

**Proposed UDC Text Amendments
(Phase 2)**

UDC Section	Topic	Reason for Change	Proposed Change														
11-2A-3E	Standards	Increase the maximum height limit for education institutions	3. Notwithstanding other height limitations as set forth in this chapter, the maximum height for education facilities shall be fifty <u>forty</u> feet (<u>540'</u>)														
Table 11-2B-2	Allowed use table in commercial districts	Medical centers are identified in the M-E zone but hospitals are a prohibited use in the table.	<table border="1"> <tr> <td>Use</td> <td>C-N</td> <td>C-C</td> <td>C-G</td> <td>L-O</td> <td><u>M-E</u></td> <td>H-E</td> </tr> <tr> <td>Hospital¹</td> <td>-</td> <td>C</td> <td>C</td> <td>C</td> <td><u>C</u></td> <td>P</td> </tr> </table>	Use	C-N	C-C	C-G	L-O	<u>M-E</u>	H-E	Hospital ¹	-	C	C	C	<u>C</u>	P
Use	C-N	C-C	C-G	L-O	<u>M-E</u>	H-E											
Hospital ¹	-	C	C	C	<u>C</u>	P											
11-3A-5	Bikeways	ACHD has a master plan specific to bikeways that supplements the Master Street Map.	"Bikeways shall be constructed in accord with the city's comprehensive plan and the Ada County highway district master street map <u>and Roadways to Bikeways Master Plan.</u> "														
11-3B-7C.2c	Location of fences/walls on interior edge of street buffers	11-3H-4D requires a berm or berm/wall combination for noise abatement for residential and other noise sensitive uses adjoining state highways.	"Except where fences and walls are used as decorative landscape elements <u>or as noise abatement</u> , fences and walls are permitted only on the interior edge of the street buffer."														
11-3B-14C	Installation	Coincides with the changes requested below to the surety standards.	<p>C. Extension Of Time For Installation:</p> <p><u>1. Non-Residential:</u> The building official, upon recommendation of the director, may recommend issuance of a temporary certificate of occupancy for non-residential projects for a specified time period, not to exceed one hundred eighty (180) days when:</p> <p>1a. Due to inclement weather or other extenuating circumstances, the landscaping or other required site amenities cannot be completed; and</p> <p>2b. The applicant has provided surety to the city for the required improvements consistent with the provisions of chapter 5, article C, "Surety Agreements", of this title.</p> <p><u>2. Residential:</u> The building official, upon recommendation of the director, may recommend issuance of a certificate of occupancy for residential dwelling units when:</p> <p>1a. Due to inclement weather or other extenuating circumstances, the landscaping or other required site amenities cannot be completed; and</p> <p>2b. The applicant has provided surety to the city for the required improvements consistent with the provisions of chapter 5, article C, "Surety Agreements", of this title.</p> <p><u>c. Within ninety (90) days of the first certificate of occupancy being issued, all required landscaping, irrigation systems and site features shall be installed, or additional certificate of occupancies will be withheld.</u></p>														

Table 11-3C-6	Required parking spaces for residential use	Revisit the parking ratios for multi-family developments.		<u>Studio</u>	<u>1 per dwelling unit</u>
			Dwelling, multi-family ³ (triplex, fourplex, apartments, etc.)	1	1.5 per dwelling unit; at least 1 in a covered carport or garage
				2/3	2 per dwelling unit; at least 1 in a covered carport or garage
				4+	3 per dwelling unit; at least 2 in a covered carport or garage
			<u>Guest spaces</u>	<u>1 per 10 dwelling units</u>	
11-4-3-18	Flex space	Provide an avenue for an applicant to incorporate loading docks in the commercial districts.	<p>A. Office and/or retail showroom areas shall comprise a minimum of thirty percent (30%) of the structure and/or tenant space.</p> <p>B. Light industry and warehousing shall not comprise more than seventy percent (70%) of the tenant space.</p> <p>C. In the C-C, C-G and M-E Districts, roll-up doors <u>and loading docks</u> shall not be visible from a public street.</p> <p>D. Except in the I-L and I-H Districts, loading docks are prohibited.</p> <p>DE. Retail use shall not exceed twenty five percent (25%) of leasable area in any tenant space.</p>		
11-4-3-43C.8	Lattice or guyed designed structures	We have considered a lattice structure to fall into the category of "other wireless communication facilities that do not meet the standards set forth in this section shall require conditional use approval in 11-4-3-43C.10" although 11-4-3-43C.8 specifically prohibits these type of structures. (i.e. Ada County Dispatch Center CUP-14-018; Day Wireless CUP H-2019-0115)	Lattice or guyed designed structures are prohibited <u>unless approved through the conditional use process.</u>		

11-5A-6D	City takes over posting of 4' x 4' signs and ensures they are affixed to ground	There have been complaints that properties are not being posted in a quality and timely manner. The City should contract out the posting requirements to lessen the amount of continuations.	<p>D. Posting Of Public Hearing Notice:</p> <p>1. Required: All applicants for applications requiring a public hearing shall <u>be posted on</u> the subject property, except posting is not required for a unified development code text amendment, comprehensive plan text amendment, vacation, comprehensive plan map amendment initiated by the city, and/or short plat.</p> <p>2. Time Frame: Not less than ten (10) days prior to the hearing, the applicant shall post a copy of the public hearing notice of the application on the property under consideration. Except as noted herein, posting of the property must be in substantial compliance with the following requirements:</p> <p style="text-align: center;">(Keep Exhibit)</p> <p>3. Sign Placement: The signs shall be posted <u>securely</u> on the land being considered along each roadway that is adjacent to the subject property boundaries. The sign(s) shall be located on the property, outside of the public right of way. If the sign cannot be placed on the property and still be clearly visible, the sign may be placed within the right of way if the applicant can obtain the consent of the owner of the right of way <u>can be obtained</u>. In circumstances where placing signs per the standards listed herein is not practical the applicant may request a director's determination to <u>may</u> identify an alternative sign placement strategy.</p> <p>4. Proof Of Posting: The applicant shall submit a notarized statement, <u>map depicting the location(s) of the sign(s)</u> and a photograph of the posting <u>shall be provided</u> to the city no later than seven (7) days prior to the public hearing attesting to where and when the sign(s) were posted. Unless certificate is received by such date, the hearing will be continued.</p> <p>5. Sign Removal: The signs shall be removed no later than three (3) days after the public hearing for which the sign had been posted is ended.</p>
11-5A-6G	Public hearing process	Add a new provision that specifies when revised plans are due to staff for adequate review. Many times applicants are providing staff with revised plans to close to the public hearing and staff doesn't have enough time to analyze them to ensure that meet city codes.	<p><u>8. If revised plans are required by director, commission or council, the applicant shall provide those 15 days prior to the scheduled hearing for review and approval. If plans are not received within the established timeframe, the project shall be continued to extend the review period.</u></p>

11-5C	Surety agreements	<p>Recently City was issuing CO's for single family homes without all of the subdivision improvements being completed. The City does not issue TCO's for single family residences even if surety is in place for such improvements. This section of code is being amended to address this issue.</p> <p>UDC 11-3B-14 covers the nonlife, nonsafety improvements a project can provide surety for. Remove duplication in 11-5C-3D.</p>	<p>11-5C-1: PURPOSE:</p> <p>The purpose of this article is to establish procedures that guarantee the completion of improvements where City Engineer signature on the final plat or occupancy of a structure is desired, but the improvements required by the City have not been completed. (Ord. 11-1487, 8-9-2011, eff. 1-1-2012)</p> <p>11-5C-2: APPLICABILITY:</p> <p>The provisions of this article shall apply to those improvements that are not needed to protect the public health, safety and life (including, but not limited to: landscaping, fencing, pressurized irrigation systems and site amenities) and those improvements that are needed to protect the public health, safety and life (including, but not limited to, water, sewer, reclaimed water, stormwater facilities or improvements, and power facilities; parking lot paving and striping; and street paving). (Ord. 11-1487, 8-9-2011, eff. 1-1-2012)</p> <p>11-5C-3: PROCESS:</p> <p>A. The City may withhold building, electrical or plumbing permits, certificates of zoning compliance, or certificates of occupancy on the lots or land being developed or subdivided, or the structures constructed thereon, if the improvements required under this title have not been constructed or installed, or if such improvements are not functioning properly.</p> <p>B. Where approved by the City Engineer, an owner may post a performance surety for such improvements that are needed to protect the public life, safety and health including, but not limited to, water, sewer, reclaimed water, stormwater facilities or improvements, and power facilities; parking lot paving and striping; and street paving in order to obtain City Engineer signature on the final plat. The estimated cost shall be provided by the applicant and reviewed and approved by the City Engineer. In addition to the performance surety, all such improvements shall also be subject to a warranty surety in the amount of twenty percent (20%) of the cost of improvements for a period of two (2) years. The amount of the performance surety shall be established by City Council resolution.</p> <p>C. In the event that an applicant and/or owner cannot complete the nonlife, nonsafety and nonhealth improvements, such as landscaping, <u>amenities</u>, pressurized irrigation, <u>pathways</u> and fencing, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved in accord with the procedures set forth in this chapter. The estimated cost for landscape and fencing sureties shall be provided by the applicant and reviewed and approved by the Director. The amount of surety called for shall be established by City Council resolution.</p> <p>D. Where a surety is accepted for nonlife, nonsafety and nonhealth improvements by the City and deposited as provided by this article, the City may release temporary occupancy of a structure or structures. The term of the temporary occupancy shall be determined by the City Engineer and/or Director. The term shall not exceed one hundred eighty (180) days in length.</p>
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11-7-4C.3	Density formula (All PUD Standards)	The UDC no longer has a maximum number of units associated with zoning we should remove	<p>Density Formula: Residential density in a planned development shall be calculated by multiplying the net residential area (gross acreage less the area of nonresidential uses) by the maximum number of dwelling units per acre allowed for the district in which the site is located.</p>