

ZONING CODE REWRITE

MODULE 2

EXECUTIVE SUMMARY

CITY *of* BOISE

Boise's zoning code has shaped our city as we know it, outlining how specific properties can be used and what new development should look like. Our zoning code was originally adopted in 1966 and hasn't been substantially updated since. As a community, we set our long-term vision through our comprehensive plan, *Blueprint Boise*. To support that long-term vision as our city grows and changes, we need to update our zoning code in three parts, called modules.

WHERE WE HAVE BEEN:

Blueprint Boise

In 2011, the City of Boise finalized our comprehensive plan, *Blueprint Boise*. A comprehensive plan is created by the community to guide how the city should grow and evolve. Through *Blueprint Boise*, residents envisioned Boise growing in a sustainable, efficient and responsible manner, maintaining our treasured quality of life and meeting the challenges of the future.

Once a city has a comprehensive plan, a zoning code is established to implement that plan. Zoning shapes the places that we live and work and is important to understand what is legally allowed on different properties (Module 1). The typical standards that zoning regulates are lot size, building setbacks, lot coverage, building placement, building height, landscaping, off-street parking and other requirements such as density and signage (Module 2).

The final piece of zoning code provides the processes and procedures to develop land. This determines which review body, for example, the Planning and Zoning Commission, will evaluate the proposal, when and how the public can participate in the development process and establishes a formal appeal process (Module 3).

Module 1 (Zones & Permitted Land Uses)

The first module of the zoning code outlines what kinds of uses are allowed within certain zones across the city. In the first module, we proposed the following four updates:

- Condense and rename zoning districts to better reflect our current city
- Add new zones that allow both commercial and residential uses on the same property (mixed-use developments like Bown Crossing and Hyde Park)
- Allow more choice in housing types (duplex, triplex, four-plex and townhouse) in all residential zones
- Allow small-scale commercial uses (like coffee shops or small convenience markets) in some residential zones

Boise residents provided feedback on Module 1 from May 2021 to June 2021 during five neighborhood meetings and through an online survey. In total we heard from over 1,000 community members. We reviewed each comment and posted a summary report on the city's [Zoning Code Rewrite](#) website. This feedback, as well as feedback we receive on Modules 2 and 3, will be incorporated into the Consolidated Draft Code expected to be released in Fall of 2022.

WHERE WE ARE NOW:

Module 2 (Development & Design Standards)

Currently, we are asking the public for feedback on the second module of the draft zoning code. Module 2 outlines development and design standards for redeveloping properties within the city. Development and design standards include dimensional requirements (building height, building setbacks, housing density), parking requirements, building design and incentives for developments that provide a community benefit. Module 2 information begins on page 156 of the draft Zoning Code document. In this module we propose the following updates:

CHANGE #1: Update Dimensional Requirements

Allow smaller minimum lot sizes and/or lot widths for all residential zones.

Section 11-04-03 – Lot and Building Forms and Dimensions

What does this mean?

The minimum property size that a residential building (single family, duplex, townhouse) can be built on is now smaller in some zones. This means more residential buildings could be built over the same amount of land.

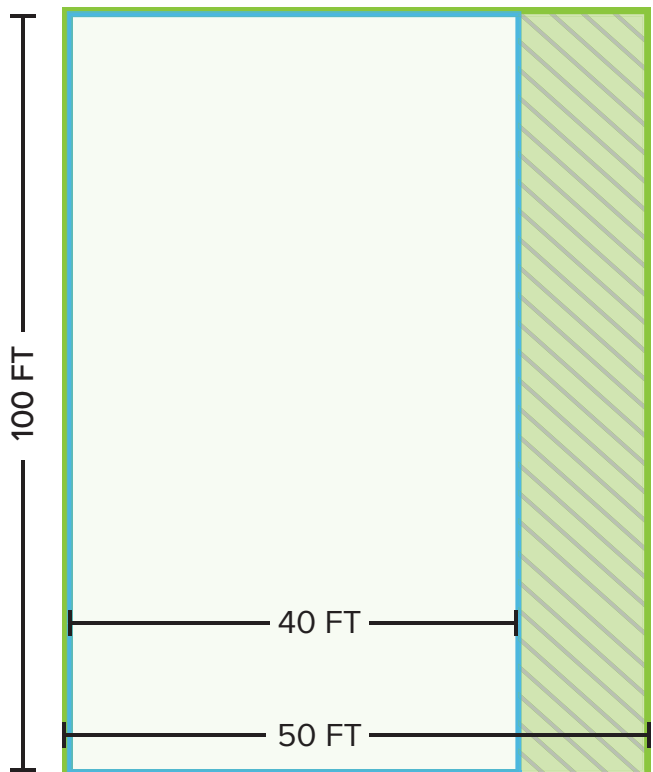
What are some of the reasons for this proposed change?

Researchers have found that larger minimum lot sizes increase the cost of housing by requiring people to purchase more land. Additionally, smaller lot sizes encourage multiple housing types and income diversity in neighborhoods, and reduce sprawl.

Boiseans will still have the option to build on larger lots. This change does not prohibit existing larger lots or proposing larger lots, it simply allows future development to fit more homes on available land.

Update Dimensional Requirements Example:
R1-C (Urban Residential)

MINIMUM LOT SIZES



CHANGE #2: Update Dimensional Requirements

Remove the density calculation requirement of dwelling units per acre in all zones.

Section 11-04-03 – Lot and Building Forms and Dimensions

What does this mean?

In our existing zoning code, city planners use a calculation (number of units divided by the size of the lot) to set a maximum limit on how many residential units can be built on a single piece of property. To update the code, we propose removing the arbitrary formula and instead determining the maximum number of units that can be built on a specific property using design criteria such as maximum heights, required parking, minimum lot sizes, and setbacks. This means that as long the housing type is allowed in the zone and the building meets the requirements for minimum lot size, building height limits, parking and building setbacks, we will not regulate the number of units within the structure.

What are some of the reasons for this proposed change?

Historically, planners have used the density calculation (units per acre) as a proxy for the potential impact of a project on its neighbors because it's easy to measure, not because it's an accurate measure of direct neighborhood impact.

Density formulas do not tell us about potential traffic/congestion, if the design of the building will be high quality or if our privacy will be protected.

By removing the arbitrary density limit, planners can use design and performance criteria to assess the impact of a new development more accurately.

CHANGE #3: Protect Existing Neighborhoods

Add neighborhood protection standards requiring transitions between zones.

Section 11-04-03.4 – Neighborhood Protection Standards

What does this mean?

Neighborhood protection standards create additional requirements for apartments or commercial buildings in areas next to low-density residential areas (single-family homes). These protection standards seek to provide existing residents predictability about the impacts of new development.

There are four neighborhood protection standards:

1. **Preserve sunlight and protect privacy by requiring shorter buildings** within 100 feet of a residential building (*figure 1*) or that the building provide an additional 10 feet from the rear and side building setback (*figure 2*).

Figure 1.

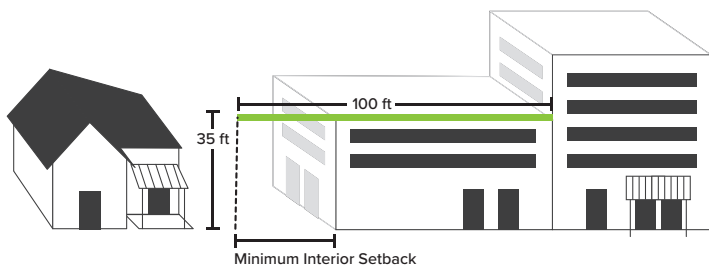
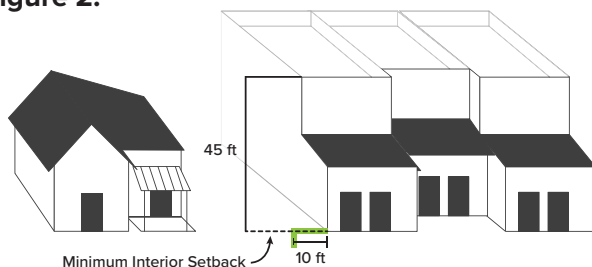


Figure 2.



2. **Limit light pollution by requiring the reduction of commercial lighting** within 50 feet of a residential building.
3. **Protect privacy and limit sound and light pollution by requiring added landscaping** and screening on the apartment or commercial property.
4. **Protect privacy, reduce noxious fumes, and limit sound and light pollution by regulating the location of vehicle uses** (parking areas, drive-through lanes, or circulation driveways) between the single-family home and the apartment/commercial building.

What are some of the reasons for this proposed change?

As our city grows it is important to provide predictability regarding compatibility between existing one and two-story single-family homes and adjacent larger apartments or commercial buildings.

By requiring these protections as new buildings are built, residents can be assured that important things like privacy and sunlight will be reasonably protected and other impacts, like sound and light pollution, will be minimized.

Change #4: Encourage Sustainable & Resilient Development

Creates new zoning incentives in exchange for energy or water saving improvements.

Section 11-04-03.7 - Incentives

What does this mean?

Cities' codes will often offer an incentive such as reduced parking in exchange for the development providing a public good.

The Sustainable & Resilient Development incentive will allow a project to reduce off-street parking in exchange for energy or water saving improvements or certain certifications (gray-water systems, solar, LEED certifications, etc).

What are some of the reasons for this proposed change?

Blueprint Boise and the City of Boise's Climate Action Roadmap have ambitious goals for reducing the environmental impacts of new development. Recognizing these improvements can sometimes be costly and difficult for a developer to incorporate in certain projects, the parking reduction is a low-cost way for the city to encourage further adoption of such improvements by developers.

Change #5: Encourage alternative transportation

Reduce off-street parking requirements for single-family, duplex, tri-plex and 4-plexes from two parking spaces per unit to one parking space per unit.

Section 11-04-07 – Parking and Loading

What does this mean?

If this proposal is adopted, most new homes will be required to provide one instead of two off-street parking spots. This single parking spot can be in a garage, driveway, parking pad or parking lot. People will continue to have the option to provide more than one off-street parking spot for a single-family, duplex, tri-plex or 4-plex home if they choose to.

What are some of the reasons for this proposed change?

Cities across the United States introduced minimum parking requirements during the 1950s. These zoning ordinances required new buildings to provide a certain minimum amount of parking based on the assumption that buildings create the need for an area to park cars. Planners and engineers often created these standards arbitrarily and without adequate data.

Research has since found that these arbitrary mandates can result in higher real estate prices and increase the use of vehicles, which contributes to increasing air pollution and carbon emissions, and reduced use of public transportation.

Lowering minimum parking requirements seeks to make better use of limited land area. A parking space measures 180 square feet on average, plus additional area for driveways and driving lanes. In context, a 1,000 square foot 2-bedroom home built in accordance with our current zoning would require nearly 400 square feet of space devoted to parking while this update would reduce that to approximately 200 square feet. This additional space can be used for landscaping, open space or additional housing.

High parking minimums often increase land and construction costs, which are then passed on to tenants and buyers. One surface parking spot can add about \$5,000 to the cost of a housing project and about 17% of a unit's rent can be attributed to parking. In Boise, not all households need two parking spots. In 2019, 41% of households had 1 or fewer vehicles. This means that 41% of households were required to pay for the cost of two parking spots even though they did not need the additional parking spot. This is especially impactful for lower-income households, who on average own fewer vehicles than higher-income households. By requiring two parking spots, lower-income households and households with one vehicle pay the same amount for parking as a higher income household regardless of whether they use it or not.

Lastly, the requirement for the provision of excess parking reinforces dependency on vehicles. The requirement for parking pushes buildings further apart from each other, making it harder to walk and encourages more driving which has significant

environmental impacts. By reducing the required amount of parking, housing developments can be more compact and support a more comfortable walking environment.

With fewer minimum requirements associated with on-site parking, costly and land-consuming off-street parking becomes an option instead of a mandate, paid for by those who use it. Rethinking car-centric urban planning allows for more common space, transit-oriented development and active living.

Change #6: Ensure Quality Building Design Citywide

Broadens the building and site design standards to apply to all new development, rather than just those parcels identified in the Design Review Standards & Guidelines.

Section 11-04-09 – Building Design

What does this mean?

The current Zoning Code, adopted in 1966, does not have any design standards for most new development. However, certain properties located in downtown and along major streets like Vista Avenue are currently required to include design elements found within the Design Review Standards & Guidelines, which was adopted in 2013 to ensure attractive designs in these neighborhoods. These design guidelines include standards that require parking to be located to the side or rear of the building, windows and doors to face the street and elements to ensure buildings fit Boise's personality and are visually interesting. Each of these elements ensure development projects create a high-quality appearance and support strong neighborhoods, quality transit opportunities and vibrant activity centers.

If this proposal is adopted, all properties throughout the city will be required to incorporate these design elements because we think the entire City of Boise should be beautiful, encourage strong neighborhoods and support transit.

What are some of the reasons for this proposed change?

We believe that all new development in our community should be high quality and serve to strengthen our neighborhoods.

The new requirements will reinforce pedestrian friendly design and create special places for residents to enjoy near where they live. These design requirements will regulate building and parking placement, building entrance orientation, and require high-quality design features such as large windows and interesting building fronts.

CHANGE #7: Promote Access & Connectivity

Creates a new section of the code that establishes standards for the safe location of driveways and construction of new streets or pathways that help pedestrians, bicyclists, cars and delivery vehicles circulate safely and efficiently.

11-04-06 – Access and Connectivity

What does this mean?

There are many best practices in site design that support safe and efficient circulation for all modes of transportation. Typically, the incorporation of these best practices is negotiated on a site-by-site basis between the city planner and developer.

By creating a new section within the code, these best practices will be formalized, and all new development will be required to incorporate them into site design. Specific best practices include requirements for:

- Cross access to allow people to travel to an adjacent building without reentering the street
- Coordinating parking structure/lot entrances to allow for more efficient access
- Shared parking to allow multiple buildings to share one parking lot with adequate supply
- Shared driveways to limit the number of curb cuts on a street reducing the number of conflicts between transportation users

What are some of the reasons for this proposed change?

In *Blueprint Boise* our community deeply valued the ability to easily move around our city. Incorporating these best practices in all new developments can ensure that as Boise grows, our transportation network will be safe and efficient for all residents.

CHANGE #8: Ensure Maintenance

Creates a new section of the code that requires site improvements such as landscaping, lighting, signs and other on-site materials to be kept clean and in good condition.

Section 11-04-12 – Operations and Maintenance

What does this mean?

In this proposal, the new maintenance and operations section of the code provides clear expectations for how a development must be maintained after receiving approval from the city. The section also creates a process for recourse if the development does not meet expectations.

What are some of the reasons for this proposed change?

By creating a maintenance and operations section in the code, we are making clear a developer must be prepared to follow all requirements of the code, including long-term care of the project.

Additionally, this code and process for recourse provides neighbors some certainty and standards to evaluate maintenance issues into the future.