From: Wendy CarverHerbert
To: Jenah Thornborrow
Subject: SAP comments & Qs
Date: Monday, October 19, 2026 8:57:33 AM
Attachments: 10282026_Draft 7 ORD 1071 26 SAPD 02 10022026 REDLINE.pdf

Hi Jenah,

My schedule has changed slightly, and I won't be available until after 11:00 a.m. today. I should be readily accessible after that.

I've had an opportunity to go through the ordinance again and have attached my comments, which include some suggestions and questions about the overall structure, as well as questions about specific provisions.

One area I think would benefit from clarification is the height section. I find the current language somewhat confusing and would like to suggest reorganizing it to establish the general height standard first, followed by the specific provisions addressing residential adjacency, Boise River Greenbelt adjacency, and additional height allowances.

The following chart summarizes the approach I'm suggesting:

Provision	Maximum Height
District-wide base height	72 feet / 6 stories
Residential adjacency (shared property line)	45 feet for the closest structure or building portion, regardless of setback
Nonresidential ground-floor allowance	Up to 80 feet / 6 stories
Height transfer with Regulatory Master Plan approval	Up to 96 feet / 8 stories
Boise River Greenbelt Adjacency Area	Subject to applicable height standards

Suggested Rewrite — HEIGHT

A. Maximum Building Height

1. The maximum base building height within the district shall be seventy-two feet (72'), not to exceed six (6) stories, measured from grade, except as otherwise provided in this section.
2. Only stories located entirely above grade shall count toward the maximum number of stories. Roof access enclosures, mechanical equipment, and similar rooftop elements may extend above the maximum height as otherwise permitted by this code.

B. Adjacency to Residential Properties

1. **Applicability.** The residential adjacency height standards shall apply where a development property shares a common property line with a property designated as Adjacent Residential.
2. **Height Limitation.** The structure or portion of a structure nearest to and facing a shared Adjacent Residential property line shall not exceed forty-five feet (45') in height, regardless of its distance from the shared property line.
3. **Taller Structures.** Structures or portions of structures exceeding forty-five feet (45') in height may be permitted farther into the development, provided they are located behind an intervening structure or

portion of a structure not exceeding forty-five feet (45') in height. This requirement shall apply along the shared Adjacent Residential property line and to developments containing one or more structures.

4. The forty-five-foot (45') height limitation established in this subsection shall not be increased through the additional height allowances or height-transfer provisions of this section.

C. Boise River Greenbelt Adjacency Area

1. Structures within the Boise River Greenbelt Adjacency Area shall comply with the applicable height limitations and development standards established for that area.
2. Where the Boise River Greenbelt Adjacency Area overlaps with an Adjacent Residential property, the more restrictive applicable height limitation shall govern.

D. Additional Height Allowances

1. **Nonresidential Ground Floor.** Buildings containing a nonresidential ground floor may exceed the otherwise permitted maximum height by up to eight feet (8') to accommodate ground-floor commercial floor-to-ceiling heights, building systems, and architectural features associated with nonresidential occupancy. This allowance shall not increase the maximum number of permitted stories and shall not apply to structures or portions of structures subject to the forty-five-foot (45') residential adjacency height limitation established in subsection B.
2. **Height Transfer.** Building height may be increased by up to two (2) additional stories, not to exceed twenty-four feet (24') beyond the otherwise permitted base height, subject to approval of a Regulatory Master Plan. This increase is allowed only if the structure receiving the additional height is not located adjacent to the district boundaries.
   To qualify for additional height, an equivalent offset in building height shall be provided through a reduction in the height of another structure adjacent to the Boise River Greenbelt or an adjacent residential neighborhood. The height transfer shall be designed to reduce impacts and help protect the Boise River Greenbelt, adjacent residences, or the public realm.
   No height transfer shall permit a structure or portion of a structure subject to the forty-five-foot (45') residential adjacency height limitation in subsection B to exceed that limitation.

E. Adverse Height Impacts

Notwithstanding the maximum height otherwise permitted, no building shall exceed a height that results in significant adverse impacts on adjacent properties that are directly attributable to the building's height and cannot be adequately mitigated. Such impacts include, but are not limited to, a significant loss of privacy, excessive shadowing of living spaces, or other measurable impacts.

The applicant shall demonstrate that such impacts have been mitigated through setbacks, stepbacks, landscaping, or other effective mitigation measures. If significant adverse impacts cannot be adequately mitigated, the permitted building height shall be reduced to the extent necessary to achieve compliance with this standard.

I believe this structure would make the height provisions easier to understand and administer while preserving the intent to protect adjacent residential neighborhoods and allow flexibility for taller development elsewhere in the district.

I recognize that the language concerning intervening structures may need further refinement, particularly for developments with multiple buildings. I'm also interested in your thoughts on how best to incorporate the Boise River Greenbelt adjacency standards.

These are suggestions for discussion, and I'd appreciate your perspective on whether this approach would accomplish the intended objectives.

Thanks, and I look forward to connecting later today.

Cheers!
Wendy

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