

Zoning Ordinance Rewrite: SURVEY #1 SUMMARY

BOISE ZONING
REWRITE

PROJECT BACKGROUND

Boise's zoning code outlines what is and isn't allowed in our city—it has shaped Boise as we know it.

Our 55-year-old zoning code is outdated and does not provide the tools we need to ensure future development matches the things we know our community cares about—safety, open space, walkable neighborhoods, and predictable development patterns.

To support our city's long-term vision as our community grows and changes, we started the process to rewrite our zoning code.

During the Phase II: Preliminary Outreach, the project team developed a survey to seek feedback from the community on the current state of Boise's zoning code. What follows summarizes and analyzes the feedback received through the online survey.

SURVEY OUTREACH AND PUBLICITY

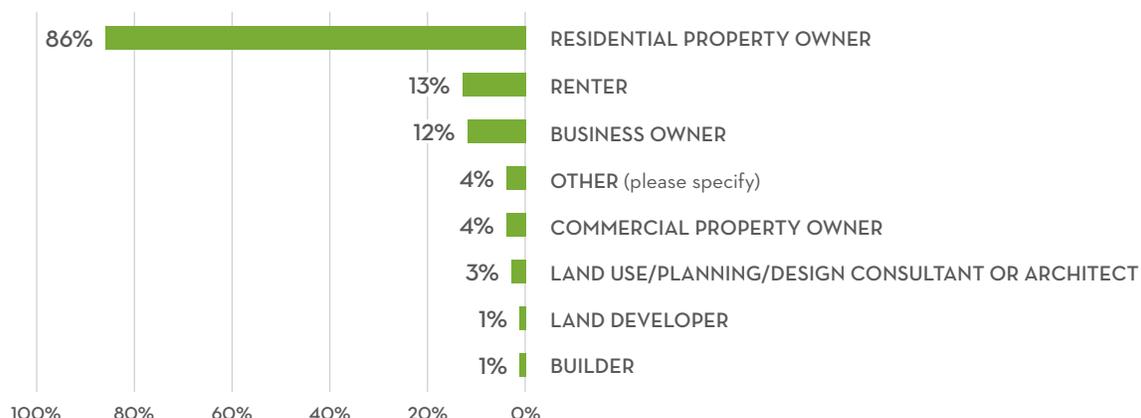
The survey was created in collaboration between the Comprehensive Planning Division and the Office of Community Engagement. The survey was written in English and translated into Spanish. A member of the Citywide Advisory Committee was consulted to review the Spanish language version and made edits to make the translation more appropriate for a Spanish speaking audience.

The survey was open to the public from Monday, November 16, 2020 to Sunday, December 27, 2020. It was shared through the project's email list, the city's "In the Know" newsletter and on social media throughout December. Partner agencies, such as Valley Regional Transit (VRT) and City Go, shared the survey link in their newsletters. Some city government partners also included a link to the survey in their Instagram stories, which discussed the Zoning Code Rewrite and/or the Housing Bonus Ordinance.

PARTICIPANTS

In total, there were 853 responses. Of that number, approximately half of the respondents skipped questions from Question 6 on. This resulted in a 46% completion rate.

Based on the first question, which asked how people self-identify in terms of their interest/role in the City of Boise, a majority of respondents, 85.5% (725) were residential property owners. It is important to note that fewer than 5% of respondents identified as having a business interest in developing property such as commercial property owners (4%), land use/planning/design consultants or architects (3%), and land developer (1%), or builders (less than 1%). The remaining "other" category consisted of people who self-identified as landlords, students, former residents, realtors, investors, property owners, and more.



GENERALLY

In this section, survey respondents were asked to share their general experience and comfort level with the city's comprehensive plan, **Blueprint Boise**, the city's zoning code, and other design guidelines such as the Design Review Standards and Guidelines and Historic Preservation Guidelines.

Familiarity with Blueprint Boise

The comprehensive plan is a master plan designed to provide a clear and sustainable vision for the City of Boise. While **Blueprint Boise** was adopted in 2011 by the City Council, most respondents reported they had no knowledge of **Blueprint Boise** or they were just slightly familiar with it.

*69% of respondents either **strongly agree or agree** with the city's vision within **Blueprint Boise***

However, when given the text of the city's vision from **Blueprint Boise**, a majority of respondents reported strongly agreeing (36%) or agreeing (33%) with the vision. It is notable that only 10% of respondents disagreed (at any level) with the vision. The primary goal of the Zoning Code rewrite is to implement the city's vision found in **Blueprint Boise**.

Familiarity with the Zoning Code and Other Design Guidelines

To assess what is working or not working with the current zoning code, the survey asked respondents how familiar they were with the code and guidelines. Similar to respondents' familiarity with **Blueprint Boise**, most respondents were not familiar at all (38%) or just slightly familiar (27%) with the city's zoning code or other design guidelines.

	Familiarity with BLUEPRINT BOISE	Familiarity with the ZONING CODE
Not at all	38%	28%
Slightly familiar	29%	27%
Somewhat familiar	17%	19%
Moderately familiar	12%	12%
Extremely familiar	4%	4%

While 42% of respondents reported not commonly using any city zoning code or design guidelines, respondents did report using the zoning code most (22%) followed by Historic Preservation Guidelines (16%).

ORGANIZATION AND/OR USER-FRIENDLINESS

Questions in this section of the survey sought to understand perceptions about the existing code's organization and clarity. This includes clear language, tables, and illustrations that contribute to the code's ease of use.

When asked which standards or components within the existing code they found challenging, unclear, or confusing, most respondents identified the role of neighborhood plans in development approvals as challenging. In the open-ended comments, many respondents acknowledged that they were unfamiliar with the codes/standards, and identified individual standards based off very limited experience using the code.

In addition to the standards provided, respondents also noted in the open comment section, that the floodplain ordinance, Planned Unit Developments (PUD's) and transportation standards--such as street widths, sidewalks and bike lanes--as unclear or difficult to understand.

Standards within the City of Boise's Zoning Code that respondents find challenging, unclear, or confusing (check all that apply):	% of respondents
The role of neighborhood plans in development approvals	53%
Permitted and conditional uses available in different zone districts (e.g., duplexes, manufactured homes, childcare facilities, drive-throughs, taverns)	49%
Administration and procedures (e.g., the application process, development approvals, noticing)	35%
Subdivision of land (i.e., the creation of new lots or division of existing lots)	34%
Design review standards (e.g., building placement, building materials, building form, rooflines, streetscapes)	34%
Dimensional standards (e.g., building height, building and parking setbacks, lot areas)	32%
Site design (e.g., building placement, parking, landscaping, screening)	28%
Overlay districts (e.g., parking overlays, historic preservation overlays, airport overlays)	27%
Historic preservation standards (e.g., lot coverage, architectural style, building materials, building height)	25%
Sign standards (i.e., type, size, and location of signs)	16%

We also asked respondents to elaborate on why the zoning code standards were challenging, unclear, or confusing. There were several comments about the existing code being long, complex, fragmented, and difficult to understand because of selected terminology and a lack of visual examples. There were several suggestions to explore moving toward a form-based code approach which relies on illustrations.

Over 30% of respondents felt each of the 10 components of the zoning code (noted in the table above) needed a table, illustration or diagram, with 51% of respondents noting that dimensional standards (building height, parking, etc.) are most in need of an illustration. However, it was noted that illustrations should give general ideas, but not stifle creativity.

ZONES AND LAND USES

The zone district/land use component of a zoning code describes what types of uses (residential, commercial, office, etc.) and their intensity (high-density, mixed-use, single-family etc.) are allowed by right, by conditional use, or are prohibited in a certain area of the city. This section of the survey asked what uses should be expanded, what new uses should be encouraged, and if any uses should be prohibited in certain areas across the city.

When given a list of common zone districts/uses within the city, most respondents indicated they would like to see more parks/open space, downtown mixed-use, and mixed-use activity centers. It appears respondents preferred mixed-use centers to single-use commercial and office districts.

While most respondents were supportive of seeing mixed-use development in targeted locations across the city (downtown and at activity centers), there was less agreement on what type of residential development should be permitted in other areas of the city. 37% of respondents favored the expansion of small-lot and high-density development while only 24% of respondents supported the expansion of suburban and large-lot residential development.

Which type of development would you like to see more in Boise? (check all that apply)



Allowed and Prohibited Land Uses

Next, we asked to respondents to provide suggestions for uses that they felt should be allowed or prohibited in the zoning code. In the open-ended comment, respondents suggested a range of allowed and prohibited uses, with many believing that some uses should be allowed while others felt the same use should be prohibited.

Respondents Suggested ALLOWED LAND USES	Respondents Suggested PROHIBITED LAND USES
High-Density Housing	High-Density Housing
Single Family Zoning	Single Family Zoning
Large Lot Residential	Large Lot Residential
Small commercial (small businesses, retail, bars, cafes and markets) in residential neighborhoods	Small commercial (small businesses, retail, bars, cafes and markets) in residential neighborhoods
Urban farming on properties less than an acre (goats, roosters, farms, etc.)	Livestock
Light-industrial, especially within formerly commercial spaces	Self-storage outside industrial areas
Tiny home subdivisions and/or manufactured/modular home communities	Heavy polluting uses / gravel pits
Expanding those eligible to build accessory dwelling units (ADU's) (non-owner occupied and/or with septic/well water)	Strip malls
Seasonal markets (selling plants, crafts, farmers market items, etc.) on large residential or neighborhood areas	Large surface parking lots
Co-housing (private homes clustered around shared space and resources)	Adult-businesses (vape shops, tattoo parlors, etc.)
"Missing Middle Housing" such as cottages, triplexes, rowhomes, duplexes, and four-plexes with limited parking	Development within the foothills, along the river, and near the Wildland Urban Interface (WUI)
Food trucks or "Accessory commercial units"	Drive-through establishments

DEVELOPMENT STANDARDS

Questions in the Development Standards section explored perceptions about how buildings and sites currently look and if they help achieve city goals.

Implementing City Goals

When asked to rate current development standards (how buildings/properties should look and feel) in terms of helping the city meet its goals, the weighted average indicated respondents felt the standards are doing a poor to fair job of helping the city achieve its goals. Similarly, when asked about how current development standards improve our community, respondents felt they are doing just a fair job.

It is important to note that many respondents indicated confusion or frustration about these two questions, especially those who acknowledged they were “not familiar with” or “not consistent users” of the zoning code or other design guidelines.

Strength of the Development Standards

Respondents were also asked if they felt any of the development standards that regulate how buildings and sites should look and feel were too flexible, too restrictive or too vague. There were many conflicting responses, with some thinking a specific standard was too flexible while others thinking the same standard too restrictive.

Respondent's perceptions that following existing development standards are:	
TOO FLEXIBLE	TOO RESTRICTIVE
Lot coverage	Lot coverage
Parking	Parking
Substandard lots	Substandard lots
Setbacks	Setbacks
Lighting	Floor area ratio
Open space for large complexes	Green energy (solar panels)
Landscaping and tree preservation	
Grading and drainage	
Affordable housing	
Design (poor quality)	
Sidewalks	
Roadway infrastructure	

Many comments said that the code was generally too vague or that they felt that standards were applied inconsistently, with too many variances granted. Many respondents stated in the open ended comments that “big developers” had more flexibility than individual property owners. They also expressed frustrations with development and new construction in general or disagreed with the actual requirements in the code (i.e., density or maximum building height). Additionally, many brought up frustrations with land use restrictions such as prohibiting neighborhood serving commercial, single-family only zones, or medium density zones.

New Development Design

When asked to consider new development on vacant or under-utilized parcels, a majority indicated building and site design (63%), tree preservation (59%), open space (58%), and access/connectivity (54%) as the most important elements to ensure high-quality development. Additional suggestions for important elements included historic preservation and anti-displacement policies. Other comments included conflicting ideas on restriction of private property rights, many wanting the city to stop approving development, while others urged the city to allow property owners to do what they want with their property. It was also noted that conditional use permits should not be “one size fits all” and each should have unique review criteria.

Codes and Standards Limiting Equity with the City of Boise

In this section, respondents were asked to offer open-ended comment on any codes or standards they felt were limiting the city’s ability to advance principles of equity by being welcoming and accommodating to all community members. Respondents noted they perceived the following codes and standards as limiting equity within the City of Boise:

- Lack of requirements for improved transportation infrastructure (roadway capacity, sidewalks, bike lanes, transit) especially for individuals with disabilities or without cars.
- Limited accessibility standards (inclusive design for individuals of all abilities).
- Development standards that promote car-centric design (cul-de-sacs).
- Limited R-3/higher density zoning and/or too much low-density residential (single-family only zoning).
- Limited mixed-use zoning.
- Minimum lot sizes.
- Lack of affordable housing types.
- Isolation of affordable housing in certain areas of the city.
- Public hearing processes.

Several comments took issue with the question. Some responded that they did not want the city to be more welcoming, while others expressed concerns that the city is “welcoming to others at the expense of current residents.” Other responses included concerns about policy decisions such as low-wages and lack of rent control. Many commented on the need for a requirement for affordable housing in all new developments.

Process and Procedures

Questions in this section asked for feedback about how development applications are accepted, reviewed, and acted upon by local officials. This included the review body in charge of each action (i.e., staff, the Planning and Zoning Commission, the Historic Preservation Commission, the Design Review Committee, and/or the City Council), the steps involved in the review process (i.e., public notice, public participation, hearings, appeals), and deadlines for each of these steps within the development process.

There was limited agreement among respondents when asked to identify development procedures that could be improved to produce a more equitable, predictable and timely process. Most respondents indicated the need to improve the procedures for zone changes (42%), design review and historic design review (40%), planned unit developments (PUD’s) (37%), and variances (35%).

Development procedures that respondents believe could be improved to produce a more equitable, predictable, and timely process (check all that apply):	% of respondents
Zone change (i.e., rezone of a parcel from one distinction to another)	42%
Design review and historic design review (i.e., the process of requiring projects located in areas throughout the city to follow design standards)	40%
Planned Unit Development (PUD) approval (e.g., regulatory process that provides developments flexibility from the traditional standards of the zone)	37%
Variances from development standards	35%
Conditional Use Permit (CUP) approval (e.g., drive-throughs, hair salons, childcare facilities, multi-family housing in certain zones)	34%
Subdivision platting (i.e., the process of splitting one larger piece of land into several smaller parcels of land)	33%
Historic property or historic district designations	33%
Special exception approval (receiving permission to do something on a property the zoning ordinance permits only under certain special circumstances)	30%
Hillside development permits	28%
Appeals of decisions	25%
Annexation (i.e., the process of bringing property into the city limits)	24%
River system permits	21%
Floodplain permits	19%

RECOMMENDED PROCESS AND PROCEDURE IMPROVEMENTS

We asked respondents for recommendations on how these development procedures could be improved. Respondents recommended better aligning the current code with the comprehensive plan, addressing rapid growth, limiting exceptions and variances, and enforcing rules when they are not followed. Many also said the development process is long and cumbersome and should be streamlined to allow more “by-right” development. It was recommended that high-quality development standards should be applied consistently to all developments, without any deviations.

There were additional suggestions for specific improvements to the code, including:

- Reducing development in the foothills and along the Boise River.
- Requiring developments to pay for and install infrastructure.
- Creating/improving mixed-use zones.
- Allowing and encouraging high-density residential housing.
- Making rezones more difficult to obtain.
- Requiring pedestrian amenities with all developments (sidewalks and street lighting).
- Mandating environmental stewardship and “green” policies.
- Making it easier to create and protect historic resources.
- Incorporating small scale farming and urban agriculture into developments.

An overwhelming majority (75%) of survey respondents said the decision-making criteria within our existing code is unclear and applied inconsistently. Historic preservation guidelines were specifically identified as unclear and inconsistent. Many individuals felt the criteria was complex and not easily understood, making decisions feel unpredictable and scary. Some recommended, to increase predictability, that the public should have more input in the process, while others felt that, to increase predictability, there should be more “by-right” development, with objective rules addressing the impacts of

development, not public opinion.

Many also feel the code is subjective and open to personal interpretation. Respondents indicated a belief that staff and decision makers at times disregard the rules depending on the applicant or the location of the project. While some people did feel the processes and procedures were followed, they believed the rules and criteria were not good or in the public's interest.

Finally, the survey asked if there are land use and zoning procedures that need to be changed to provide equitable opportunities for everyone to participate. Overwhelming, 72% of respondents stated the city's current zoning processes and procedures needed to be changed. Specific recommendations included:

- Simpler and illustrated processes and procedures.
- Larger public notice signs at development sites.
- Expanded radius for public noticing.
- Less urgent timeframes.
- Allowing testimony in multiple ways (virtually hearings, online feedback forms, etc.).
- Holding public hearings at City Hall West when the development under consideration is in west Boise.
- Increase access to government buildings including free parking at the city's parking garage or a nearby downtown parking garage.

OPEN-ENDED COMMENTS

154 responses were recorded for the final question of the survey, which asked respondents to share any additional thoughts, questions or concerns.

While various responses were shared, over 20 responses indicated the survey was too technical or complex. Some of these responses highlighted the survey felt skewed toward those with in-depth knowledge about zoning and planning, making it harder to complete the survey. Five responses specifically asked for more educational materials to help better inform the feedback they provided, as well as illustrations and graphics in future surveys. Some respondents also expressed concerns about the timing of the survey, noting that both holidays and COVID-19 likely contributed to less interest or awareness about the project and the survey.

Other responses included concerns about over-development, affordable housing, building heights, climate change and sustainability, R-1 and R-3 zone limitations under the current zoning code, helping people who currently live here, historic preservation and demolition, better public transit, and better building and site design.