves to identify only the name, address, and lawful use or uses of the premises upon which it is located and provides no other advertisements or product identification.

*Canopy sign.* The copy area or separate background areas attached to a canopy.

*Changeable copy sign.* A sign on which copy may be changed, whether manually or electronically.

A. *Animated changeable copy sign.* A changeable copy sign, any visible part of which blinks, flashes, moves or changes color to depict action or create a special effect or scene, regardless of the source of energy causing the animation.

B. *Manual changeable copy sign.* A changeable copy sign, any visible part of which is constructed with removable letters and is not electronically changeable.

*Conforming sign.* A sign that conforms to the requirements of chapter 3, article D of this title.

*Construction sign.* A sign on a property or portion thereof that has a valid and active building permit.

*Copy.* Any combination of letters, the space between the letters, numbers, identifying print, symbols, illustrations, logos, or other graphic elements which conveys information.

*Copy area.* The area of the sign occupied by "copy" as defined herein.

*Directional sign.* A freestanding sign directing automobile movement through a site that has a drive-through establishment.

*Freestanding sign.* A sign whose background or copy area is wholly supported by a column, pole, foundation, pedestal or other support structure in or upon the ground and that is independent from any other structure.

*Freestanding sign allowance.* The allowed sign area for a property, excluding building signs and including freestanding signs, directional signs, and banners and/or other signs attached to freestanding structures such as a pole.

*Hanging sign.* A sign suspended below an awning and/or a canopy.

*Illegal sign.*

A. Any sign and/or sign structure that does not conform to the requirements of chapter 3, article D of this title and for which a permit was never issued and that cannot meet the requirements of a nonconforming sign.

B. A sign and/or sign structure lacking a current and valid permit.

*Illuminated sign.* A sign that uses a source of light for illumination, including, but not limited to, the following:

A. *Direct illumination.* A source of light located away from the sign that lights the sign and is visible to persons viewing the sign from a street, sidewalk, parking area or neighboring property.

B. *Indirect illumination.* A source of light located away from the sign that lights the sign, but which is itself not visible to persons viewing the sign from any street, sidewalk, parking area, or neighboring property.

C. *Internal illumination.* A source of light that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.

D. *Neon tube illumination.* A source of light for externally lit signs supplied by a neon tube that is bent to form letters, symbols, or other shapes.

*Limited duration sign.* Any sign allowed only to be displayed for a limited period of time and capable of being viewed from any street, sidewalk, parking area or abutting property.

*Marketing sign.* A sign on a property or any portion thereof available for inspection, sale, lease, or rent, but not including limited duration signs.

*Nonconforming sign.* A sign, sign structure, or use of a sign lawfully existing prior to January 1, 2010, but that does not now conform to the dimensional and/or locational standards for the district in which it is located.

*Off-premises outdoor advertising sign.* Any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, billboard or other thing which is designed, intended or used to advertise or inform and which is situated in order to be visible from any

highway, or other traveled way and which is located on property which is separate from and not adjoining the premises or property on which the advertised activity is carried out.

*Pole cover.* Decorative treatment that encloses the support structure of a freestanding sign.

*Portable sign.* Any A-frame, T-frame, and similar freestanding, movable signs that are placed on the sidewalk for the promotion of a business and/or product.

*Projecting sign.* A sign other than a wall sign, that projects from and is supported entirely by a wall of a building or other structure.

*Roof sign.* Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure or extending vertically above the eaves of the roof, with the exception that a mansard roof sign is treated as a wall sign.

*Scrolling.* Text or graphics, usually as part of an electronic reader board, which moves up or down or across a display screen in a consistent and predictable manner.

*Sign.* Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, to communicate information of any kind to the public. See section 11-3D-1, figure 1 of this title.

*Sign structure.* Any structure that is specifically designed to support a sign, including decorative cover.

*Subdivision identification sign.* A freestanding sign that identifies a platted subdivision name or the name under which such subdivision is being marketed.

*Under awning sign.* See definition of "sign: hanging sign."

*Under canopy sign.* See definition of "sign: hanging sign."

*Vehicle sign.* A sign on a vehicle of any kind that is directly affixed to the body of the original vehicle, including, but not limited to, magnetic decals, vinyl stickers, vinyl wraps, and/or paint.

*Wall area.* The wall surface of a single-tenant structure or the storefront of a multi-tenant structure.

*Wall sign.* Any sign that is attached, erected, or painted on the exterior wall of a structure with the exposed face of the sign parallel to the wall.

*Window sign.* Any sign upon or within twelve (12) inches) of the windowpanes or glass of a window and visible from the exterior of the window.

*Single-family attached dwelling.* See definition of "dwelling, single-family attached."

*Single-family detached dwelling.* See definition of "dwelling, single-family detached."

*Site plan.* A plan, to scale, showing existing and proposed uses, structures and improvements proposed for a property as required by the regulations involved. Such plans include property lines, streets, driveways, parking, building sites, landscaping, open space, and utility easements.

*Soil stabilization.* The state of having sufficient vegetation and gradual slopes to prevent soil erosion and sedimentation onto adjacent features such as sidewalks, driveways, parking areas, lawns, or water bodies.

*Solid waste transfer station.* The use of a site for the collection and temporary storage of solid waste for subsequent transport to a permanent disposal location.

*State.* The State of Idaho.

*Storage facilities, outdoor.* The use of a site where equipment, inventory, supplies, or other similar items are stored outside, including a building with a roof but without walls completely enclosing the building.

*Storage facility, self-service.* A structure or group of structures with a controlled access and fenced compound that contains individual, compartmentalized, or controlled units that are leased or sold to store material (including, but not limited to, goods, wares, merchandise, or vehicles).

*Stormwater facilities, green.* A stormwater facility designed in accord with ACHD's "Drainage and Stormwater Management Policy Manual" that enhances and/or mimics the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse.

*Story.* As defined by Meridian City Building Code as set forth in title 10, chapter 1 of this Code.

*Street.* A private or public right-of-way that provides vehicular access to adjacent properties. The term street shall include, but not be limited to, a road, thoroughfare, parkway, avenue, boulevard, lane, place, or highway.

*Street, arterial.* A street designated as a major or minor arterial on the most recent regional transportation plan for Ada County by the Community Planning Association of Southwest Idaho or the City of Meridian comprehensive plan that carries high volume through traffic on a continuous route.

*Street, collector.* A street designated as an urban collector or proposed urban collector on the most recent regional transportation plan for Ada County adopted by the Community Planning Association of Southwest Idaho or the City of Meridian comprehensive plan that carries traffic from local streets to arterials.

*Street, cul-de-sac.* A dead end street provided with a turnaround at its terminus.

*Street, entryway corridor.* Arterial roadways that introduce both visitors and residents to the City of Meridian, as defined by the city's comprehensive plan.

*Street frontage.* The distance measured along the property line, which fronts upon a street or alley or other principal thoroughfare that provides vehicular access to a property.

*Street island.* A landscape island located within or surrounded by public street right-of-way.

*Street knuckle.* An expansion of a local street providing access to abutting properties.

*Street, local.* A street used primarily for access to abutting properties.

*Street, private.* A roadway that is not dedicated to the public that is not a part of the public highway system, and that is approved pursuant to chapter 3, article F, "private street requirements", of this title.

*Street, public.* A street that is subject to the jurisdiction of the Idaho Department of Transportation (ITD) or the Ada County Highway District (ACHD).

*Streetscape.*

- A. The visual character along a roadway created by the combined use of elements such as building facades, landscaping, trees, open space paving, plantings, sidewalks, lighting, signs and furniture.
- B. In the city core, that portion of right-of-way adjacent to the roadway, between the back of the curb and face of building, including use zone, clear zone, and street furnishing zone.

*Strobe light.* An attention getting device that emits a repetitive light; independent of, or as part of a sign. For the purposes of this title, a strobe light shall not be considered an animated sign.

*Structure.* See definition of "building."

*Subdivision.*

- A. The division of a lot or parcel of land, into two (2) or more lots for the purpose of conveyance of ownership or for building development; and the recorded plat thereof; or
- B. The platting of one (1) lot or parcel for the purposes of remedying a prior illegal division of property or as deemed appropriate by the Director and/or City Engineer.

*Surety.* Cash, or cash equivalent, including an irrevocable letter of credit or a certificate of deposit, guaranteeing the performance of the terms and conditions of a development approval.

*Swale.* A shallow, grassy depression.

*Swale, stormwater.* A broad, shallow channel covered with erosion resistant vegetation and used to conduct, infiltrate, and pretreat surface runoff.

*Temporary use.* The carrying on, for a determinate and transitory period of time, a use of, at, or upon real property, including, but not limited to, the sale, trade, offer, delivery, or display of goods or services, which such use is not the approved conditional or principal permitted use designated for such real property as such terms are defined in this title.

*Terminal, freight or truck.* The use of a site where freight brought by truck or rail is transferred. The use may include the storage or repair of trucks or railcars. The use excludes the long term or permanent storage of freight.

*Through property.* See definition of "property, through."

*Tower, full array.* A wireless communication facility that does not qualify as a stealth tower design or a slimline tower design. See section 11-1A-2, figure 3 of this article.

*Tower, lattice.* A tower made of an open metal framework consisting of strips of metal overlapped in a pattern to achieve strength and height.

*Tower, monopole.* A cylindrical shaped pole usually made of steel that has no visible break in shape or appearance, other than tapering, which is secured to the ground in a manner to stand vertically upright.

*Tower, slimline.* A wireless communication facility, consisting of a monopole and one (1) or more antennas, on which the antenna panels are narrow and closely spaced with one (1) another atop the monopole and does not exceed the standards set forth in section 11-4-3-43 of this title. See section 11-1A-2, figure 3 of this article.

*Tower, stealth.* A wireless communication facility which is disguised as another object or otherwise concealed from view. Examples of stealth facilities include, but are not limited to,

streetlights, field lights, flagpoles, trees or architectural elements such as dormers, steeples, and chimneys.

*Townhouse dwelling.* See definition of "dwelling, townhouse."

*Trailer.* A vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle. This term shall not include recreational vehicles. This term shall include, but shall not be limited to, boat trailer, horse trailer, utility trailer, snowmobile trailer, all-terrain vehicle trailer, and motorbike trailer.

*Transportation authority.* The Ada County Highway District, the Idaho Transportation Department, the Valley Regional Transit and any other agency that may succeed to their powers or establish public jurisdiction in the field of transportation. The term transportation authority shall be liberally construed to include all the adopted, approved, or certified plans, rules, regulations, statutes, or laws of the transportation authority.

*Trees, class I, II, III.* The classes of trees are defined for the purposes of this title by the publication "Tree Selection Guide for Streets and Landscapes Throughout Idaho" by the urban forestry unit of the Boise parks and recreation department (latest edition). In general, class I trees are smaller ornamental trees, class II trees are medium/large trees appropriate for street tree planting, and class III trees are very large trees.

*Truck terminal.* See definition of "terminal, freight or truck."

*Unplatted.* A parcel that is not included in any subdivision of record in Ada County.

*Uplighting.* Lighting that is directed in such a manner as to shine light rays onto a building surface.

*Urban canopy.* The layer of leaves, branches, and stems of trees that provide shelter of landscaping, hardscaping, and other improvements beneath when viewed from above.

*Urban service planning area.* The land area within an area of city impact where urban services are available or planned, as provided and described in the comprehensive plan and designated on the adopted area of city impact boundary map.

*Use.* Shall include the specific purposes for which an area or structure is arranged, designed, constructed, altered, converted, rented, leased, or intended to be maintained and/or occupied.

*Use, change of.* A change of use shall include, but not be limited to, an expansion, alteration, or change in occupancy resulting in a more intense use of a site, such as additional dwelling units, gross floor area, seating capacity.

*Utility.* Electrical, natural gas, water, wastewater, telephone and cable services and facilities.

*Variance.* A relief from certain standards as set forth in subsection 11-5B-4B of this title and as enabled by Idaho Code section 67-6516.

*Vehicle.* Shall include, but not be limited to, automobile, pickup truck, truck, motorcycle, bus or as otherwise defined in Idaho Code § 49-123 which includes every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

*Vehicle impound yard.* The use of a site for the temporary storage of vehicles to be claimed by the owners.

*Vehicle, inoperable.* A vehicle that cannot move under its own power or does not meet the minimum legal requirements necessary for the motor vehicle to be operated in a safe and lawful manner upon the roadways and highways in the State of Idaho, as set forth in Idaho Code title 49.

*Vehicle repair, major.* The use of a site for major vehicle rebuilding or reconditioning. The use includes engine rebuilding; major reconditioning of worn or damaged motor vehicles; and collision service, including body, frame, or fender straightening or repair.

*Vehicle repair, minor.* The use of a site for minor vehicle maintenance and repair. The use includes vehicle repair garages, muffler shops, tire sales and installations, transmission shops, and wheel and brake shops.

*Vehicle sales or rental and service.* The sale, rental, trade, or lease of new or used vehicles in operating condition and any repair work or minor service. Repair work or minor service shall include, but not be limited to, replacement of parts (e.g., tires, shocks, brakes, mufflers, windshields, radiators, upholstery), oil change, minor engine repair, tune up, and accessory sales of replacement parts. Any operation specified under the definition of "vehicle repair, major" of this section is excluded.

*Vehicle washing facility.* The use of a site where a vehicle may be washed, waxed, detailed, or vacuumed by the owner of the vehicle or employees on the site.

*Vehicle wrecking or junk yard.* Any area, lot, land, or parcel where two (2) or more vehicles without current registration or inoperable or dismantled vehicles that are not in operating condition (or parts thereof) are stored, dumped, dismantled, partially dismantled or wrecked; or as defined by I.C. 40-111, the use of a site that is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, garbage dumps and sanitary fills. The following uses are excluded from this definition. agricultural equipment on a farm as herein defined and vehicles stored or dismantled within a completely enclosed structure.

*Vertically integrated residential project.* The use of a multi-story structure for residential and nonresidential uses where the different uses are planned as a unified, complementary whole and functionally integrated to share vehicular and pedestrian access and parking. This term shall not include "accessory use, home occupation" or "live/work residential project" as herein defined.

*Veterinary office.* See definition of "animal care facility."

*Vision triangle.* See definition of "clear vision triangle."

*Walkway.* A public way for nonvehicular use only, whether or not along the side of a road.

*Wall area.* The total square footage of an exterior wall and determined by multiplying the total linear elevation of the building (or the leased portion thereof) by the distance from the roofline to pedestrian grade.

*Warehouse and storage (NAICS Code 493).* A structure used primarily for storing materials and/or freight, including, but not limited to, goods, wares, merchandise, or vehicles.

*Water amenity.* Any body of water either natural or manmade, which either exists or is proposed to be improved as a part of the development, in which its banks in all places adjacent to and located on said development are no steeper than one (1) foot vertical per every four (4) feet horizontally and which has a depth and velocity in all places adjacent to and located on said development such that the product of the maximum depth (feet) multiplied by the peak velocity (feet per second) does not exceed four (4).

*Wholesale sales.* The use of a site for selling, distributing, or brokering merchandise to retailers, business users, or other wholesalers. This use can include incidental retail sales to the general public.

*Winery.* The use of a site that manufactures alcoholic beverages from the fermented juice of grapes, fruits, or other liquid bearing plants. The use may include the ancillary sale or dispensing of wine by the drink or glass.

*Wireless communication facility.* A steel monopole, guywire tower, lattice tower or other similar structure designed to support directional antennas, parabolic dishes or antennas, microwave dishes,



in addition to associated ground equipment and other similar equipment used in the wireless communications industry.

*Xeriscape.* Landscaping that is characterized by the use of vegetation that is drought tolerant or of low water use in character.

*Yard, rear.* An area extending across the full width of the property and lying between the rear property line and the nearest line of the principal structure. See Section 11-1A-2, Figure 1 of this Article.

*Yard, required.* An area that extends along a property line to a depth or width specified in the setback regulations for the district in which the property is located. See Section 11-1A-2, Figure 1 of this Article.

*Yard, side.* An area extending from the street yard to the rear yard between the interior side property line and the nearest line of the principal structure. See Section 11-1A-2, Figure 1 of this Article.

*Yard, street.* An area extending across the full width of the property and lying between the front property line and the nearest line of a principal structure. On corner lots the street yard extends from the front property line and the street side property line to the nearest line of the principal structure. See Section 11-1A-2, Figure 1 of this Article.

**Section 2.** That Unified Development Code section 11-2A-2, Table 11-2A-2 be amended as follows:

TABLE 11-2A-2  
ALLOWED USES IN THE RESIDENTIAL DISTRICTS

Use	R-2	R-4	R-8	R-15	R-40
Arts, entertainment or recreation facility, outdoors <sup>1</sup>	-	-	C	C	C
Cemetery <sup>1</sup>	-	C	C	C	C
Church or place of religious worship <sup>1</sup>	-	-	C	C	C
Civic, social or fraternal organizations <sup>1</sup>	-	-	C	C	C
Daycare center <sup>1</sup>	-	C	C	P	P
Daycare, family <sup>1</sup>	-	A	A	A	C
Daycare, group <sup>1</sup>	-	C	C	P	P
Direct sales <sup>3</sup>	A	A	A	A	A
Dwelling, secondary <sup>1</sup>	A	A	A	A	A
Dwelling, single-family attached	-	C	P	P	P
Dwelling, single-family detached	P	P	P	P	A/C
Dwelling, townhouse	-	C	P	P	C
Dwelling, two-family duplex	-	C	P	P	C
Education institution, private <sup>1</sup>	-	C	C	C	C
Education institution, public <sup>1</sup>	-	C	C	P/C	P/C
Home, manufactured or mobile subdivision	-	-	C	C	C
Home occupation, accessory use <sup>1</sup>	A	A	A	A	A

Laundromat <sup>1</sup>	-	-	-	A	A/C
<u>Live/work residential project</u> <sup>1</sup>	=	=	=	<u>C</u>	<u>C</u>
Manufactured home park	-	-	-	C	-
Multifamily development <sup>1, 2</sup>	-	-	-	C	C
Nursing or residential care facility <sup>1</sup>	-	-	C	C	C
Parking facility	-	-	-	-	C
Parks, public and private	P	P	P	P	P
Personal service	-	-	-	-	A
Professional service	-	-	-	-	A
Public, infrastructure	C	C	C	C	C
Public or quasi-public use <sup>1</sup>	-	-	C	C	C
Public utility, minor	P	P	P	P	P
Recreational vehicle park	-	-	-	-	C
Restaurant <sup>1</sup>	-	-	-	-	A
Self-service storage facility, residential <sup>1</sup>	-	-	-	C	C
Storage facility, outside <sup>1</sup>	A	A	A	A	A
Storage facility, self-service <sup>1</sup>	A	A	A	A	A
Vertically integrated residential project <sup>1</sup>	-	-	-	C	C
Wireless communication facility <sup>1</sup>	P/C	P/C	P/C	P/C	P/C
Wireless communication facility, amateur radio antenna <sup>1</sup>	A/C	A/C	A/C	A/C	A/C

Notes:

<sup>1</sup> Indicates uses that are subject to specific use standards in accord with chapter 4 of this title.

<sup>2</sup> Multifamily dwellings may be allowed in the R-4 and R-8 Land Use Districts when included in a planned unit development (PUD).

<sup>3</sup> Subject to the home occupation, accessory use standards set forth in section 11-4-3-21 of this title.

**Section 3.** That Unified Development Code section 11-2B-2, Table 11-2B-2, be amended as follows:

TABLE 11-2B-2  
ALLOWED USES IN THE COMMERCIAL DISTRICTS

Use	C-N	C-C	C-G	L-O	M-E	H-E
Animal care facility <sup>1</sup>	P	P	P	C	C	-
Artist studio <sup>1</sup>	P	P	P	-	-	-
Arts, entertainment or recreation facility, indoor <sup>1</sup>	P	P	P	C	-	-
Arts, entertainment or recreation facility, outdoor <sup>1</sup>	C	P	P	-	-	-
Arts, entertainment or recreation facility, outdoor stage or	-	C	C	-	-	-

music venue						
Building material, garden equipment and supplies <sup>1</sup>	C	P	P	-	-	-
Cemetery <sup>1</sup>	-	-	-	C	-	-
Church or place of religious worship <sup>1</sup>	P	P	P	P	C	C
Civic, social or fraternal organizations <sup>1</sup>	C	C	C	C	-	-
Conference center	-	-	P	-	C	P
Daycare center <sup>1</sup>	A/C	A/C	A/C	P	A/C	A/C
Daycare, family <sup>1</sup>	A	A	A	A	-	-
Daycare, group <sup>1</sup>	P	P	A	P	C	C
Dispatch center for mobile services <sup>1</sup>	C	C	P	C	C	-
Drinking establishment <sup>1</sup>	C	C	C	-	-	C
Drive-through establishment <sup>1</sup>	A/C	A/C	A/C	-	-	-
Education institution, private <sup>1</sup>	P	P	P	P	P	P
Education institution, public <sup>1</sup>	P	P	P	P	P	P
Equipment rental, sales, and service <sup>1</sup>	-	C	C	-	-	-
Financial institution <sup>1</sup>	P	P	P	P	P	A
Flex space <sup>1</sup>	-	P	P	-	P	-
Food and beverage products processing; minor <sup>1</sup>	P/C	P/C	P/C	-	P/C	P/C
Fuel sales facility <sup>1</sup>	C	P	P	-	-	C
Fuel sales facility, truck stop <sup>1</sup>	-	-	C	-	-	-
Healthcare or social services	P	P	P	P	P	P
Home occupation, accessory use <sup>1</sup>		A	A	-	-	-
Hospital <sup>1</sup>	-	C	C	C	C	P
Hotel and motel <sup>1</sup>	P/C	P/C	P/C	-	C	P
Indoor shooting range	-	-	-	-	C	-
Industry, information <sup>1</sup>	P	P	P	C	P	P
Industry, light <sup>1</sup>	-	-	C	C	P	C
Laundromat <sup>1</sup>	P	P	P	C	-	-
Laundry and dry cleaning	P	P	P	-	-	A
<u>Live/work residential project</u> <sup>1</sup>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>-</u>	<u>-</u>
Mortuary	C	P	P	-	-	-
Multifamily development <sup>1</sup>	-	C	C	-	-	-
Nursery or urban farm <sup>1</sup>	C	P	P	C	-	-
Nursing or residential care facility <sup>1</sup>	C	C	C	C	-	-
Parking facility	C	C	P	C	C	P

Parks, public and private	P	P	P	P	P	P
Personal service	P	P	P	P	A	A
Professional service	P	P	P	P	P	P
Public, infrastructure <sup>1</sup>	C	C	C	C	C	C
Public or quasi-public use <sup>1</sup>	P	P	P	P	P	P
Public utility, minor	P	P	P	P	P	P
Recreational vehicle park	-	-	P	-	-	-
Research and development facility	-	-	P	-	P	P
Restaurant <sup>1</sup>	P	P	P	C	A	A
Retail sales	P	P	P	-	A	A
Retail store	P	P	P	-	A	A
Retail store, wine and beer sales and servings <sup>1</sup>	P	P	P	-	-	A
Storage facility, outside <sup>1</sup>	A	A	A	-	-	-
Storage facility, self-service <sup>1</sup>	-	C	C	-	-	-
Vehicle repair, minor <sup>1</sup>	A	P	P	-	-	-
Vehicle sales or rental and service <sup>1</sup>	-	C	P	-	-	-
Vehicle washing facility <sup>1</sup>	C	P	P	-	-	A
Vertically integrated residential project <sup>1</sup>	C	P	P	C	-	-
Warehouse <sup>1</sup>	-	-	A	-	A/C	-
Wholesale sales	-	-	A	-	-	-
Wireless communication facility <sup>1</sup>	P/C	P/C	P/C	P/C	P/C	P/C
Wireless communication facility, amateur radio antenna <sup>1</sup>	A/C	A/C	A/C	A/C	A/C	A/C

Note:

<sup>1</sup> Indicates uses that are subject to specific use standards in accord with Chapter 4 of this Title.

**Section 4.** That Unified Development Code section 11-2D-2, Table 11-2D-2, be amended as follows:

TABLE 11-2D-2  
ALLOWED USES IN THE TRADITIONAL NEIGHBORHOOD DISTRICTS

Use	O-T	TN-C	TN-R
Artist studio <sup>1</sup>	P	P	-
Arts, entertainment or recreation facility, indoors <sup>1</sup>	P	C	-
Arts, entertainment or recreation facility, outdoor stage or music venue	C	C	-
Arts, entertainment or recreation facility, outdoors <sup>1</sup>	C	C	-
Building material, garden equipment and supplies <sup>1</sup>	C	C	-

Church or place of religious worship <sup>1</sup>	P	P	C
Civic, social or fraternal organizations <sup>1</sup>	P	C	C
Conference center	P	-	-
Daycare center <sup>1</sup>	C	C	C
Daycare, family <sup>1</sup>	A	A	A
Daycare, group <sup>1</sup>	P	P	C
Drinking establishment <sup>1</sup>	C	C	-
Drive-through establishment	C	-	-
Dwelling, secondary <sup>1</sup>	A	A	A
Dwelling, single-family attached	P	P	P
Dwelling, single-family detached	P	C	P
Dwelling, townhouse	P	P	P
Dwelling, two-family duplex	P	C	P
Education institution, private <sup>1</sup>	P	C	C
Education institution, public <sup>1</sup>	P	P	P/C
Financial institution <sup>1</sup>	P	P	C
Food and beverage products processing; minor <sup>1</sup>	P/C	P/C	-
Healthcare or social services	P	P	-
Home occupation, accessory use <sup>1</sup>	A	A	A
Hospital <sup>1</sup>	C	-	-
Hotel and motel <sup>1</sup>	P/C	C	-
Industry, information <sup>1</sup>	P/C	P/C	-
Industry, light <sup>1</sup>	C	-	-
Laundromat <sup>1</sup>	P	P	A
Laundry and dry cleaning	P	P	P
<u>Live/work residential project</u> <sup>1</sup>	<u>P</u>	<u>P</u>	<u>P</u>
Mortuary	C	C	-
Multifamily development <sup>1</sup>	P	P	P
Nursing or residential care facility <sup>1</sup>	C	C	C
Parking facility	C	C	-
Parks, public and private	P	P	P
Personal service	P	P	C
Professional service	P	P	C
Public, infrastructure <sup>1</sup>	C	C	C
Public or quasi-public use <sup>1</sup>	P	P	C

Public utility, minor	C	P	P
Restaurant <sup>1</sup>	P	P	-
Retail store	P	P	-
Retail store, wine and beer sales and servings <sup>1</sup>	P	P	-
Vehicle repair, minor <sup>1</sup>	A	-	-
Vertically integrated residential project <sup>1</sup>	P	P	P
Wireless communication facility <sup>1</sup>	P/C	P/C	P/C
Wireless communication facility, amateur radio antenna <sup>1</sup>	A/C	A/C	A/C

Note:

<sup>1</sup> Indicates uses that are subject to specific use standards in accord with chapter 4 of this title.

**Section 5.** That Unified Development Code section 11-3A-5 be amended as follows:

11-3A-5 – ~~Bikeways~~ Multiuse Pathways.

~~Bikeways~~ Multiuse pathways shall be constructed in accord with the city's comprehensive plan, the Meridian Pathways Master Plan, and the Ada County Highway District Master Street Map and Roadways to Bikeways Master Plan.

**Section 6.** That Unified Development Code section 11-3A-17(C) be amended as follows:

C. Detached sidewalks or multiuse pathways shall be required along all arterial and collector streets. The Director may waive this requirement to detach the sidewalk where:

1. There is an existing attached sidewalk or multiuse pathway;
2. The sidewalk is less than three hundred (300) linear feet in length and between two (2) adjoining properties with attached sidewalks or multiuse pathways.

The Director may waive this requirement for a portion of the street frontage where there is a utility box, mature tree or other impediment that prevents installation of a detached sidewalk or multiuse pathway.

**Section 7.** That Unified Development Code section 11-3A-19(B) be amended as follows:

B. *Minimum standards.* The following minimum standards shall apply in addition to the detailed guidelines as set forth in the "City of Meridian Architectural Standards Manual."

1. *Architectural character.* Buildings shall be designed in accord with the "City of Meridian Architectural Standards Manual."
2. *Site design.*
  - a. Extend or improve streets, drive aisles, cross access easements or similar vehicular and pedestrian connections provided from adjacent properties.
  - b. For lots with frontage on a public street, a minimum of ~~forty (40)~~ thirty (30) percent of the buildable frontage of the property shall be occupied by building facades and/or public space. Within mixed use areas, and for large multi-building developments, buildings may be placed away from roadways if a minimum of ~~thirty (30)~~ forty (40) percent of the buildable frontage is occupied by building facades and/or public space.

### 3. *Parking lots.*

- a. For properties greater than two (2) acres in size, no more than fifty (50) percent of the total off street parking area for the site shall be located between building facades and abutting streets. This requirement may be reduced or waived at the determination of the director in industrial districts where there is an operational need to separate a secure outdoor storage yard from the parking area.
- b. For properties two (2) acres or less in size, a maximum of a single drive aisle with parking on one (1) or both sides shall be allowed between the building facades and abutting streets. All other off-street parking areas shall not be located between the building facades and abutting streets.
- c. The design and layout of internal site parking shall avoid long straight unbroken parking aisles, provide crossing drive aisles for internal circulation at approximately one hundred fifty-foot intervals, or provide parking that is perpendicular to the building.
- d. Where on street parking is provided or where vehicle circulation is directed in front of building entries, integrate traffic calming strategies and techniques, such as landscape islands, bulb outs, and/or detailed crosswalks, to increase safety and enhance the development character.
- e. In the traditional neighborhood districts parking shall be primarily located behind or to the side of buildings and public spaces, away from block corners and roadways.
- f. When parking and drive-throughs cannot comply with the standards above, they shall be screened by berms, landscaping, walls, architectural elements, or a combination of these elements to produce an appropriate buffer adjacent to public spaces and roadways.

### 4. *Pedestrian walkways.*

- a. A continuous internal pedestrian walkway that is a minimum of five (5) feet in width shall be provided from the perimeter sidewalk to the main building entrance(s) for nonresidential uses. The walkway width shall be maintained clear of any obstructions, such as vehicles, outdoor sale displays, vending machines, or temporary structures.
- b. The internal pedestrian walkway shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks.
- c. Unobstructed walkways at least five (5) feet in width shall be provided for any aisle length that is greater than one hundred fifty (150) parking spaces or two hundred (200) feet away from the primary building entrance(s).
- d. The walkways shall have weather protection (including, but not limited to, an awning or arcade) within twenty (20) feet of all customer entrances.

**Section 8.** That Unified Development Code section 11-3B-2(C) be amended as follows:

- C. All applications for a conditional use permit (CUP), preliminary plat (PP), final plat (FP), combined preliminary and final plat (PFP), short plat (SHP), certificate of zoning compliance (CZC), administrative design review (DES), or planned unit development (PUD).

**Section 9.** That Unified Development Code section 11-3B-5(O) be amended as follows:

O. Water Conserving design. To qualify for the exceptions for water conserving designs as set forth in this chapter, the applicant shall demonstrate the following:

1. The design includes water conserving trees of this section, use of native or drought resistant shrubs, perennials or ornamental grasses, water conserving plants, boulders, rocks, decorative walls and/or permeable hardscape materials such as pavers and flagstones, and that are visually distinct (size, texture, or color) and clearly visible from the adjacent travel roadway or drive aisle.
2. The design includes plants that can thrive in climates with approximately ten (10) to twelve (12) inches of annual rainfall.
3. Lawn and turf areas shall not comprise more than fifty (50) percent of the total landscaped areas and shall consist of water conserving grasses, including, but not limited to, buffalo grass, blue gamma grass, compact fescue, Xerilawn, turf type tall fescue and/or rhizomatous tall fescue.
4. Herbaceous and/or perennial ground cover shall be drought tolerant and able to withstand dry conditions once established. As a guide, refer to the recommended plants in the city of Boise parks and recreation "Water Conservation Guidelines".
5. Excluding lawn and turf, no area larger than three hundred seventy-five (375) square feet may be covered by a single ground cover material without additional hardscape or design feature of no less than one hundred twenty-five (125) square feet.
6. The required street landscape buffer widths in Chapter 2 may be reduced up to fifty (50) percent. Required landscape areas shall be at least forty (40) percent covered with vegetation at maturity.
7. Required landscape areas shall be at least forty (40) percent covered with vegetation at maturity.

**Section 10.** That Unified Development Code section 11-3B-7(C) be amended as follows:

C. *Standards.* Standards for landscape buffers along streets shall be as follows:

1. *Buffer size.* See Chapter 2, "District Regulations", of this title.
- a. *Measurement.*
  - (1) All street buffers with attached sidewalks shall be measured from the back of sidewalk or multiuse pathway. Where ACHD is anticipating future widening of the street, the width of the buffer shall be measured from the ultimate sidewalk or multiuse pathway location as anticipated by ACHD.
  - (2) All street buffers with detached sidewalks or multiuse pathways shall be measured from the back of curb. Where ACHD is anticipating future widening of the street, the width of the buffer shall be measured from the ultimate curb location as anticipated by ACHD. Detached sidewalks and multiuse pathways shall have an average minimum separation of greater than four (4) feet to back of curb.
- b. *Easements.* Where the buffer is encumbered by easements or other restrictions, the buffer area shall include a minimum five-foot wide area for planting shrubs and trees.



c. *Width reduction.* In a development where the required street buffer width results in an otherwise unavoidable hardship to the property, a written request for a buffer reduction may be submitted through the alternative compliance process in accord with Chapter 5, "Administration", of this Title. The request shall demonstrate evidence of the unique hardship caused by the required street buffer and propose a specific alternative landscape plan that meets or exceeds the intent of the required buffer. In no case shall the width be reduced to less than ten (10) percent of the depth of the lot, except in the Old Town district. A reduction to the buffer width shall not affect building setbacks; all structures shall be set back from the property line a minimum of the buffer width required in the applicable zoning district.

**Section 11.** That Unified Development Code section 11-3C-5(A) be amended as follows:

A. *Use and design of parking areas.*

1. *Type and number of parking spaces.* All parking areas shall be designed and constructed to provide the type and number of off-street parking spaces required by section 11-3C-6 of this article, and designed as required by this section.
2. *Location of parking spaces relative to structure(s).*
  - a. Parking spaces for nonresidential uses shall be located not more than five hundred (500) feet from structure(s), except as provided by section 11-3C-7 of this article.
  - b. For any vertically integrated residential project, not more than ten (10) percent of the required parking shall be located in the front of the structure.
3. *Landscape buffer.* Off street parking spaces shall not be located in any landscape buffer as required by Article B, "Landscaping Requirements", of this Chapter.
4. *Parking lot design.* Parking lots shall be designed in accord with Section 11-3B-8, "Parking Lot Landscaping", of this chapter.
5. *Parking stall and driving aisle design.* Parking stalls and driving aisles shall be designed in accord with the standards in table 11-3C-5 of this section. Figure 1 of this section shows the parking design dimensions.
6. *Design for standard vehicles.* All required parking as determined in Section 11-3C-6 of this Article shall be designed for standard and/or oversized vehicles. Compact stalls are discouraged, but may be used for any parking above the number of required parking spaces.
7. *On-site turnarounds; connections.* All parking areas shall provide on-site turnarounds, or connections through to adjacent parking areas or streets, in accord with the Meridian Fire Department Standards for all off street parking spaces and loading facilities.
8. *Moving of cars.* The design of off-street parking areas shall not require moving any car to gain access to a required parking space.
9. *ADA requirements.* It is the responsibility of the applicant to ensure that the parking lot design and sidewalk and/or access provisions meet all Americans with Disabilities Act (ADA) requirements.

**Section 12.** That Unified Development Code section 11-3C-6, Table 11-3C-6, be amended as follows:

**TABLE 11-3C-6  
REQUIRED PARKING SPACES FOR RESIDENTIAL USE**

Use And Form	Number Of Bedrooms (Per Unit)	Required Parking Spaces <sup>1</sup>
Dwelling, duplex and dwelling, single-family (detached, attached, townhouse)	1/2	2 per dwelling unit; at least 1 in an enclosed garage, other space may be enclosed or a minimum 10-foot by 20-foot parking pad <sup>2</sup>
	3/4	4 per dwelling unit; at least 2 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad <sup>2</sup>
	5+	6 per dwelling unit; at least 3 in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad <sup>2</sup>
	Studio	1 per dwelling unit
Dwelling, multifamily <sup>3, 4, 5</sup> (triplex, fourplex, apartments, etc.)	1	1.5 per dwelling unit; at least 1 in a covered carport or garage
	<del>2/3</del>	2 per dwelling unit; at least 1 in a covered carport or garage
	<u>3</u>	<u>3 per dwelling unit; at least 1 in a covered carport or garage</u>
	4+	3 per dwelling unit; at least 2 in a covered carport or garage
	Guest spaces	1 per 10 dwelling units
Dwelling, secondary	1	As set forth above for single-family dwellings as determined by the total number of bedrooms on the property
Nursing and residential care facility	1	0.5 per bed
Vertically integrated residential <sup>4</sup>	<u>Studio/1</u>	1 per dwelling unit
	<del>2/3</del>	<del>± 1.5</del> per dwelling unit
	4+	<del>± 2</del> per dwelling unit

Notes:

<sup>1</sup> The size of the garage or carport required for dwelling units shall be measured by exterior dimensions and shall be at least ten (10) feet by twenty (20) feet for a one-space garage or carport and 20 feet by 20 feet for a two-space garage or carport.

<sup>2</sup> The parking pad shall be measured from edge of sidewalk or edge of paved travel lane (public street, private street, or alley) where no sidewalk exists. For alley accessed properties the parking pad is not required in front of the garage if the garage is located at the five-foot setback to the rear property line; the required parking pad must be provided along the side of the garage unless equivalent off-street parking, as determined by the Director, is provided in accord with Section 11-3C-5, Table 11-3C-5 of this Article.

<sup>3</sup> For condominium projects, the required number of parking spaces shall be determined by the Director based on the proposed development. If the proposed development is similar to a single-family development, such standards shall apply. If the proposed development is similar to a multifamily apartment complex, such standards shall apply.

<sup>4</sup> The required number of parking spaces for the residential portion of a vertically integrated project shall be in addition to that required for nonresidential uses as listed in subsection B of this section.

<sup>5</sup> The required number of parking spaces associated with a nonresidential structure approved as an amenity for a multi-family development (i.e., clubhouse, fitness center, etc.) shall be exempt from the parking standards required for nonresidential uses as listed in subsection B.

**Section 13.** That Unified Development Code section 11-3F-2 be amended as follows:

11-3F-2. – Applicability.

The provisions of this article shall apply to any properties that are located in a residential district. ~~do not have frontage on a public street or where frontage is not required.~~

**Section 14.** That Unified Development Code section 11-3F-4(A) be amended as follows:

A. *Design standards.*

1. *Easement.* The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot that provides access to all properties served by such private street. In instances where the subject property is being subdivided, the preference is that the private street be a lot within such subdivision.
2. *Connection point.* The private street shall connect to a local or collector street. The private street shall not connect to an arterial street. Where the point of connection of the private street is to a public street, the private street connection shall be approved by the transportation authority.
3. *Emergency vehicle.* The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Meridian Fire Department.
4. *Gates.* Gates or other obstacles shall be allowed subject to the following standards:
  - a. The proposed development shall be for residential uses.
  - b. The proposed development shall have no more than ~~fifty (50)~~ one hundred (100) dwelling units. A greater number of dwelling units may be approved with a planned unit development. One gated entry shall be provided for every fifty (50) dwelling units.
  - c. The proposed development shall not restrict pedestrian and bicycle access along the private street. The proposed development shall provide unrestricted access to pedestrians and bicycles at a minimum of two (2) additional points within the proposed development.
  - d. The proposed development shall not restrict access to existing or planned multiuse pathways as shown in chapter 3 of the Meridian Pathways Master Plan.
  - e. The applicant shall provide access to the gate for emergency vehicles as determined and approved by the Meridian Fire Department and Public Works Department.
  - f. To allow sufficient stacking distance, the gate shall be located a minimum of fifty (50) feet back from the ultimate edge of right-of-way to the connecting public street.
5. *Culs-de-sac.* No private street that ends in a cul-de-sac or a dead end shall be longer than ~~four hundred fifty (450)~~ five hundred (500) feet.
6. *Common driveways.* No common driveways shall be allowed off of a private street.

7. *Street network.* The overall street network within the surrounding area shall allow for properties to connect at regular intervals in order to promote connected neighborhoods and traffic flow within the mile section.

**Section 15.** That Unified Development Code section 11-3G-4, Table 11-3G-4, be amended as follows:

TABLE 11-3G-4  
SITE AMENITIES AND POINT VALUE

Site Amenity	Point Value
Quality of Life Amenities	
Business center	2
Clubhouse 5,000 sf or greater in size	6
Clubhouse less than 5,000 sf or open air ramadas	3
Semi-enclosed clubhouse	3
Fitness facilities 5,000 sf or greater in size	4
Fitness facilities less than 5,000 sf	2
Locker rooms in association with clubhouse or fitness facility	2
Public art	1
Fountain	2
Picnic area on a site 5,000 sf or greater in size	2
Picnic area on a site less than 5,000 sf	1
Fitness course	2
Open space commons	3
Open space commons shelter	2

Communication infrastructure with fiber optic cable	2
Dog Park	2
Dog waste station	0.5
Commercial outdoor kitchen	2
Outdoor fire ring	1
Recreation Activity Area Amenities	
Swimming pool	4
Swimming pool changing facilities and restrooms	6
Interactive splash pads, fountains or water features	4
Tot Lot	1
Playground	3
Sports courts, paved	4
Sports courts, unpaved	2
Sports fields	5
Pedestrian or Bicycle Circulation System Amenities	
When aligned with a waterway	1 per ¼ mile
When aligned with a linear open space	1 per ¼ mile
Multi-use pathways	2 per ¼ mile
Multi-Modal Amenities	
Bicycle storage	2

Bicycle storage adjacent to transit stop or park and ride lot	3
Bicycle repair station	1
<u>Charging stations for electric vehicles installed with a business center, clubhouse or fitness facility</u>	2
Sheltered transit stop	2
Park and Ride Lot with a minimum of 20 spaces	5

**Section 16.** That Unified Development Code section 11-3G-5(B) be amended as follows:

**B. *Improvements and landscaping.***

1. Common open space shall be suitably improved for its intended use, except that natural features such as wetlands, rock outcroppings, natural waterways and riparian areas, open ditches, and laterals may be left unimproved.
2. Common open space shall comply with the applicable landscaping requirements set forth in Article 11-3B, Landscaping Requirements, of this Title.
3. At a minimum, common open space areas shall include one deciduous shade tree for every five thousand (5,000) square feet of area and include a variety of trees, shrubs, lawn, or other vegetative ground cover.

**Section 17.** That Unified Development Code section 11-4-3-10 be amended as follows:

**11-4-3-10. – Drinking Establishment.**

- A. The facility shall comply with all Idaho Code regulations regarding the sale, manufacturing, or distribution of alcoholic beverages.
- B. The drinking establishment shall not be located within three hundred (300) feet of a property used for a church or any other place of worship, or any public or private education institution, nor shall the drinking establishment be located within one thousand (1,000) feet of an adult entertainment establishment; provided, that this limitation shall not apply to any duly licensed premises that at the time of licensing did not come within the restricted area but subsequent to licensing came therein; the expansion of an existing establishment may be allowed with the approval of a conditional use permit as set forth in section 11-5B-6 of this title.
- C. For properties abutting a residential district, no outside activity or event shall be allowed on the site, except in accord with chapter 3, article E, "temporary use requirements", of this title.
- D. At a minimum, one (1) parking space shall be provided for every two hundred fifty (250) square feet of gross floor area. Upon any change of use for an existing building or tenant space, a detailed parking plan shall be submitted that identifies the available parking for the overall site that complies with the requirements of this title.

**Section 18.** That Unified Development Code section 11-4-3-12 be amended as follows:

11-4-3-12. – Dwelling, Secondary.

- A. *Permitted.* One (1) secondary dwelling unit is permitted on the same property in conjunction with and clearly subordinate to a single-family dwelling.
- B. *Owner occupancy.* To create and maintain a secondary dwelling unit, the property owner shall reside on the property for more than six (6) months in any twelve (12) month period. The applicant for a secondary dwelling unit shall demonstrate that either the single-family dwelling or the secondary unit is occupied by the owner of the property. Owner occupancy is demonstrated by title records, vehicle registration, voter registration or other similar means. Secondary dwelling units shall not be subdivided or otherwise segregated in ownership from the single-family dwelling unit.
- C. *Maximum size.* Secondary dwelling units shall be limited to a maximum of ~~seven-hundred (700)~~ nine hundred (900) square feet or no more than fifty (50) percent of the primary dwelling, whichever is less, and ~~one (1)~~ two (2) bedrooms ~~in size constructed in accord with the adopted residential building code.~~
- D. *Location.* The secondary dwelling unit may be located within or attached to the primary dwelling; a detached structure; or above or beside a detached structure, such as a garage. Detached secondary dwelling units shall be located to the side or rear of a primary dwelling. ~~No portion of the secondary dwelling unit shall be located in front of the primary dwelling unit.~~
- E. *Parking.* Required parking for the property shall be as set forth in section 11-3C-6, table 11-3C-6 of this title for single-family dwellings, as determined by the total number of bedrooms on the property. The conversion of a covered parking area (garage/carport) into a secondary dwelling unit is not allowed unless the required parking can be provided elsewhere on site.
- F. *Entrance.* Only one (1) entrance door of either the single-family dwelling or the secondary dwelling unit shall be located facing any one street.
- G. *Design.* The secondary unit shall be consistent in design with the single-family dwelling, including roof pitch, siding, color, materials, and window treatments.
- H. *Prohibitions.* Manufactured and mobile homes, and recreation vehicles shall be prohibited for use as a secondary dwelling unit.
- I. *Number of occupants.* The total number of occupants in both the single-family dwelling and the secondary dwelling shall not exceed the maximum number established for a "family", as defined in chapter 1, article A, "definitions", of this title.

**Section 19.** That Unified Development Code section 11-4-3-16 be amended as follows:

11-4-3-16. – Entertainment establishment, adult.

- A. *Separations.* In recognition of Idaho Code, the following distance separations shall be required.
  - 1. No adult entertainment establishment shall be allowed within one thousand (1,000) feet of the following:
    - a. An existing adult entertainment establishment;
    - b. A church or place of religious worship;
    - c. Any youth organization, school, or school bus stop; and
    - d. Any residential district boundary.
  - 2. The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Idaho that the proposed adult entertainment establishment conforms to the separation requirements of this subsection.

**B. Signs.**

1. All adult entertainment establishments shall comply with the regulations of chapter 3, article D of this title. Further, signs for adult entertainment establishments shall not contain any emphasis, either by movement, picture, or otherwise, on matter relating to adult entertainment as herein defined.

2. Any business providing adult entertainment or adult material shall have in place at each entrance to such business a legible door "sign" (as defined herein) stating "Persons under 18 years of age not permitted". The sign shall be no less than one-half (0.5) square foot and no greater than one (1) square foot in area. Such sign shall not require administrative approval in accord with chapter 3, article D, "sign requirements", of this title.

~~C. License required. The applicant shall obtain and/or maintain a license in accord with title 3, chapter 10 of this Code.~~

**Section 20.** That Unified Development Code section 11-4-3-27(C) be amended as follows:

**C. Common open space design requirements.**

1. The total baseline land area of all qualified common open space shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. When multi-family is approved concurrently with single-family, the minimum open space requirements in 11-3G-3 shall apply to the gross land area of entire development.
2. All common open space shall meet the following standards:
  - a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. Open space areas that has been given priority in the development design have:
    - (1) Direct pedestrian access;
    - (2) High visibility;
    - (3) Comply with Crime Prevention through Environmental Design (CTED) standards; and
    - (4) Support a range of leisure and play activities and uses. Irregular shaped, disconnected or isolated open spaces shall not meet this standard.
  - b. Open space shall be accessible and well connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street.
  - c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering and relaxation to serve the development.
3. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.
  - a. Minimum size of common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined



- by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development.
- b. Alternative compliance is available for the standards listed in C1 and C2 above, if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land use designations with collectively integrated and shared open space areas.
4. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.
  - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
  - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.
5. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty (20) feet
6. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units.
7. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets buffers unless separated from the street by a berm or constructed barrier at least four (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.
8. Buffer(s): One hundred (100) percent of the landscape buffer along collector streets and fifty (50) percent of the landscape buffer along arterial streets that meet the enhanced buffer requirements below may count towards the required baseline open space.
- a. Enhanced landscaping as set forth in Article 11-3B, Landscaping Requirements;
  - b. Multi-use pathways;
  - c. Enhanced amenities with social interaction characteristics;
  - d. Enhanced context with the surroundings.

**Section 21.** That Unified Development Code section 11-4-3-27(G) be added as follows:

G. *Police access under exigent circumstances.* Multifamily developments with units that take access via secured common corridors shall install and maintain a keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances. The keyless entry system or alternative shall be subject to review and approval by the Meridian Police Department.

**Section 22.** That Unified Development Code section 11-4-3-34(H) be amended as follows:

H. The facility shall have a second means of access for emergency purposes as determined by the Fire Marshal.

**Section 23.** That Unified Development Code section 11-4-3-41 be amended as follows:

11-4-3-41. – Vertically integrated residential project.

- A. A vertically integrated residential project shall be a structure that contains at least two (2) stories.
- B. A minimum of twenty-five (25) percent of the gross floor area of a vertically integrated project shall be residential dwelling units, ~~including~~ outdoor patio space on the same floor as a residential unit may count towards this requirement.
- C. A minimum of ten (10) percent of the gross floor area of a vertically integrated project shall be used for nonresidential uses as specified in subsection E below.
- ~~D.~~ The minimum building footprint for a detached vertically integrated residential project shall be two thousand four hundred (2,400) square feet.
- ~~E.~~ The allowed nonresidential uses in a vertically integrated project include: arts, entertainment or recreation facility; artist studio; civic, social or fraternal organizations; daycare facility; drinking establishment; education institution; financial institution; healthcare or social assistance; industry, craftsman; laundromat; nursing or residential care facility; personal or professional service; public or quasi-public use; restaurant; retail; or other uses that may be considered through the conditional use permit process.
- ~~F.~~ None of the required parking shall be located in the front of the structure.
- G. A minimum of fifty (50) square feet of private, usable open space shall be provided for each residential dwelling unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in Section 11-5B-5 of this Title.

**Section 24.** That Unified Development Code section 11-4-3-50 be added as follows:

11-4-3-50. – Live/work residential project.

- A. A live/work structure shall not exceed 3,000 square feet.
- B. The nonresidential area shall be limited to the first floor only and not exceed fifty (50) percent of the gross floor area of the structure.
- C. The nonresidential area shall be used by the occupant of the dwelling. No more than five (5) employees shall occupy the area at any one time.
- D. Parking standards shall comply with the vertically-integrated residential project standards.
- E. The allowed nonresidential uses in a live/work project include: arts, entertainment or recreational facility artist studio, and personal or professional service, retail; other uses may be considered through a conditional use permit.

**Section 25.** That Unified Development Code section 11-5A-2, Table 11-5A-2 be amended as follows:

TABLE 11-5A-2  
DECISION MAKING AUTHORITY AND PROCESS BY APPLICATION

Application	Recommending Body	Decision Making Body	Process
Accessory use for daycare, family	None	D	N
Accessory use, home occupation	None	D	A
Accessory use, home occupation including provision of lessons or instruction to a group of 7 or more students	None	D	N
Administrative design review	None or Design Professionals Review Committee	D	A
Alternative compliance	None	D	A
<u>Alternative compliance (concurrent with conditional use permit)</u>	<u>D</u>	<u>PZ</u>	<u>PH</u>
Annexation and/or rezone	PZ	CC	PH
Certificate of occupancy	None	D	A
Certificate of zoning compliance	None	D	A
City Council review	None	CC	PH
Comprehensive Plan amendment	PZ	CC	PH
Conditional use	D	PZ	PH
Conditional use (concurrent with annexation, rezone, preliminary plat, <u>alternative compliance, development agreement modification and/or combination plat</u> )	PZ	CC	PH
Development agreement modification	D	CC	PH

Director modification to an approved conditional use	None	D	A
Landscaping plans	None	D	A
Planned unit development	PZ	CC	PH
Plat, combination	PZ	CC	PH
Plat, final	D	CC	PM
Plat, final, modification	D	CC	PM
Plat, preliminary	PZ	CC	PH
Plat, short	D	CC	PH
Private street	None	D	A
Property boundary adjustment	None	D	A
Sign	None	D	A
Temporary use	None	D	A
Time extension, commission or Council	D	Same decision maker as initial approval	PH
Time extension, Director	None	D	A
Unified Development Code amendment	PZ	CC	PH
Vacations:			
Exempt per Idaho Code § 50-1306A(5)	None	D	A
<del>Right-of-way</del>	<del>D</del>	<del>CC</del>	<del>PM</del>
All others	D	CC	PH
Variance	D	CC	PH

CC = City Council	A = Administrative
D = Director	N = Administrative with public notice
PZ = Planning and Zoning Commission	PH = Public hearing
	PM = Public meeting

**Section 26.** That Unified Development Code section 11-5B-3(C) be amended as follows:

*C. Process.*

1. Annexation and/or rezone initiated by Council. The City Council shall follow the procedures for annexation as set forth in Idaho Code § 50-222.
2. Annexation and/or rezone initiated by property owner. The applicant shall complete a preapplication conference with the director prior to submittal of an application for an annexation and/or rezone. An application and fees, in accord with article A, "general provisions", of this chapter, shall be submitted to the director on forms provided by the Department.
3. Annexation and/or rezone requests are not accompanied by a conditional use permit or planned unit development, the applicant shall provide a conceptual development plan that depicts streets, site access, internal circulation patterns, connectivity to adjacent properties, parking, general location of buildings, including number of dwelling units and nonresidential building square footages, pedestrian walkways and public or private open space.

**Section 27.** That all other provisions of the Unified Development Code remain unchanged.

**Section 28.** That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this 1st day of November, 2022.

APPROVED by the Mayor of the City of Meridian, Idaho, this 1st day of November, 2022.

**APPROVED:**

Robert E. Simison, Mayor

**ATTEST:**

Chris Johnson, City Clerk

