

MODERN ZONING CODE USER GUIDE

CITY *of* BOISE

Traditional Residential (R-1C) zoning is located in nearly all Boise neighborhoods and makes up 25% of the land within the city. To view where R-1C is located, visit the [Zoning Conversion Map](#).

The standards for **Traditional Residential (R-1C)** are modeled from the guidance in *Blueprint Boise* for Suburban and Compact Neighborhoods. Specifically, the dimensional standards and allowed housing types are informed by [Chapter 3 Community Structure and Design](#) and the following elements:

“Detached single-family homes are predominant but a variety of housing types including duplexes, triplexes, townhomes, apartments and condominiums could be allowed. Residential densities typically are between 6-15 units/acre. Neighborhood activity centers with retail, restaurants, employment and other services are encouraged within walking distance. Pedestrian-oriented streetscapes are desired.”



DIMENSIONAL STANDARDS COMPARISON: SECTION 11-02-02.3

Dimensional standards determine how a building will be situated on a lot and the potential building envelope. Use-specific standards or other provisions within the code may include standards that are more or less strict, depending on the situation: for example, a rear setback may be reduced for a smaller garage with alley access. The following table summarizes the baseline dimensional standards that apply across the entire R-1C zoning district.

Note: maximum density is a calculation of dwelling units per acre. A dwelling unit is a building designed for or used as a residence for not more than one household. It must constitute a separate and independent housekeeping unit, with a single kitchen permanently installed. More information about definitions and rules of measurement can be found in *Chapter 11-06, Definitions*.

	PREVIOUS CODE	NEW CODE
Density (units/acre)	8 units/acre	12.4 units/acre
Minimum Lot Size <i>NOTE: The creation of any new lot requires approval through the subdivision process. The subdivision process requires public hearings at both the Planning & Zoning Commission and City Council. Subdivisions must address all required infrastructure improvements including sidewalks.</i>	5,000 sq/ft. - interior lot 7,000 sq/ft. -corner lot	3,500 sq/ft. interior lots and corner lots
Height <i>NOTE: The Modern Zoning Code changed the way height is measured. The previous code measured buildings to the midline of a sloped roof. To simplify measurement, the Modern Zoning Code measures height to the highest point of a building regardless of roof type.</i>	35 ft.	3 stories not to exceed 40 ft.
Minimum Frontage	30 ft.	20 ft.
Front Setbacks - (Parking/Remainder of Structure) <i>NOTE: *In the previous code, the allowance for a 15-feet setback for the remainder of structure is only for single-family and duplexes dwellings.</i>	20 ft./15 ft.*	20 ft. /15 ft.
Street Side Setback - (Parking/Remainder of Structure) <i>NOTE: *In the previous code, the allowance for a 15-feet setback for the remainder of structure is only for single-family and duplexes dwellings.</i>	20 ft. /15 ft.*	20 ft./15 ft.
Interior Setback	5 ft.	5 ft. 10 ft. for the 3rd story if abutting a single-story building
Rear Setback	15 ft.	15 ft.

R-1C MAXIMUM HEIGHT



TABLE OF ALLOW USES - COMPARISON: SECTION 11-03-02

The Table of Allowed Uses names general “use categories” and specific “uses” based on common, functional, or physical characteristics such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. The Table of Allowed Uses determines what activities are considered permitted or “allowed by-right,” conditional, or allowed only if meeting incentive requirements.

PREVIOUS CODE	NEW CODE
Allowed Uses	
Residential Uses <ul style="list-style-type: none"> Accessory Dwelling Unit (ADU) Single Family Detached Duplex Group Home Manufactured Home Home Occupation including Daycare & Swimming Lessons 	Residential Uses <ul style="list-style-type: none"> Accessory Dwelling Unit (ADU) Single Family Detached Single Family Attached Duplex Group Home Manufactured Home Cottage Village Live/Work Home Occupation including Daycare
Public, Institutional, and Civic Uses <ul style="list-style-type: none"> Afterschool Child Care 	Public, Institutional, and Civic Uses <ul style="list-style-type: none"> Park or Playground
Commercial Uses <ul style="list-style-type: none"> Microcell Wireless Communication Facility (WCF) Utility Facility Minor Public Service Poles 85 feet or under Urban Farm Recycling Drop-Off Center 	Commercial Use <ul style="list-style-type: none"> Attached Wireless Communication Facility (WCF) Neighborhood Café (Corner Lot) Bed and Breakfast Neighborhood Retail Sales (Corner Lot) Electric Vehicle Charging Facility Utility Facility Minor (may be conditional in some cases)

Conditional Uses	
Residential Uses <ul style="list-style-type: none"> • Manufactured Home Community • Triplex • Fourplex • Multi-family Building, 3 - 6 units, not to exceed 20 units per acre • Planned Unit Development 	Residential Uses <ul style="list-style-type: none"> • Manufactured Home Community • Co-Housing
Public, Institutional, and Civic Uses <ul style="list-style-type: none"> • Childcare 7-21+ children • Monopole WCF, less than maximum height of zone district • Visually unobtrusive/attached WCF • Government buildings, non- industrial • Recreation center • Religious institution • Uses related to a religious institution • Library • School • Private commercial school • Golf course & driving range • Park or playground 	Public, Institutional, and Civic Uses <ul style="list-style-type: none"> • Art gallery, museum or library • Religious institution • Uses related to a religious institution • School • Community center • Fire or police facility • Golf course • Recreation indoor
Commercial Uses <ul style="list-style-type: none"> • Utility facility major • Public service poles over 85 feet • Recreation, commercial – indoor • Social event center • Swimming pool, commercial 	Commercial Uses <ul style="list-style-type: none"> • Electrical Substation • Freestanding wireless communication facility – monopole/ structure > base height of zoning district • Other communication tower • Recreation outdoor • Neighborhood café (interior lot) • Neighborhood retail sales (interior lot) • Utility Facility Minor (may be allowed in some cases)
Must Meet Incentive Requirements for Affordability or Sustainability	
N/A	Residential Uses <ul style="list-style-type: none"> • Triplex • Fourplex • Multiple Family



MODERN ZONING CODE INCENTIVES (APPLICABLE TO R-1C SECTION 11-04-03.7)

A large component of the Modern Zoning Code's framework is the provision of incentives to ensure new development is affordable or sustainable for Boise residents. These incentives are outlined below. More information on income limits for affordable housing can be found on the [city's website](#).

Incentive #1: Residential Large Lot, Suburban, & Traditional Zones:

To qualify for up to 4 units, the required qualifications to be eligible for the incentive include:

- Must be within the Residential Large Lot, Suburban, or Traditional Zones (R-1A, R-1B or R-1C).
- Affordable: 1 of 3 or 2 of 4 units are affordable to households earning 80% (rental) or 120% (ownership) Area Median Income (AMI) or below for a term of 20 years, **OR** Sustainable: Incorporate design and infrastructure elements that support clean energy, energy savings, and water savings.

Incentive #2: "Strategic Infill":

Required qualifications to be eligible for the incentive:

- Must be within the Residential Suburban or Traditional zoning district (R-1B or R-1C)
- The property must meet one of the following location criteria:
 - 300 feet from a collector or arterial designated by the ACHD Master Street Map
 - ¼ mile from MX-3, MX-4, or MX-5
- The property must meet all site criteria:
 - 55 feet of street frontage
 - Vacant lot or structure value is equal or less than the **25% of the value of the land** or the existing building is incorporated
 - No approved demolition in past 3 years
 - Any new surface parking or garage located to the rear of structure (must use alley access if available)

Incentive Received & Affordability Requirement

If the property meets the above location and site criteria, the development can do the following:

- Build 4 units
- Build 5-8 units with a 50% parking reduction if at least one unit is deed-restricted affordable at 80% AMI (rental) or 120% AMI (ownership), for a term of 20 years
- Build 9-12 units with a 50% parking reduction if at least two units are deed-restricted affordable at 80% AMI (rental) or 120% AMI (ownership), for a term of 20 years

Incentive #6: Adaptive Reuse

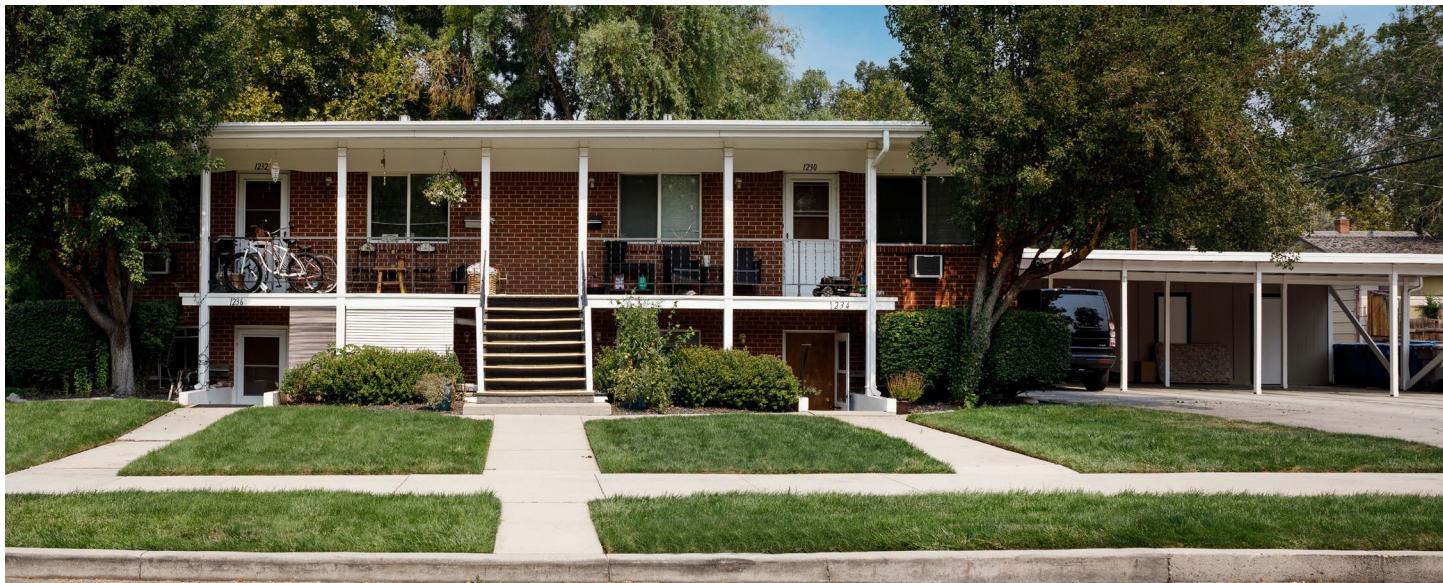
If the existing building is reused and/or increased in size less than 10% in the R-1A, R-1B, R-1C, R-2, and R-3 zoning districts, the project will not be subject to the dwelling unit per acre density limit and receive a 50% parking reduction.

DESIGN AND DEVELOPMENT STANDARDS

Any developments within our neighborhoods are required to comply with various design and development standards. The following provides a summary of some of the most common requirements.

Height Transitions

HEIGHT TRANSITIONS APPLICABLE TO R-1C	TYPE OF TRANSITION
Any project abutting a single-story building	The 3rd story must be set back 10 ft. (pg. 195)
If the project is within R-2, R-3, or a Mixed-Use zoning district and abutting an R-1C property	<p>Must follow <i>11-04-03.5 Neighborhood Transition Standards</i>.</p> <p>Setbacks:</p> <ul style="list-style-type: none"> Primary building must use side and rear setbacks matching the R-1C zone <p>Height:</p> <ul style="list-style-type: none"> Height of project is limited to 35 ft. at the required setback Any portion of the building between 35-45 ft. must be set back an additional 20 ft. from the required setback Any portion of the building above 45 ft. tall must be set back an additional 30 ft. from the required setback
If project includes a Duplex, Triplex, Fourplex (any zone)	Must follow <i>11-03-03.2G(7)(i) Duplex, Triplex, Fourplex Use-Specific Standards</i> for stepping in on the second and/or third story regardless of what the project is adjacent to.
If a project is on a lot smaller than 3,500 sq/ft and abutting a single or two-story building	Must follow <i>11-04-03.4D(2) Residential Small Lot Standards</i> limiting project to 2 stories and not to exceed 35 feet.





Parking: Section 11-04-08

The Modern Zoning Code establishes new standards for vehicle and bike parking. The requirements for parking are established by the proposed use. The following chart shows how the previous code compares to the new code for common allowed uses within the R-1C zone. To view the full table, see Section 11-04-08.5 Minimum and Maximum Off-Street Parking Standards.

REQUIRED OFF-STREET VEHICLE PARKING		
	Previous Code	New Code
Accessory Dwelling Unit	Studio/Efficiency: 0 1 Bedroom: 0 2 Bedroom: 1 DU	No off-street parking required
Single Family Detached	2 per dwelling unit	1 per dwelling unit
Cottage Village	n/a	1 per dwelling unit
Live/Work	n/a	2 per dwelling unit
Duplex	2 per dwelling unit	1-3 Bedroom: 1 per dwelling unit 4+ Bedroom: 0.75 per bedroom
Manufactured Home	2 per dwelling unit	1 per dwelling unit
Triplex	2 per dwelling unit	1-3 Bedroom: 1 per dwelling unit 4+ Bedroom: 0.75 per bedroom
Fourplex	2 per dwelling unit	1-3 Bedroom: 1 per dwelling unit 4+ Bedroom: 0.75 per bedroom
Multi-Family	Studio/Efficiency: 0.75 per unit 1 Bedroom: 1 per unit 2 Bedroom: 1.25 per unit 3+ Bedroom: 1.5 per unit Guest: 1 per 10 unit	Studio/Efficiency: 0.5 per unit 1 Bedroom: 1 per unit 2 Bedroom: 1.25 per unit 3+ Bedroom: 1.5 per unit Guest: 1 per 10 unit
Neighborhood Café	n/a	1 per 1,000 square feet Gross Floor Area
Bed and Breakfast	n/a	1 per guest bedroom plus 1 for manager
Neighborhood Retail Sales	n/a	1 per 1,000 square feet Gross Floor Area

Subdivision: Section 11-04-04

A subdivision is the division of land into individual lots for sale. The previous code allowed land to be divided up to 4 individual lots through an expedited, administrative process called Minor Land Division. In the Modern Zoning Code, any other “lot split” is considered a subdivision and subject to the following approval requirements:

- A subdivision application is required for any project that does not provide affordable housing.
- Notice of subdivision application will be transmitted to Neighborhood Associations and posted on the [**Community Development Tracker**](#). Mailed notice to neighbors and posted notice is required for projects greater than five acres.
- Approval of a subdivision application requires public hearing at both the Planning and Zoning Commission and City Council.
 - Infrastructure improvements including installing curb, gutter, and sidewalk are required for approval.

Landscaping & Tree Canopy: Section 11-04-09

The Modern Zoning Code establishes requirements to encourage climate-appropriate landscaping as well as growing our tree canopy. Below lists several of the new requirements in the landscaping section:

Water-Wise Landscaping

- At least 25% of non-tree materials must be native flowering and nectar-producing plants
- Reducing use of water-intensive lawn species (e.g., Kentucky Bluegrass)
 - No more than 33% of landscaped area on site
 - Prohibited in difficult-to-maintain areas less than 6' in width
 - Prohibited in areas solely for decorative purposes (e.g., roundabouts, parking lot islands, etc.)
- Non-potable water must be used for irrigation to the maximum extent practicable in all landscaping and subdivisions
- New design standards to encourage the use of xeriscaping and stormwater filtration swales

Growing Our Tree Canopy:

- Reduce tree spacing requirements to increase a continuous tree canopy
- Up to 10% parking reduction in exchange for preserving healthy trees on site
- 1:1 tree mitigation with trees 1.5 caliper inch or greater
- Requirements for species diversity when 5 or more trees are planted
- Detailed requirements for protection of trees during construction
- Curbing required to protect trees in planting areas that border vehicle use areas
- Prohibit tree plantings that interfere with emergency access, pedestrian walkways, or clear vision triangle to promote safety and minimize future conflict between existing trees and sidewalk or pathway network completion
- Class III trees required every 60 ft. of perimeter landscape
- At least one Class III tree required in each parking lot planter island
- Street Frontage Landscaping:
 - Largest possible class of tree must be planted in street frontage landscaping
 - 1 tree per 40 linear ft.
 - Minimum 8' width for Class II and III trees, or 10' width for Class I trees
 - Class I trees only allowed where overhead powerlines prohibit use of a larger class

To learn more about tree classifications and species types, see the Treasure Valley [**Tree Selection Guide**](#).

Assured Water Supply: Section 11-04-010

The proposed Assured Water Supply requirements are in response to community interest in long term water supply considerations and sustainable development. The requirements in the Modern Zoning Code are comparable to approaches in other western states. All new development and redevelopment with five units or more are required to demonstrate assured water supply. The code exempts redevelopment projects that do not increase existing consumptive water use. Demonstration of Assured Water Supply include:

- Legal Water Availability (Water Rights) to serve proposed development
- Adequate delivery: infrastructure is viable to provide water for 50-year timeframe
- Financial Capability: there is the financial capability to fund construction, operation, and maintenance
- Water Availability and Quality: There is demonstrated ability to meet forecasted demand at full buildout, and at required quality levels, for a period of 50 years

PROCESS & PROCEDURES: CHAPTER 11-05

The previous code had a different process of review and notification for 37 different planning applications. Applications could be reviewed and approved at the same time a building permit is issued. Applications can be approved administratively by the Director, or approved by the Hearing Examiner, the Planning and Zoning Commission, Historic Preservation Commission, Design Review Committee; and/or by City Council.

The Modern Zoning Code creates four different types of applications. Each type of application is reviewed by a different review body and has a standard set of requirements for neighbor notification, approval, and appeal. The table below shows the categorization of common applications within the R-1C zoning district.

The Modern Zoning Code also establishes a new process called Interdepartmental Review, where city departments and other relevant agencies meet to review a proposed project before an application submittal. Interdepartmental Review is required for some administrative applications and all appointed and elected body review applications.

TYPE 1 Simple Review	TYPE 2 Administrative Review <i>*May require Interdepartmental Review</i>	TYPE 3 Appointed Body Review and Decision <i>Requires Neighborhood Meeting & Interdepartmental Review</i>	TYPE 4 City Council Review and Decision <i>Requires Neighborhood Meeting & Interdepartmental Review</i>
Appeal to Hearing Examiner		Appeal to City Council	Appeal to District Court
<ul style="list-style-type: none">• Temporary Sign• Home Occupation• Hillside Category 1 & 2	<ul style="list-style-type: none">• Record of Survey• Minor Small Lot• Accessory Dwelling Unit• Duplex• Other Allowed Uses Including Incentives*• River System Permit• Conditional Use Permit – Modification*• Minor Design Review*• Minor Land Division	<p>Planning & Zoning Commission:</p> <ul style="list-style-type: none">• Major Expansion of a Nonconforming Use• Conditional Use Permit• Hillside Category 3• Complex River System Permit <p>Design Review Commission:</p> <ul style="list-style-type: none">• Major Design Review• Major Small Lot <p>Historic Preservation Commission:</p> <ul style="list-style-type: none">• Certificate of Appropriateness	<ul style="list-style-type: none">• Comprehensive Plan Amendments• Zoning Ordinance Amendments• Annexation/Rezone• Planned Unit Developments• Subdivisions• Subdivision Related Items

Type 1 Applications

Type 1 applications require simple review and are typically approved during a planning review of building permits. These applications have minimal notice. The table below shows a comparison of noticing procedures for current common R-1C applications that will be most similar to Type 1 applications in the proposed code.

APPLICATION TYPE	NOTICING BEFORE SUBMITTAL (APPLICANT)		NOTICING AFTER SUBMITTAL-UPON APPROVAL (CITY)		TRANSMITTAL TO NEIGHBORHOOD ASSOCIATIONS & AGENCIES	
Code	Previous	New	Previous	New	Previous	New
CZC - Zoning Certificate Accessory Structure > 1,000 SF	No	No	No	No	No	No
CZC - Zoning Letter	No	No	No	No	No	No
CZC - Home Occupation	Adjacent Properties	No	No	No	No	No
ROS - Parcel Consolidation	No	No	No	No	Yes	No

Type 2 Applications

Type 2 applications are typically an allowed use, or a use only allowed if meeting incentive requirements. These allowed uses have use-specific standards that enable consistent review by staff. Noticing for Type 2 applications include a transmittal to Neighborhood Associations of any action as well posting on the Community Development Tracker. Any individual can sign up for notifications on the Community Development Tracker and will be notified of development activity near them.

Below shows a comparison of noticing procedures between common R-1C applications that will be most similar to Type 2 applications in the Modern Zoning Code.

APPLICATION TYPE	NOTICING BEFORE SUBMITTAL (APPLICANT)		NOTICING AFTER SUBMITTAL-UPON APPROVAL (CITY)		TRANSMITTAL TO NEIGHBORHOOD ASSOCIATIONS & AGENCIES		POSTED ON COMMUNITY DEVELOPMENT TRACKER (OPTION TO SUBSCRIBE TO UPDATES)	
Code	Previous	New	Previous	New	Previous	New	Previous	New
CZC-In-Home Child Care (7-12 Kids)	Adjacent Properties	No	No	Adjacent Properties	Yes	Yes	No	Yes
CAA – Group Child Care Home/Facility	Adjacent Properties	No	300 ft.	Adjacent Properties	Yes	Yes	No	Yes
CAA - ADU	Adjacent Properties	No	300 ft.	Adjacent Properties	Yes	Yes	No	Yes
CAA - Duplex	Adjacent Properties	No	300 ft.	Adjacent Properties	Yes	Yes	No	Yes
CZC - Co-Location/ Admin WCF	No	No	No	Adjacent Properties	Yes	Yes	No	Yes

Type 2 Applications, Continued...

APPLICATION TYPE	NOTICING BEFORE SUBMITTAL (APPLICANT)		NOTICING AFTER SUBMITTAL-UPON APPROVAL (CITY)		TRANSMITTAL TO NEIGHBORHOOD ASSOCIATIONS & AGENCIES		POSTED ON COMMUNITY DEVELOPMENT TRACKER (OPTION TO SUBSCRIBE TO UPDATES)	
Code	Previous	New	Previous	New	Previous	New	Previous	New
CVA - Administrative Variance	Adjacent Properties	Not applicable. Variances reviewed by Hearing Examiner (Type 3)	Adjacent Properties	Not applicable. Variances reviewed by Hearing Examiner (Type 3)	Yes	Not applicable. Variances reviewed by Hearing Examiner (Type 3)	No	Not applicable. Variances reviewed by Hearing Examiner (Type 3)
DRH - Historic Preservation	No	No	Adjacent Properties	Adjacent Properties	Yes	Yes	No	Yes
DRH - Substandard Lot (or Small Lot – New Code)	300 ft. for neighborhood meeting	No	300 ft.	Adjacent Properties	Yes	Yes	No	Yes
ROS - Minor Land Division (Excluding Affordable Housing)	Adjacent Properties	Not applicable. Must be processed as a Subdivision (Type 4)	No	Only permitted for affordable housing. Adjacent properties	Yes	Not applicable. Must be processed as a Subdivision (Type 4)	No	Not applicable. Must be processed as a Subdivision (Type 4)
NEW APPLICATION - Incentives	Not applicable. Current code has no incentives for affordability/sustainability in the R-1C	No	Not applicable. Current code has no incentives for affordability/sustainability in the R-1C	Adjacent Properties	Not applicable. Current code has no incentives for affordability/sustainability in the R-1C	Yes	Not applicable. Current code has no incentives for affordability/sustainability in the R-1C	Yes
NEW APPLICATION - Other Allowed Uses such as Neighborhood Café Interior	Not applicable	No	Not applicable	Adjacent Properties	No Applicable	Yes	Not applicable	Yes

Type 3 & Type 4 Applications

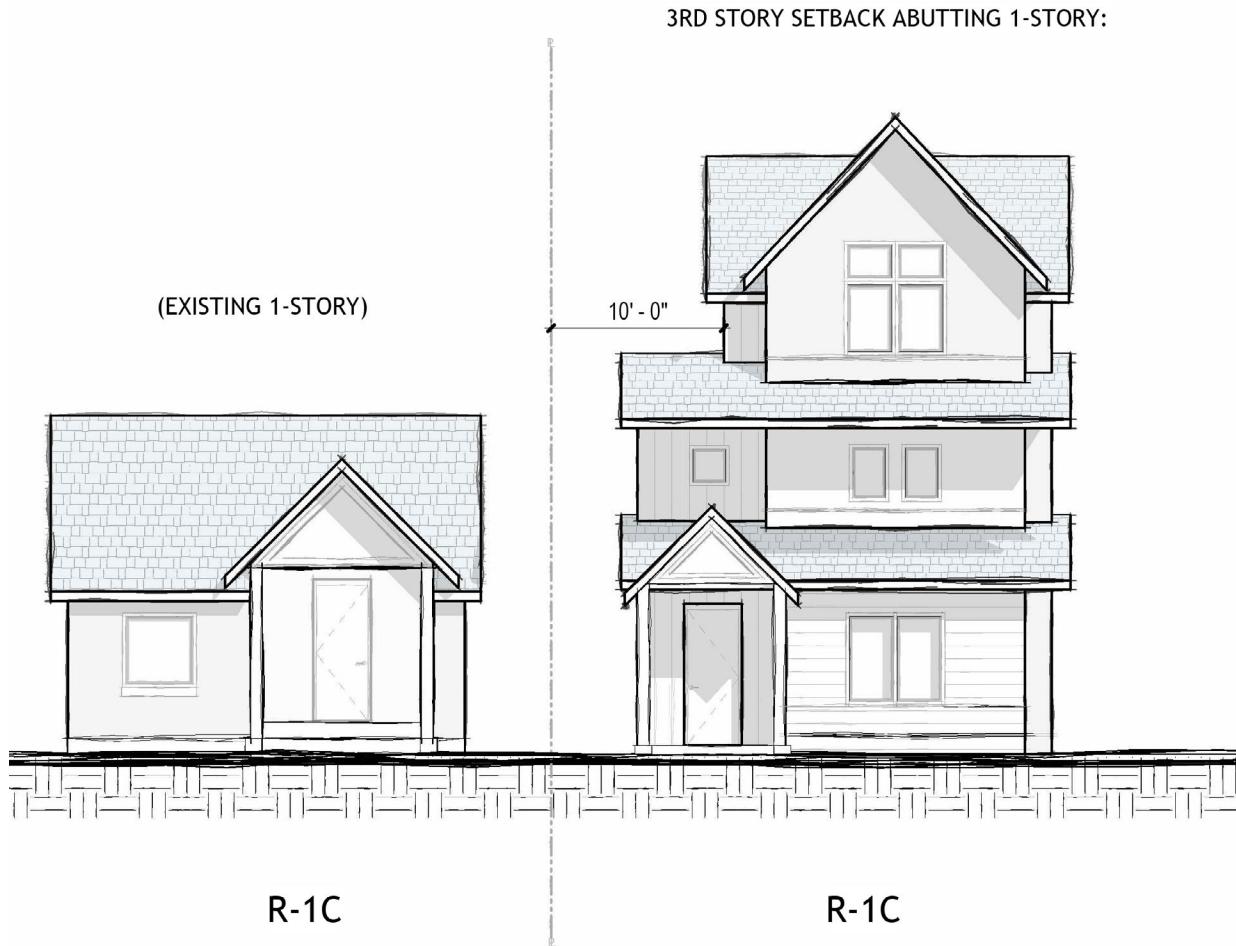
Type 3 and type 4 applications are reviewed by appointed or elected bodies. The Modern Zoning Code does not change the notification process for these application types as most have state mandated requirements. Applicants are still required to mail notice of a mandatory neighborhood meeting and the city will still mail notice to neighbors after submittal of an application as well as electronically transmit to Neighborhood Associations and agencies. Type 3 and Type 4 applications are also posted on the Community Development Tracker. Common Type 3 applications include a Conditional Use Permit, Variance, or Major Design Review. Common Type 4 applications include a Rezone, Comprehensive Plan Amendment, and Zoning Ordinance Amendment.

POTENTIAL SCENARIOS

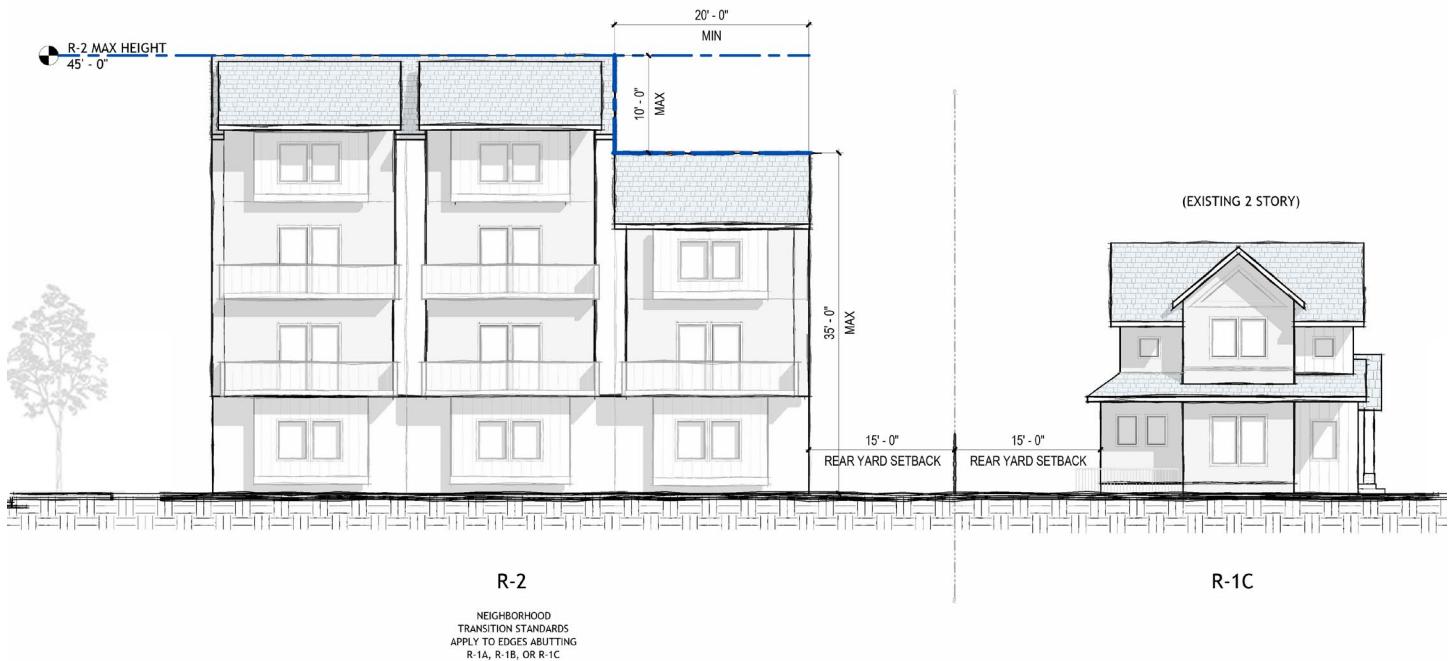
The goal of a zoning code is to create rules that will foster creative design and provide the types of development that contribute to the goals of the city. Below shows several potential examples of how property can be developed within the R-1C neighborhoods.

- Building a three story single family home next to a single-story home
- R-1C two-story home abutting R-2 (back-to-back)
- Two story fourplex next to two-story home
- 8-unit apartment (three story) next to a single-story home

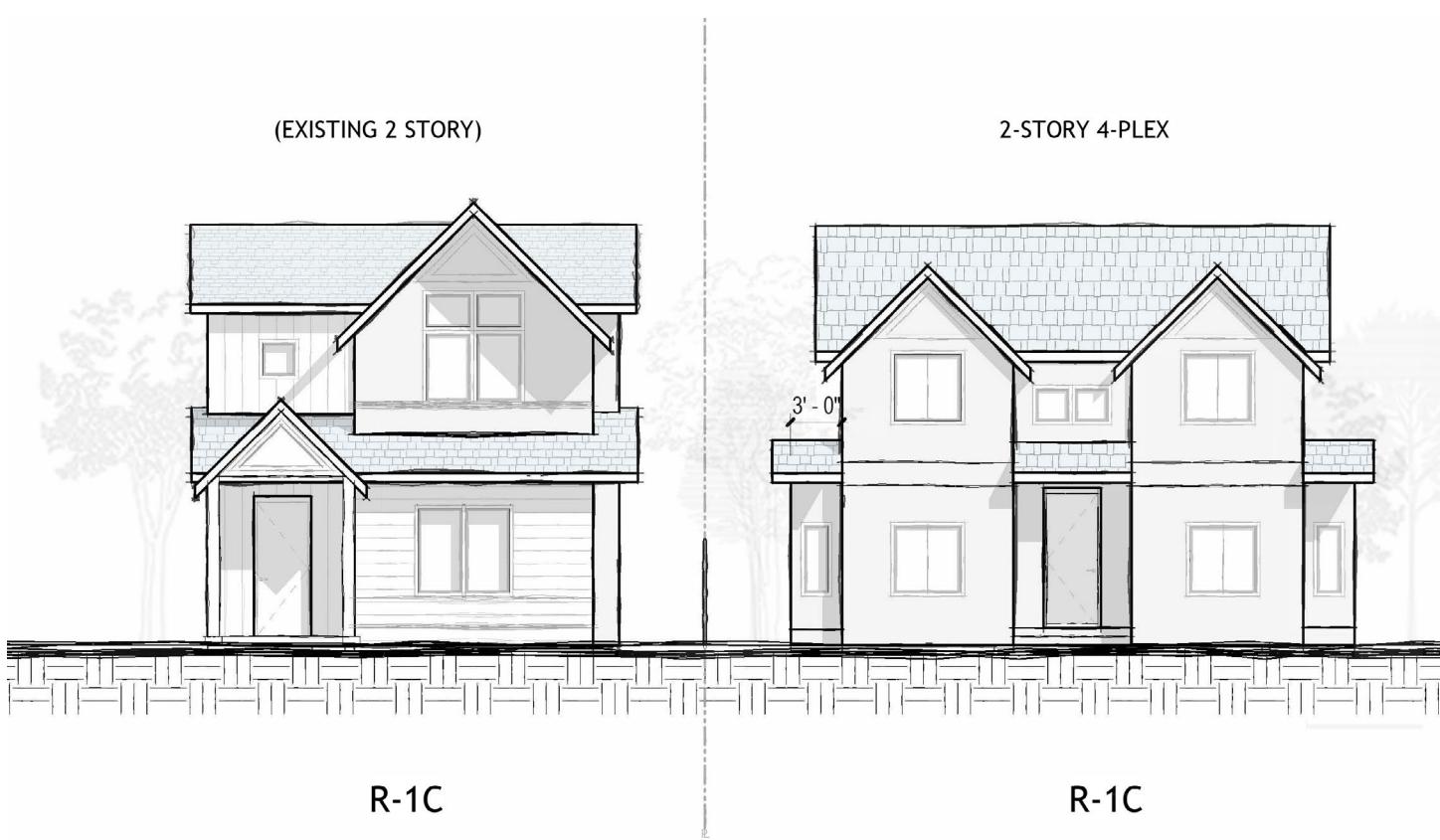
A THREE-STORY HOME NEXT TO A SINGLE STORY HOME



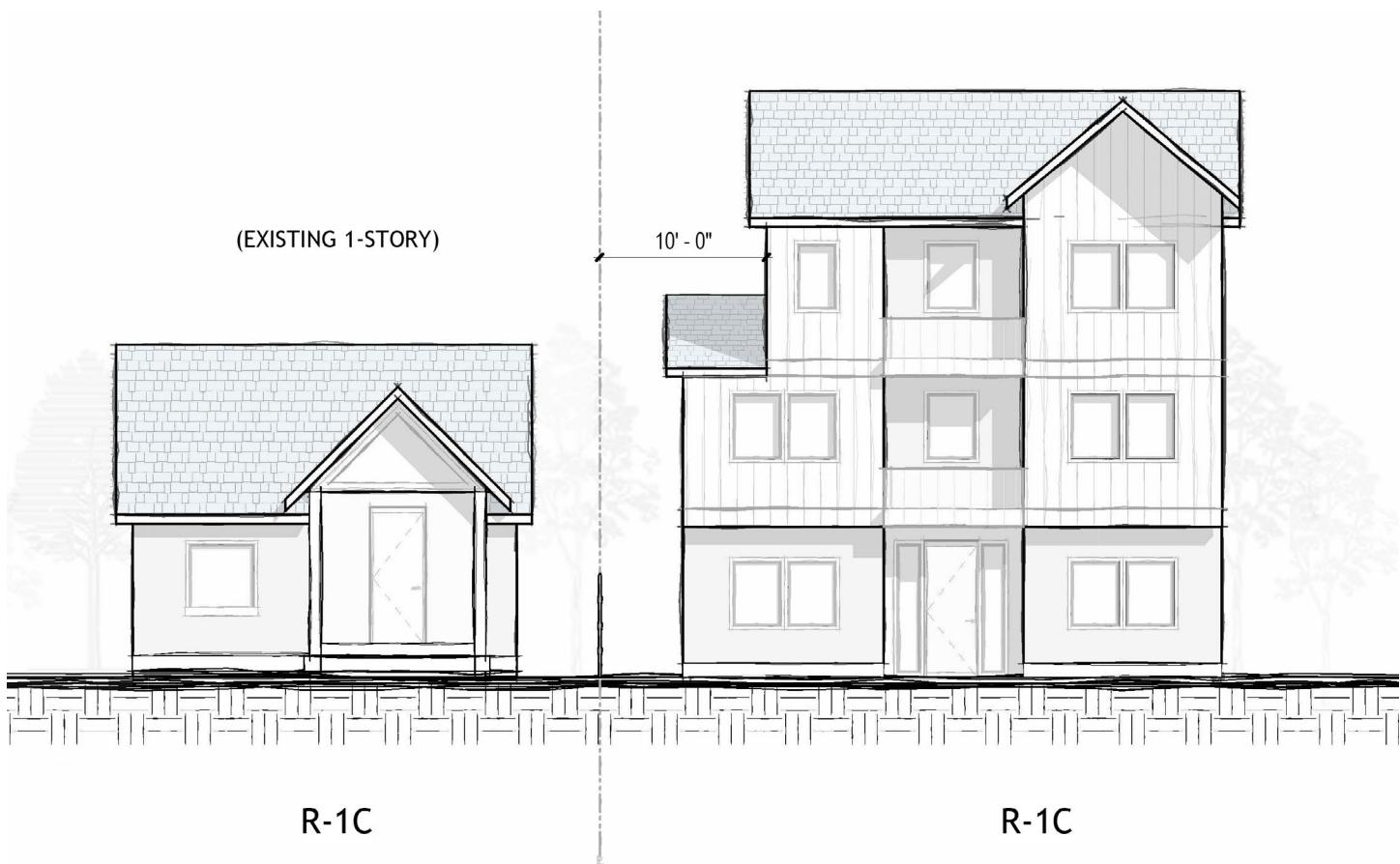
A TWO-STORY HOME ABUTTING R-2 (BACK-TO-BACK) IN R-1C



TWO STORY FOURPLEX NEXT TO A TWO-STORY HOME



A THREE-STORY 8-UNIT APARTMENT BUILDING NEXT TO A SINGLE-STORY HOME



DEFINITIONS: SECTION 11-06-03

The Modern Zoning Code includes some new and updated definitions. The following list provides an overview of definitions for uses relevant to the R-1C zoning district. For a full list of definitions, see *Section 11-06-03 Definitions*.

Bed and Breakfast: A lodging establishment, generally in a Single-Family Detached Dwelling or detached guesthouses, primarily engaged in providing overnight or otherwise temporary lodging for the general public, accompanied by food service. The bed and breakfast establishment is the owner's personal residence and is occupied by the owner or employee at the time of the guests' stay.

Dwelling, Cohousing: A residential building that contains four or more individual bedrooms where each bedroom is designed for occupancy by one or two individuals, and in which residents are required to sign individual occupancy agreements or leases for a period of at least 28 consecutive days.

Dwelling, Cottage Village: A residential development that combines a group of small individual single-family dwelling units, oriented around an open space for communal use by the residents of the development. This definition shall not include any use meeting the definition of a Manufactured Home Park.

Dwelling, Live/Work: A dwelling unit containing an integrated living and working space, and in which the living area is located above or behind the working space.

Neighborhood Café: An establishment that serves a limited menu of food items and does not contain more than 2,000 square feet of gross floor area. Accessory uses to the service of food may include retail sales and the sale of non-alcoholic or alcoholic beverages.

Retail Sales, Neighborhood: A facility or establishment with up to 2,000 square feet of gross floor area.

