

BOISE ZONING

R E W R I T E

PROJECT BACKGROUND

The City of Boise has experienced a significant shift in the last decade, from a quiet, small city to a burgeoning one at the center of a metropolitan area known as the Treasure Valley. As the city has grown, it's become imperative for our zoning code and policies to evolve. The current effort to modernize Boise's zoning code will support the city's vision in creating a city for everyone while also maintaining its history that makes Boise such a unique place to live. The Zoning Code Rewrite has been broken up into three modules with outreach at the center of each. Modules 1 and 2 proposed the uses and the design standards which create a foundation for staff to use as a guide for Module 3. The third module outlines the processes that will ensure the previous modules will be efficient and transparent for members of the community, city staff and developers. Community outreach for Module 3 took place October 13 - November 16, 2022.

EXECUTIVE SUMMARY

The city hosted five community conversations over the course of five weeks. With our residents in mind, staff hosted each session at a different community library to ensure residents were able to attend, no matter where they live in the city. Each outreach conversation included a 20-minute presentation, followed by a question-and-answer period, and finished with an open house where attendees were able to take a closer look at printed boards which mirrored the presentation. To ensure participants had the opportunity for deeper engagement, each board was staffed by a city planner.

During previous community outreach, we heard several themes related to the process and procedures of development. These themes helped guide staff to create three main goals for Module 3 described below:

1. Create a development process that will reinforce our city's vision and goals.
2. Create a development process that will involve the community and partners early to ensure project concepts meet our desired outcomes.
3. Create a development process that will result in excellent projects.

A fundamental change in the development review procedure in the draft zoning code is the creation of four application types. Every project in the city will now be designated as one of the four types of applications; applications vary from a temporary business sign (Type 1) to an annexation (Type 4). Within each of the application types, additional details were presented about who reviews and approves each project type and what review body would also oversee the appeal process. The additional three changes under the project types and application process are as follows:

- The creation of an Interdepartmental/Inter-Agency Review Body
- Reinstating a Hearing Examiner
- Elevating the Design Review Committee, currently a sub-committee of the Planning and Zoning Commission, to be the Design Review Commission

Examples of how the new processes compare to the current process were given at the end of the presentation. This comparison provided perspective on the project types and how each translated in the application approval process. Residents were very receptive to the clarity the application types provide along with who is reviewing the applications and the appeals. This report has been compiled to synthesize the feedback and recommendations heard from the community conversations about Module 3.

SUMMARY OF WHAT WE HEARD

The conversations around Module 3 were positive and constructive with valuable feedback. The proposed new processes provide guidance to the community to ensure new projects reflect what our community has prioritized throughout this process. We have compiled comments, located at the end of this section, to highlight additional questions and remarks that residents touched on during each of the five sessions. In general, there was excitement for the proposed improvements to transparency and clarity on how and when residents become involved in the process.

In addition to creating application types, Module 3 included three key changes that were presented to the community. The first change presented was the creation of an **Interdepartmental/Inter-Agency Review Process** which would be made up of internal and external partners, such as Boise Fire and Ada County Highway District. The city and community partners would meet regularly with applicants in efforts to ensure projects are meeting the requirements and desired outcomes of Boise residents. Residents were encouraged that more collaboration would be happening versus transmitting comments on projects. The development community was worried that adding this additional step might slow down the process for them and subsequently, cost them more money.

The second major proposal is to reinstate the **Hearings Examiner** as a review body to provide an objective and legal view. The Hearing Examiner would appeal most Type 2 appeals, as well as variances. Residents had quite a few questions about the responsibilities of this role, whether they can make objective decisions and if they would be a City of Boise employee or contract employee. Although, other residents also understood the Hearing Examiner would bring a legal perspective to review variances and appeals of Type 1 applications.

The third major proposal is to elevate the **Design Review Committee** to a **Commission**. Elevating the Design Review Committee would eliminate an additional review body for appeals and would instead appeal straight to City Council. Residents responded positively, understanding that with this change the city is prioritizing how buildings look, feel and are designed.

In addition to the changes described, the city created the **Community Development Tracker** which is an online tracking tool to provide real-time information on the location of developments and their current status in the review process. This addition lives outside of the zoning code, but residents were most excited about how user friendly the tool is and the potential ability to have direct emails sent about developments in their neighborhoods.

The table below shows the four new proposed application types and projects that would fall under each type. The community was receptive to the application types because it was clear and predictable on which review body and process would be needed, depending on the type of project. There was more inquiry of what these projects might physically look like, and residents were asking for more illustrations, specifically when it came to the new application type known as Allowed Use – Alternative Form.

TYPE 1 SIMPLE REVIEW	TYPE 2 ADMINISTRATIVE REVIEW <i>*May require Interdepartmental Review</i>	TYPE 3 APPOINTED BODY REVIEW AND DECISION <i>Requires Interdepartmental Review</i>	TYPE 4 CITY COUNCIL REVIEW AND DECISION <i>Requires Interdepartmental Review</i>
No Appeal	Appeal to Hearing Examiner	Appeal to City Council	Appeal to District Court
Temporary Sign	Record of Survey	<i>Hearing Examiner: Variance</i>	Comprehensive Plan Amendments
Home Occupation	Minor Small Lot	Planning & Zoning Commission:	Zoning Ordinance Amendments
Hillside Category 1 & 2	Nonconforming Use	<i>Major Expansion of a Nonconforming Use</i>	Annexation/Rezone
	Sign Program	<i>Allowed Use – Alternative Form</i>	Planned Unit Developments
	Group Childcare	Conditional Use Permit	Subdivisions
	Accessory Dwelling Unit	<i>Hillside Category 3</i>	Subdivision Related Items
	Duplex/Triplex/ Fourplex	Design Review Commission:	
	Other Allowed Uses*	<i>Major Design Review</i>	
	River System Permit	<i>Major Small Lot</i>	
	Conditional Use Permit – Modification*	Historic Preservation Commission:	<i>ITALIC: New</i> RED: Not required by LLUPA (Local Land Use Planning Act)
	Minor Design Review*	<i>Certificate of Appropriateness</i>	
	<i>Allowed Use – Allowed Form*</i>		

While the purpose of this outreach was to focus on the new processes being implemented with updating the zoning code, we still received comments related to information presented in Modules 1 and 2. The themes that came out during discussion were concerns for incentivizing less parking, affordability in housing products, and concerns of where 5G towers are allowed.

Below is an example from a presentation slide of a process that currently exists, compared to a proposed process for an application that would need to be reviewed by one of our appointed review bodies such as the Planning and Zoning Commission. The new application process is intended to bring community partners into the project earlier for collaboration on what is most important to the community. Residents were excited to be involved earlier in the process where their input could provide value to the project and allow the developer to make changes before the project is too far along in the design phase. However, we also heard that neighbors might want an additional neighborhood meeting after the Interdepartmental/Inter-Agency Review Body before the project went to a public hearing.

EXISTING PROCESS - HEARING LEVEL



EXISTING PROCESS - APPLICATION TYPE 3



Additional comments received from the community are grouped categorically below.

TOPIC	COMMENTS
Neighborhood Association Involvement	<ul style="list-style-type: none"> Request a guaranteed allotment of time for public meetings to give predictability for presentation length Request for engagement outside of Neighborhood Associations (NAs) Recommend the city provide a standard to the NAs for notifying the relevant residents Support for generating a form for NAs to capture resident feedback, for both the city's records and NA Concerned that NAs do not represent the majority of neighborhood residents Present a minimum standard for NA engagement, as some NAs are more effective at reaching residents than others
Developer Neighborhood Meetings	<ul style="list-style-type: none"> Recommend the city take part in providing protocols for neighborhood meetings that will facilitate consistency and accountability in developer disclosure Propose to include an attendance list with comments or objections from attendees as an attachment to the application
Community Development Tracker	<ul style="list-style-type: none"> Expand the tracker to include approved applications within the last year
General Process/ Interdepartmental Review	<ul style="list-style-type: none"> Expand the notification radius from 300 feet of development to the planning area Appreciative that the new process will help streamline projects Suggest clarification on application type for adaptive reuse or demolishing existing buildings Appreciative of more opportunity for working in tandem with Neighborhood Associations and other public agencies
Product Types/ Design	<ul style="list-style-type: none"> Request for additional visual examples of the new product types allowed, specifically for Type 2 and 3 applications Support for moving away from car-centric development Concern with new single-family homes contributing to unsustainable practices such as, lawn water consumption Incentivize "visitability" for mobility accessibility

HOW WE REACHED OUT

The city identified three target audiences for outreach that included the general community, neighborhood associations, and professionals who work within the development community. We did a combination of virtual and in-person events hosted by city staff and individual organizations. We also hosted an event with the Boise State Urban Studies and Community Development class at Boise State to engage our young residents. Other community partners that we continue to engage with include Urban Land Institute (ULI), Boise Young Professionals, NeighborWorks, Boise Regional Realtors, Building Contractors Association of SW Idaho, and safe streets advocates.

The open house was designed to provide participants an opportunity to get acquainted with navigating the materials with staff who are well versed in the proposed changes. In conjunction with the community conversations, an online digital open house and PowerPoint was created on the city's website. This allowed residents to walk through the same presentation given at outreach events and provide comments and feedback.

The city used various advertising and marketing channels to inform residents about the upcoming outreach related to Module 3. We advertised the events through multiple city social media channels, the city's weekly newsletter - *In the Know*, the Zoning Code Rewrite email list and earned local media publications from KTVB, Idaho Statesman, BoiseDev, and NPR. Local partners and neighborhood associations also advertised the events on their respective communication channels.

Outlined below is the list of events the city hosted throughout the community. The PowerPoint presentation from the open houses can be found as an addendum to the report.

DATE	EVENT	PARTICIPANTS	TYPE
October 13, 2022	Timberline High School	20	In-Person
October 17, 2022	Borah High School	28	In-Person
November 3, 2022	Capital High School	35	In-Person
November 8, 2022	Zoom	41	Virtual
November 16, 2022	Ada County Library at Victory	35	In-Person

During outreach, there was an entrance survey that captured demographics of who attended the in-person meetings. We were able to collect 72 responses out of approximately 148 in-person attendees. It is important to mention that while there were repeat participants at each meeting, they were only asked to fill out the survey once. The information collected from the survey shows that 80 percent of attendees were homeowners and 20 percent were renters. We saw a variety of ages amongst homeowners and 57 percent of renters fell in between the age category of 18-24. We had equal representation from all planning areas within the City of Boise. However, we did not see equal representation in terms of race and/or ethnicity, 82 percent identified as white, five percent as Hispanic/Latinx, one percent African American/Black, one percent east Asian, and 10 percent preferred not to answer. The last question on the survey, "how did you hear about this event?" was posed so that we can collect information on our communication efforts. The results show that there was an equal spread of residents that heard about our outreach efforts from various communications channels.