



PLANNING AND DEVELOPMENT SERVICES

MAYOR: David H. Bieter | DIRECTOR: Mark Lavin

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ZOA19-00001 / City of Boise

Summary

Amendment to the Development Code regarding Specific Procedures (Section 11-03-03 and 11-03-04) including changes to the timing of neighborhood meetings, increasing the radius for mailed notifications of public hearings, and requiring applicants to install on-site public notice signs.

Prepared By

Céline Acord, Current Planning & Subdivisions Manager

Recommendation

Approval

Reason for the Decision

The proposed amendments comply with the approval criteria detailed in Boise City Code Section 11-03-04.1 and as further described in the project report. The purpose of the Specific Procedures section is to ensure due process is achieved as detailed in Idaho State Code. The proposed amendment is required to ensure public convenience and general welfare is upheld. Increased transparency and communication of land use applications provides citizens further opportunity to be involved in the public process for future development. This ensures that the quality of life of Boise citizens is maintained. Boise City has continually provided a commitment to its citizens to go above and beyond these minimum standards. This amendment recognizes the importance of Boise's neighborhoods, and wanting to grow the city in a responsible manner. The proposed changes will help to ensure that the growth occurring will not compromise the high quality of life Boiseans expect from the city they live in. Additionally, these changes help support, and eventually achieve, all seven of the guiding principles of *Blueprint Boise*.

*This report includes information available on the Boise City Website.
The entire public record, including additional documents, can be viewed through [PDS Online](#).*



PLANNING AND DEVELOPMENT SERVICES

MAYOR: David H. Bieter | DIRECTOR: Mark Lavin

Planning Division Project Report

File Number	ZOA19-00001
Applicant	City of Boise
Property Address	150 N Capitol Blvd
Public Hearing Date	July 8, 2019
Heard by	Planning and Zoning Commission
Analyst	Céline Acord, Current Planning & Subdivisions Manager
Reviewed By	Cody Riddle, Deputy Director - Current Planning

Public Notification

Transmitted for preliminary recommendations on:	January 25 & March 4, 2019
Neighborhood meeting conducted on:	N/A
Public hearing notice mailed on:	N/A
Newspaper notification published on:	June 22, 2019
Staff posted notice on site on:	N/A

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Exhibits

[Agency Comments](#)

[Public Testimony](#)

[Development Advisory Group Work Session Packet](#)

1. Project Data and Facts

Project Data	
Applicant	City of Boise – Planning & Development Services
Representative	Céline Acord, Current Planning & Subdivisions Manager
Procedure	The Planning and Zoning Commission is a recommending body and the City Council renders a final decision.

Description of Applicant's Request
A code amendment regarding Specific Procedures (Section 11-03-03 and 11-03-04) including changes to the timing of neighborhood meetings, increasing the radius for mailed notifications of public hearings, and requiring applicants to install on-site public notice signs.

2. Development Code ([Boise City Code Title 11](#))

Section	Description
11-03-03	Review & Decision Procedures
11-03-04.1	Code Text Amendment Procedures
11-03-04.4	Subdivision Procedures
11-03-04.11	Zoning Certificate / Approval for Other Administrative Applications Procedures

3. Comprehensive Plan ([Blueprint Boise](#))

Chapter	Goals, Objectives & Policies
Chapter 2: City Wide Visions & Policies	1) Environmental Stewardship; 2) A Predictable Development Pattern; 3) A Community of Stable Neighborhoods and Vibrant Mixed-Use Activity Centers; 4) A Connected Community; 5) A Community that Values its Culture, Education, Arts, and History; 6) A Strong, Diverse Economy; and 7) A Healthy, Safe, and Caring Community.



4. Analysis

The City of Boise requests an amendment to Title 11 of the Boise City Code. This amendment would change the timing of neighborhood meetings, increasing the radius for mailed notifications of public hearings, and requiring applicants to install on-site public notice signs.

Background

In the spring of 2018, a group of citizens reached out to the Mayor's Office with concerns for the development review process. Concerns ranged from the pre-application and neighborhood meeting process, inconsistencies for notification of public hearings, and the hope for increased transparency for new development proposals. A working group was formed, called the Development Advisory Group (DAG), which included neighborhood association representatives, developers, and city staff, and was led by Council President Pro Tem Elaine Clegg. The DAG met seven times beginning in May 2018 and ending in February 2019. These meetings allowed open and frank conversations about current policies and procedures, and explored various solutions that could help provide a more transparent public process.

The Planning Team presented the [recommended solutions](#) of the DAG to the City Council at their [April 9, 2019, work session](#). Many of the solutions will require a change to internal business processes while others require amending the Code. Council affirmed direction to the Planning Team to go forward with a code amendment.

Proposed Changes

Changes proposed are related to the specific procedures with regards to the required pre-application and neighborhood meetings, as well as changes to the mailed notice and site posting notice. These changes are an effort to provide more time and awareness to neighbors of any future proposed development. Below is an overview of the justification and explanation of the proposed changes:

1. Pre-Application Meetings

Currently, pre-app meetings can occur between 6 months to 5 days prior to submitting an application. These are required, 30-minute meetings with the city and applicant to review neighborhood meeting requirements and how to submit an application. They can turn into a preliminary project review meeting, but often there isn't enough time to dive too deep into the details of a project or the applicant hasn't solidified their designs yet.

At times, applicants hold their neighborhood meeting before attending their pre-application meeting. The proposed amendment would require applicants to attend the pre-application meeting first to ensure applicants are given direction from city staff of best practices on how to notice and hold their neighborhood meeting.



Code Change:

- a. Pre-application meetings are required to occur prior to notification of the neighborhood meeting and the neighborhood meeting.

2. Neighborhood Meetings

Currently, neighborhood meetings can occur between 6 months to 5 days prior to submitting an application. These meetings are not public hearings, but are to encourage dialogue between neighbors and developers of a future project. The idea is that if there are concerns for the project, the applicant may address them prior to submittal of the application with the City.

Currently, applicants are required to notice neighbors within 300 feet of the project site at least 7 days (postmark) or 5 days (hand-delivery) of when and where the neighborhood meeting is to be held. Discussions with the DAG made clear that improvements could be made, such as increased notice of the scheduled meeting, and stated that additional meetings should be required. The below changes provide additional time (one week) for neighbors to contact the city with questions or provide feedback back to the applicant prior to submittal.

Code Change:

- b. Applicants are required to hold neighborhood meetings only after attending a pre-application conference meeting.
- c. Applicants are required to provide at least 10 days' (postmark) notice of the neighborhood meeting. Hand-delivery of neighborhood meetings would not be allowed except for variance applications since noticing is for adjacent properties only. These notices would also require 10 days' notice.
- d. Neighborhood meetings shall occur between 6 months to 12 days before submittal of an application.
- e. Planning Director can require a second neighborhood meeting if the project could result in adverse impacts for the neighborhood. This second meeting could occur before or after an application is formally submitted and would require the same 10-day postmark notice.

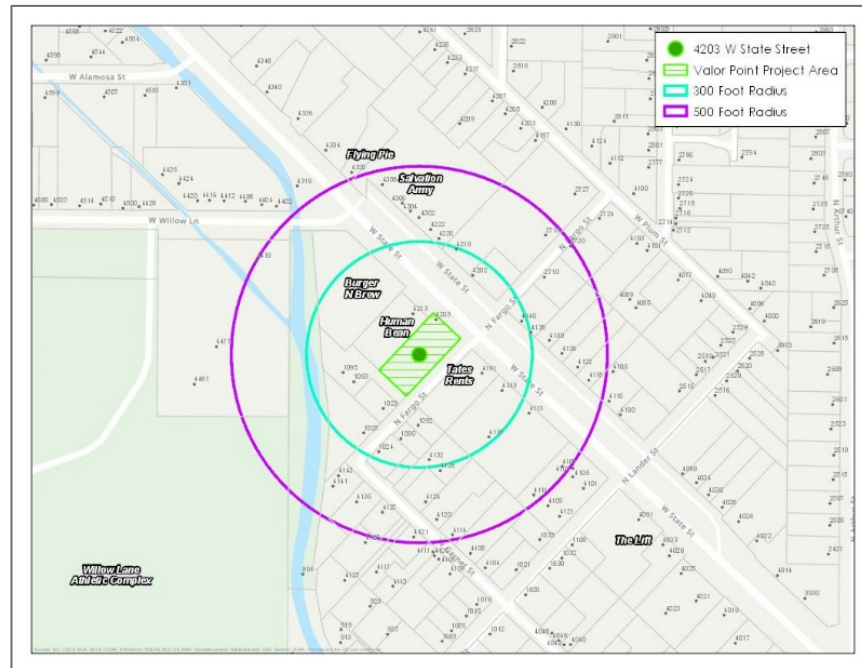
3. Notice of Public Hearings – Postcard Mailers (sent by the City)

Currently, the city sends notice of public hearings to owners and occupants within 300 feet of the project site at least 15 days prior to public hearing. Discussions expressed interest in increasing this distance. A six-month pilot project tested expanding the radius notice to 500 feet for the following applications:

- Comprehensive Plan Land Use Map Amendments
- Rezones
- Special Exceptions
- Subdivisions (5 acres or Greater)
- Conditional Use Permits (Greater than 1 acre or on a Gateway Street)
- Planned Unit Developments (Greater than 1 acre or on a Gateway Street)



During the pilot, attendees of public hearings noted that these mailers were the most common way people were made aware of the public hearing.



Code Change:

- f. Increase the radius notice to 500 feet for the aforementioned application types. **Note: This increased distance would only occur for city notifications, not applicant notifications of neighborhood meetings.*

4. Notice of Public Hearings – Site Postings

Currently, site postings are installed by the Planning Team at least 15 days prior to public hearing. Signs are yellow, laminated, 11"x17" in size, stapled onto a yard stick and installed at the site. It was pointed out that these do not hold up to the inclement weather, remain on-site after the hearing has been completed, and are not adequately sized. Similar to the radius notices, the same pilot project tested posting sites with larger 4'x4' signs for the following applications:

- Comprehensive Plan Land Use Map Amendments
- Rezones
- Special Exceptions
- Subdivisions (5 acres or Greater)
- Conditional Use Permits (Greater than 1 acre or on a Gateway Street)
- Planned Unit Developments (Greater than 1 acre or on a Gateway Street)

Changes proposed would still allow the 11"x17" sign to be used on smaller sized properties for two reasons: 1) some of the smaller projects (i.e. substandard lots or insignificant variance requests) have applicants who are homeowners who are likely not familiar with the development process and the larger sign could be much



more difficult to create, and 2) the larger signs should only be used to bring attention for larger projects that may have more of an impact to the neighborhood.

The pilot project tested signs with a variety of sizes and layouts that included images of the site or the project. In order to maintain legibility and clarity, the proposed amendment would require applicants to utilize a template provided by the city to ensure all postings are legible and have the required information listed. Below is an image of the current 11"x17" sign vs. a pilot 4'x4' sign.



Lastly, another change would be for the applicant to post the site for any public hearing level application. This is a common practice with many local jurisdictions. This will require an affidavit and a photograph of the notice to prove notice was posted on site in a timely manner or items will be deferred to a future hearing date.

Code Change:

- g. Applicants are required to post the project site themselves.
- h. Applicants are required to post the site with an 11"x17" sign, but for applications that meet the certain thresholds, a larger 4'x4' site posting would be required.
- i. Applicants are required to utilize a template provided by the City for the site posting sign.
- j. Applicants are required to provide proof of the site posting to the Planning Team no less than 10 days prior to scheduled public hearing or the item shall be deferred to a future hearing.



5. Proposed Amendments

11-03-03. PROCEDURES

This section describes procedures for processing and reviewing applications for development.

1. STEP 1: PRE-APPLICATION MEETING

A pre-application meeting with ~~the~~ Director is required for subdivisions over 40 lots, conditional use permits, annexations, variances, special exceptions, rezones, and land use map amendments.

A. Timing

A pre-application meeting shall ~~Must~~ be held not more than six months ~~nor less than one day~~ prior to the submission of an application and shall occur prior to notification or the holding of a neighborhood meeting.

B. Verification

A pre-application meeting verification form shall be submitted with the application.

C. Waiver

The Director may waive this step for projects that are not complex and have little potential to substantially impact neighboring properties.

2. STEP 2: NEIGHBORHOOD MEETING

The applicant shall hold a meeting allowing the public to review the proposed project ~~only after a pre-application meeting has been held. A second meeting may be required by the Director if the application could have the potential to create measurable impacts including, but not limited to increased traffic or environmental concerns. The second meeting may occur before or after application submission but shall follow the noticing procedures of 11-03-03.4.~~

A. Timing and Location

A neighborhood meeting shall ~~Must~~ be held not more than six months nor less than ~~five~~ 12 days prior to submission of the application, ~~and~~ within two miles of the project site, Monday through Thursday, excluding holidays, and start between 6:00 P.M. and 8:00 P.M.

B. Notification

Notice shall be sent or delivered to residents and property owners within 300 feet of the site and to the registered neighborhood association. For variances ~~applications~~, only adjacent (including across streets and alleys) residents and property owners need be notified. Mailed notices shall be postmarked at least ~~seven~~ ten days prior to the meeting. Hand-deliveries shall be allowed for variance applications only and must also be delivered at least 10 days prior to the meeting ~~must occur at least five days prior to the meeting.~~

C. Waiver

The Director may waive this step for projects that are not complex and have little potential to substantially impact neighborhood properties.

(ord. 42-13, 10-29-13)

* * *

4. STEP 4: NOTICE

A. Application Referrals

Applications requiring public hearings shall be referred to all political subdivisions providing services to the site, including school districts, and registered neighborhood associations for review and comment. Application referrals to the registered neighborhood association shall be in addition to, and not in lieu of, mailed public hearing notice.

B. Published Notice

At least 15 days prior to the hearing, notice of the time and place and a description of the proposal shall be published in the official newspaper of Boise City. A notice shall also be ~~made~~ ~~available~~ provided to other newspapers, radio, and television stations servicing the city for use as a public service announcement.



C. Mailed Notice

Notice shall be mailed to the applicant and to property owners, purchasers of record, ~~and residents, and registered neighborhood associations:~~

- (1) Within the subject property;
- ~~(2) Within 300 feet of the external boundaries of the subject property, for variances, adjacent, for Boise River System permits both sides of the river or channel 500 feet upstream and 1,000 feet downstream from project site;~~
- (2) Within the following distances from the external boundaries of the subject property:
 - (a) For Boise River System permits, 500 feet upstream and 1,000 feet downstream from the project site;
 - (b) For comprehensive plan land use map amendments, rezones, special exceptions, subdivisions five acres or greater, and conditional use permits and planned unit developments greater than one acre or on a gateway street, 500 feet;
 - (c) For a height exception exceeding 100 feet, a distance that is three times the proposed height;
 - (d) For variances, adjacent properties;
 - (e) For all other applications, 300 feet.
- ~~(3) For a height exception exceeding 100 feet, within a distance that is three times the proposed height;~~
- (4) Any additional area that may be impacted by the proposed change as determined by the Director when:
 - (a) The application could result in significant adverse traffic, environmental, aesthetic, noise, pollution, or population density impacts occurring outside the minimum ~~300-foot~~ notice area;
 - (b) The public interest would be better served by expanding the notification area.

D. Posted Notice

Notice shall be posted in a conspicuous place on the premises not less than ~~fifteen~~ 15 days prior to the hearing. The ~~Director~~ applicant shall be responsible for the timely posting of all sites and for the documentation of such postings. ~~The Director may require larger sized posting(s) or multiple notice(s) for applications that could result in significant adverse traffic, environmental, aesthetic, noise, pollution, or population density impacts.~~

(1) Size

- (a) All notice(s) shall be a minimum of 11"x17" in size, unless otherwise required.
- (b) Notice(s) 4'x4' in size shall be required for: comprehensive plan land use map amendments, rezones, special exceptions, subdivisions five acres or greater, and conditional use permits and planned unit developments greater than one acre or on a gateway street.

(2) Content

The notice(s) shall utilize the template provided by the City.

(3) Material

- (a) Notice(s) 11"x17" in size shall be in bright colored, laminated paper, or other similar material mounted to a rigid surface of equal size and attached to a Director approved support.
- (b) Notice(s) 4'x4 in size shall consist of plywood or other hard surface mounted on two 4"x4" posts, or attached to another Director approved support.



(4) Placement & Quantity

- (a) The notice(s) shall be posted perpendicularly along each roadway, excluding Interstate 84, adjacent to the subject property boundaries. The base of the notice shall be at least three feet above the ground.
- (b) If the property has roadway frontage of 1,000 feet or more, a notice shall be placed at each end of the property roadway frontage.
- (c) Notice(s) shall be located on the property, outside of public right-of-way.
- (d) If the notice(s) cannot be placed on the property and still be clearly visible, the notice(s) may be placed within the right-of-way if the applicant can obtain the consent of the owner of the right-of-way.

(5) Proof of Posting

Ten days prior to the public hearing, the applicant shall submit to the City a notarized statement and photograph of the posting attesting to where and when the notice(s) were posted. Unless the statement is received by such date, the hearing will be deferred.

(6) Removal

The notice(s) shall be removed no later than three days after the public hearing for which the notice(s) was posted.

E. Alternate Forms of Notice

When mailed notice is required ~~to~~ for 200 or more property owners, purchaser of record, or residents, an alternative form of notice may be provided as follows:

- (1) In lieu of mailed notices, two additional newspaper notices as described in subsection B, *Published Notice*, above; and
- (2) The general area may be posted with notice in lieu of posted notice on each premise.

F. Notice of Material Change

Following the hearing, if the PZC recommends a material change to the ~~proposal~~ application, it shall give notice and conduct another public hearing before sending a recommendation to Council.

G. Notice of Continued Hearing

At any public hearing, the review body may order the hearing to be continued by publicly announcing the time and place of continuance. No further notice thereof shall be required.

11-03-04. REVIEW AND DECISION PROCEDURES

Subsection 4: Subdivision Plat

C. Procedures

- (4) Step 4: Notice

~~Not applicable.~~ Mailed and Posted Notice required for subdivisions five acres or greater.

Subsection 11: Zoning Certificate / Approval Criteria for Other Administrative Applications

C. Procedures

Figure 11-03.11 shows the procedural steps in the review of applications for a zoning certificate and administrative applications. The common procedures of Section 11-03-03.4 shall apply, with modifications as indicated ~~below~~ within the respective use regulation standards.



6. Approval Criteria

Code Text Amendment (11-03-04.1B(7a))

The Council shall approve, approve with modifications, or deny pursuant to Section 11-03-03.4 and this Section. To approve it must be found that the amendment:

i. Complies with and conforms to the Comprehensive Plan, and

The proposed amendments to the Development Code conform to *Blueprint Boise*. The purpose of the Specific Procedures is to ensure due process is achieved as detailed in Idaho State Code. However, Boise City has continually provided a commitment to its citizens to go above and beyond these minimum standards. As detailed in *Blueprint Boise*, the City's Comprehensive Plan, the vision for Boise is:

Boise will continue to grow in stature as a world-class city with valued neighborhoods; outstanding natural, scenic, recreational, educational, historical, and cultural amenities; and economic vitality. Boise's growth will happen in a sustainable, efficient, and responsible manner that maintains and enhances its treasured quality of life, while meeting the challenges of the future. Boise is committed to becoming a more sustainable community by taking steps to enhance the local, regional, and global environment. A sustainable community is one where the integrated economic, social, and environmental systems are structured to support healthy, productive, and meaningful lives for its residents, while laying the foundation for a high quality of life without compromising the ability of future generations to meet their own needs. (Emphasis added)

This amendment is recognizing the importance of Boise's neighborhoods, and wanting to grow the city in a responsible manner, by providing increased communication and transparency for the development process. The growth occurring in Boise is certainly providing a unique environment of change, but the development process should be easily discernable to any and every citizen. The proposed changes will help ensure that the growth occurring will not compromise the high quality of life Boiseans expect from the city they live in.

The citywide vision is broken down into seven themes or guiding principles. The amendment helps support, and eventually achieve, all of these guiding principles in some fashion depending on what future projects are proposed.

- 1) Environmental Stewardship,
- 2) A Predictable Development Pattern,
- 3) A Community of Stable Neighborhoods and Vibrant Mixed-Use Activity Centers,
- 4) A Connected Community,
- 5) A Community that Values its Culture, Education, Arts, and History,
- 6) A Strong, Diverse Economy, and
- 7) A Healthy, Safe, and Caring Community.



ii. *Is required for public convenience or general welfare.*

The proposed amendment is required to ensure public convenience and general welfare is upheld. Increased transparency and communication of land use applications will provide citizens further opportunity to be involved in the public process for future development. This ensures that the quality of life of Boise citizens is maintained.



Céline Acord

From: Sarah Arjona <Sarah.Arjona@itd.idaho.gov>
Sent: Wednesday, June 26, 2019 11:13 AM
To: PDSTransmittals; Céline Acord
Subject: [External] ZOA19-00001

Good morning,
ITD has received application ZOA19-00001 for review and has no comments.

Thank you,

*Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338*

Céline Acord

From: Kathleen Collins
Sent: Monday, June 10, 2019 6:54 AM
To: Céline Acord
Subject: FW: [External] Re: ZOA19-00001 Zoning Ordinance text amendment transmittal

FYI

From: claycarley@oldboise.com [mailto:claycarley@oldboise.com]
Sent: Saturday, June 8, 2019 5:35 PM
To: Kathleen Collins <KCollins@cityofboise.org>
Subject: [External] Re: ZOA19-00001 Zoning Ordinance text amendment transmittal

looks ok to me. clay

From: Kathleen Collins <KCollins@cityofboise.org>
Sent: Friday, May 31, 2019 11:43 AM
Cc: Céline Acord
Subject: ZOA19-00001 Zoning Ordinance text amendment transmittal

Please review the attached amendment to the zoning ordinance. If you have any specific questions direct them to Céline Acord at caacord@cityofboise.org. You can send any comments to PDSTransmittals@cityofboise.org with ZOA19-00001 referenced in the subject line. You can also forward them directly to Céline. Below is the legal wording for this amendment.

ZOA19-00001 / City of Boise

Amendment to the Development Code regarding Specific Procedures (Section 11-03-03 and 11-03-04) including changes to the timing of neighborhood meetings, increasing the radius for mailed notifications of public hearings, and requiring applicants to install on-site public notice signs. *Céline Acord*

Kat



Kathleen Collins
 PDS Noticing/ GIS Analyst
[Planning & Development Services](#)
 T: 208-608-7084 | F: 208-384-3753
kcollins@cityofboise.org

Making Boise the most livable city in the country.

Céline Acord

From: Fred Fritchman <ffritchman@msn.com>
Sent: Wednesday, June 26, 2019 9:27 AM
To: Céline Acord
Subject: [External] ZOA19-00001

Hi Celine,

I have been reviewing the proposed text amendment up for public hearing have a question about Step 4: Notice. Under section C, mailed notice is required to the applicant, property owners, purchasers of record and residents, but not registered neighborhood associations. Will neighborhood associations no longer receive mailed notices of public hearings or am I missing something?

Thanks,
Fred Fritchman, SENA

Céline Acord

From: Jane Suggs <JSuggs@whpacific.com>
Sent: Monday, June 3, 2019 9:31 AM
To: Céline Acord; PDSTransmittals
Cc: Cara Duskey
Subject: [External] FW: ZOA19-00001 Zoning Ordinance text amendment transmittal
Attachments: image003.png; DOC_TRANSMITTAL ZOA19-00001.pdf

Hi Céline,

Most jurisdictions have a deadline for removing posting signs in their ordinance, but are pretty relaxed about it....for this reason:

We almost always keep a large posting sign (4'x4') in place after a P&Z hearing so that the Council hearing info can be posted on the same sign.

I assume you have spoken to one or more of the sign companies who do this work, so they can explain the process they use. We typically use Forge Signworks in Garden City. They create the sign, often send a draft of the language for our review, post the sign and even take photos of the sign that we submit with the sign posting affidavit (a City form). After the P&Z hearing, we send Forge the Council info (date, time, Commission vs Council) and Forge prepares vinyl overlays to put the new info on the sign. This is a lot more timely and cost effective than removing and then reinstalling the same sign with a different date/time.

After the Council hearing and after the 10 day appeal period is over, the sign should be removed.

Oh yeah, some other cities have proof of posting forms. Forms are helpful.

Thanks,

Jane

[Jane Suggs](#) | Planner

WHPacific, Inc. | 2141 W Airport Way, Suite 104, Boise, ID 83705

Direct 208.275.8729 | Mobile 208.602.6941 | Fax 208.342.5353 | jsuggs@whpacific.com

Enhance Client Satisfaction with Creative, Exceptional Service through Empowered Employees

From: Jane Suggs
Sent: Monday, June 3, 2019 9:13 AM
To: Cara Duskey <CDuskey@whpacific.com>
Cc: Matt Munger <MMunger@whpacific.com>
Subject: FW: ZOA19-00001 Zoning Ordinance text amendment transmittal

Proposed significant changes to the Boise code on **notification and posting** for land development.

[Jane Suggs](#) | Planner

----- Forwarded message -----

From: Kathleen Collins <KCollins@cityofboise.org>

Date: May 31, 2019 11:34 AM

Subject: ZOA19-00001 Zoning Ordinance text amendment transmittal

To:

Cc:

Please review the attached amendment to the zoning ordinance. If you have any specific questions direct them to Céline Acord at cacord@cityofboise.org.

Otherwise send comments per usual at PDSTransmittals@cityofboise.org. Below is the legal wording for this amendment.

ZOA19-00001 / City of Boise

Amendment to the Development Code regarding Specific Procedures (Section 11-03-03 and 11-03-04) including changes to the timing of neighborhood meetings, increasing the radius for mailed notifications of public hearings, and requiring applicants to install on-site public notice signs. *Céline Acord*

Kat



Kathleen Collins

PDS Noticing/ GIS Analyst

[Planning & Development Services](#)

T: 208-608-7084 | F: 208-384-3753

kcollins@cityofboise.org

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PLANNING AND DEVELOPMENT SERVICES

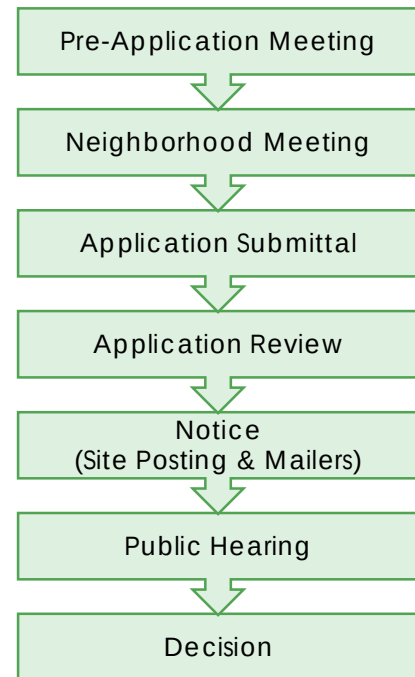
MAYOR: David H. Bieter | INTERIM DIRECTOR: Jason Blais

MEMO

TO: Mayor and Boise City Council
FROM: Céline Acord – Current Planning Manager
Cody Riddle – Deputy Director, Current Planning
DATE: April 9, 2019
RE: Recap of Development Advisory Group, Recommendations & Next Steps

Overview of the Entitlement Process

Shown on the right is a simplified workflow of the entitlement process, starting with a pre-application meeting. This provides the opportunity for the Planning Team to meet with an applicant and explain the requirements of a neighborhood meeting and the overall entitlement process before they can submit for a building permit. The neighborhood meeting is hosted by the applicant who notifies neighbors within 300 feet of the subject property to explain their proposal. This is not a public hearing in hopes that applicants and neighbors can work through any concerns regarding site design, layout, etc. Once these two meetings have been held, an application can be submitted. The review process can take anywhere from 4-8 weeks depending on the type of application and complexity of the proposal. At least 15 days prior to any public hearing, the site is posted with a sign and postcards are sent out to make the public aware of the scheduled hearing where a final decision is rendered.



Formation of the Development Advisory Group

In spring of 2018, a group of citizens reached out to the Mayor's Office with concerns for this process. Concerns ranged from the pre-application and neighborhood meeting process, inconsistencies for notification of public hearings, and the hope for increased transparency for new development proposals. A working group was formed, called the "Development Advisory Group," which included neighborhood association representatives, developers, and city staff, and was led by Council President Pro Tem Elaine Clegg. The Development Advisory Group (DAG) met seven times beginning in May 2018 and ending in February 2019. Other meetings occurred with smaller focus groups to dive deeper into specific topics and obtain feedback to help staff present new proposals for the larger group.

Topics of Concern & Proposed Changes

These meetings allowed open and frank conversations about current policies and procedures, and explored various solutions that could help provide a more transparent public process. Many have led to updating internal business processes, while others require amending the Development Code (Boise City Code Title 11). Below is an overview of what was discussed and proposed and recommended changes to the code and internal procedures.

1. *Pre-Application Meetings*

Currently, pre-app meetings can occur between 6 months to 5 days prior to submitting an application. These are required, 30 minute meetings with the city and applicant to review neighborhood meeting requirements and how to submit an application. They can turn into a preliminary project review meeting, but often there isn't enough time to dive too deep into the details of a project or the applicant hasn't solidified their designs yet.

The neighborhood DAG members were curious to what occurs at these meetings and why they couldn't be privy to the information. City representatives explained the pre-app meeting process and that the information is public record. It was stated that this information should be made available to the neighbors at the neighborhood meeting.

DAG Recommendation

Code Change:

- Require pre-application meetings occur prior to the neighborhood meeting to ensure applicants are given direction on best practices on how to hold their neighborhood meetings.

Internal Process Change:

- Create a standard packet for applicants to receive at pre-app meetings for best practices on how to hold a neighborhood meeting and the public hearing process ([Exhibits 1-3](#)). These documents can also be utilized at neighborhood meetings;
- Create a Parcel Report ([Exhibit 6](#)) that is publically accessible and details an existing parcel's zoning district, land use designation, overlay districts or special considerations etc.; and
- Have pre-application meeting notes available to the public through the use of the new Permitting & Licensing System.

2. *Neighborhood Meetings*

Currently, neighborhood meetings can occur between 6 months to 5 days prior to submitting an application. They require applicants to notice neighbors within 300 feet of the project site at least 7 days (postmark) or 5 days (hand-delivery) of when and where the neighborhood meeting would be held. Discussions with the DAG made clear that improvements could be made, such as increased notice of the scheduled meeting, and stated that additional meetings should be required.



DAG Recommendation

Code Change:

- Applicants would be required to hold neighborhood meetings after attending a pre-application conference meeting with the Planning Team.
- Applicants would be required to provide at least 10 days' (postmark) notice of the neighborhood meeting. Hand-delivery of neighborhood meetings would not be allowed except for variance applications since noticing is for adjacent properties only, but would still require 10 days' notice.
- Neighborhood meetings could occur between 6 months to 12 days before submittal of an application, rather than 5. This would provide additional time (one week) for neighbors to provide comments back to the applicant prior to submittal.
- Give the Planning Director discretion to require a second neighborhood meeting. This meeting could occur before or after an application is formally submitted and would require the same 10-day postmark notice.

Internal Process Change:

- Make documents for best practices on how to hold a neighborhood meeting and the public hearing process available to neighborhood associations ([Exhibits 3-5](#));
- Update the neighborhood notice letter template ([Exhibit 7](#)) used by applicants so neighbors receiving the letter are directed to online resources of the planning process;
- Require applicants to include the city on neighborhood notice letters so these meetings' time and place could be made available online once the city website is updated and live;
- Create an online feedback form ([Exhibit 8](#)) for attendees of the neighborhood meeting to provide feedback on how the meeting went and the project proposed; and
- Copy neighborhood meeting attendees from the sign-in sheet to the notification of the public hearing letter after an application is submitted.

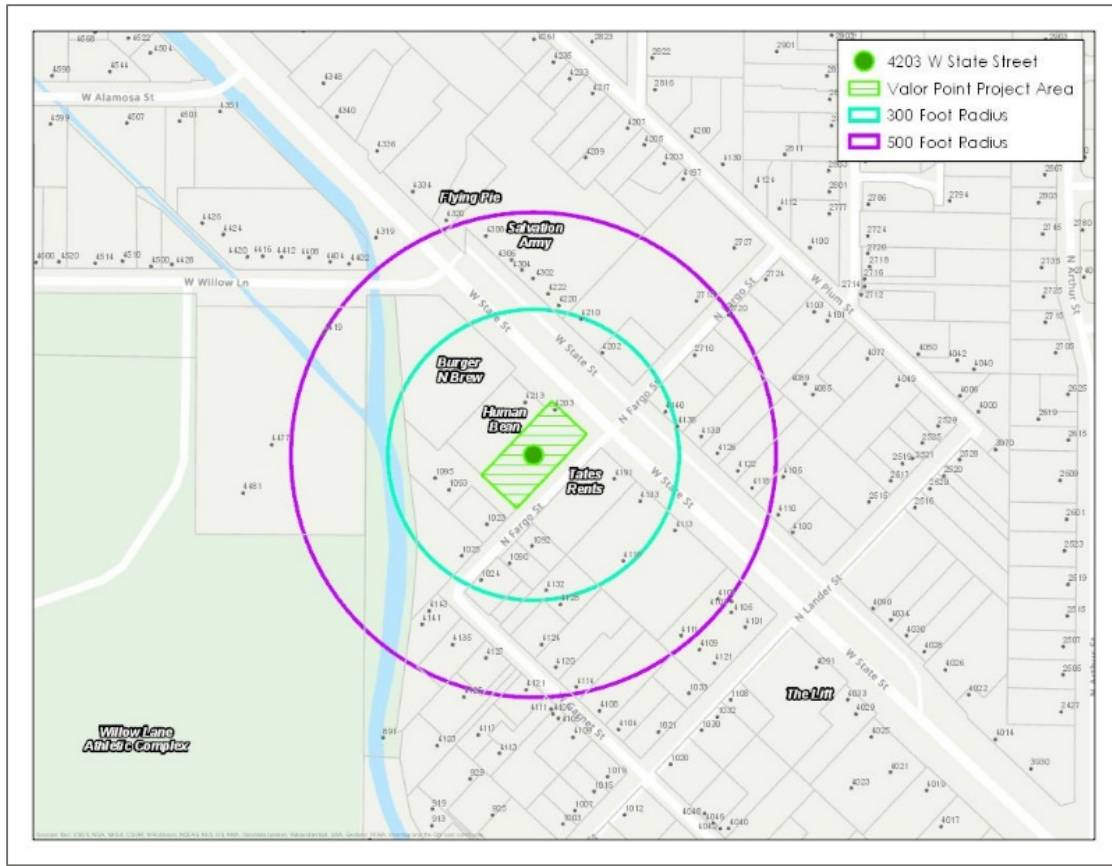
3. Notice of Public Hearings – Postcard Mailers

Currently, the city sends notice of public hearings to owners and occupants within 300 feet of the project site at least 15 days prior to public hearing. Discussions expressed interest in increasing this distance. A six-month pilot project, which began in June 2018 and concluded in January 2019, tested expanding the radius notice to 500 feet for the following applications:

- a) Comprehensive Plan Land Use Map Amendments
- b) Rezones
- c) Special Exceptions
- d) Subdivisions (5 acres or Greater)
- e) Conditional Use Permits (Greater than 1 acre or on a Gateway Street)
- f) Planned Unit Developments (Greater than 1 acre or on a Gateway Street)

During the pilot, attendees of public hearings noted that these mailers were the most common way people were made aware of the hearing.





On average, the cost to print and mail a postcard notice is 50¢ dependent on the number of notices and bulk mailing costs. As an example using the above project site, the standard 300-foot radius would notice 76 property owners and tenants and cost \$33.00 for the city to send out. With the 500-foot radius, 136 would be noticed with a cost of \$53.00. This is an approximate 60% increase for noticing costs. These adjustments would only affect Planning & Zoning Commission hearing items, which roughly range from 190-230 items each year, and each item vary greatly in the number of postcard mailers based on the adjacent parcels.

DAG Recommendation

Code Change:

- Increase the radius notice to 500 feet for the aforementioned application types. While this is an increase of cost for the city, public transparency is also increased with the expanded notice. **Note: This increased distance would only occur for city notifications, not applicant notifications for neighborhood meetings.*

Internal Process Change:

- None

4. Notice of Public Hearings – Site Postings

Currently, site postings are installed by the Planning Team at least 15 days prior to public hearing. They have been yellow, laminated 11"x17" signs stapled onto a yard stick and installed at the site. It was pointed out that these do not hold up to the inclement weather, are left on-site after the hearing has been completed, and are not adequately sized. Similar to the radius notices, the same pilot project tested posting sites with larger 4'x4' signs. The signs were tested with a variety of sizes and layouts that included images of the site or the project. Below is an image of the current 11"x17" sign vs. a pilot 4'x4' sign.



DAG Recommendation

Code Change:

- Applicants post the project site themselves. This is a common practice with many local jurisdictions. While there would be an increased cost to expand the radius notices, this change would decrease costs incurred by the city.
- Applicants would be required to post the site with an 11"x17" sign, but for applications that meet the certain thresholds, a larger 4'x4' site posting would be required.
- Applicants would be required to provide proof of the site posting to the Planning Team no less than 15 days prior to scheduled public hearing.
- Much of the DAG's discussions were about the posting's size, layout, and text. The Planning Team is suggesting rather than codify the details of a sign (i.e. the words "public hearing" shall be two inches in size) that a template would be available and required for applicants to utilize. [Exhibits 9 & 10](#) are examples of the two different layouts.

Internal Process Change:

- None

Public Feedback

The changes recommended by the DAG were sent community members for feedback over two, two-week periods in January and February. The changes were also solicited through the city's social media accounts and in the "In The Know" newsletter. Over 100 comments were received and are organized within [following pages](#).

Attachments

Additional attachments included in this memo were curated by the Community Engagement Department throughout the 10-month process with the DAG. Other documents can and will be created as these changes are implemented.

<u>Exhibit #</u>	<u>Description</u>
Exhibit 1:	Planning Review Process
Exhibit 2:	City Planning Handbook
Exhibit 3:	Neighborhood Meeting Best Practices
Exhibit 4:	Providing Testimony at a Public Hearing
Exhibit 5:	What to Expect
Exhibit 6:	Parcel Report
Exhibit 7:	Neighborhood Meeting Notice Template Letter
Exhibit 8:	Feedback Form for Proposed Development Project
Exhibit 9:	11"x17" Site Posting Sign
Exhibit 10:	4'x4' Site Posting Sign

Next Steps

There are a variety of next steps to provide more clarity to the neighborhood meeting and public hearing process and increase public transparency for the development process. Some of these changes will require amending the Development Code which the Planning Team can initiate this spring/summer of 2019. Others will require internal updates to procedures that will leverage the updates from the Permitting & Licensing system as well as the new city website. The Planning Team will be able to proceed with direction from the Council.



SUPPORT - COMMUNITY MEMBERS



1 I support all of these changes. They are all good steps toward making the citizen notification and participation process more fair and open.

2 Céline, as a frequent user of this process, I support the changes. Thank u for including me.

3 Thank you for the opportunity to comment. I like the proposed changes.

4 I support the proposed changes.

5 The Boise City Council should codify all of the recommended changes by the ad hoc neighborhood advisory committee regarding public notification of zoning and public hearing actions.

6 I support all of the proposed changes.

7 I agree with the changes.

8 I agree that the notification radius should be expanded to 500 feet, and the signage be increased to 4x4 foot signs. These signs are much easier to see when passing, and easier to read. I support any increase to transparency and increased inclusion of neighborhood input.

9 Excellent beginning.

10 Good work trying to improve transparency and communication. I support all of the proposed changes.

11 "The Southwest Ada County Alliance Neighborhood Association reviewed the proposed changes to notification and support all of them. Anything that encourages more community involvement in the process is a good thing. If not already in code it may also be appropriate to require neighborhood meetings to be held inside and in an accessible place. Thank you,"

12 I support the proposed changes to the current notification processes.

13 I like the idea of expanding to 500 feet.

14 I'm supportive of these changes and believe they'll add transparency and the right level of community engagement.

15 I support all these changes as proposed.

16 I support all the changes as outlined. Thanks.

17 I support all three of these proposed changes. They will provide far better opportunity for individuals affected by land use applications to make their concerns known.

18 I am in agreement with all of the proposed changes. Providing adequate time for people to arrange their schedule, obtain information, and work out differences should provide for more people to attend, be informed, and have adequate representation.

19 I support all of these proposals. Well done!

20 I agree with the proposed statements.

21 The proposed changes appear to be fair and reasonable.

22 "It looks like your online form isn't working. It appears there should be a "Capcha" form, (probably a code to type or a pictogram to click through) to prove the submitter is not a robot, but if so, for some reason it isn't loading properly on the page. But in any case, I can tell you here what I tried to type in there:

Our neighborhood association board (Veterans Park Neighborhood Association) had a speaker come to our recent board meeting to discuss these same changes and we as a board are in favor of all of these ideas. This is especially true in light of a recent proposed building in our area (the same one as shown in your example on the page, as it would happen) caught our residents off guard and generated a lot of controversy. This should help situations like this, particularly the radius notification, and the signage requirements. Our board is also discussing ways to help keep residents in the loop with planning and zoning notifications. Thank you for keeping us in the loop and working diligently with the neighborhoods!"

SUPPORT - COMMUNITY MEMBERS

23 I agree with the proposed changes. The public needs clear and timely notice of proposed planning issues, especially anything requiring the demolition of historic buildings.

24 I support all of the proposed changes.

25 I am totally in support of giving the citizens of Boise and Ada County the opportunity to have a voice and better communications with the government agencies when it comes to building/zoning/construction projects that impact the community we live in. These changes should have been a “given”, but times have changed, and it appears only developers are being heard now. Give the city back to the citizens!

26 I like the proposed changes to increase participation.

27 I fully support each of the three concepts. I live very close to proposed projects that directly impact my life but am outside the 300 ft radius. It is only through diligence of others in the neighborhood that I have been informed.

28 I do agree with all the proposed changes.

29 I’m in favor of the proposed changes. Thanks.

30 “I agree with all the improvements.”

31 All three concepts seem to me to be wise—improving the public’s opportunity to be available at meetings and have an impact on the submission as well as the consideration of applications.

32 I’m in favor of all the changes for additional time.

33 I support all these proposals.

34 Yes, please implement these changes. Good for us all to be better informed.

35 Thank you for considering these changes. I support them wholeheartedly.

36 I support all of the proposed changes.

37 “I support all efforts to mandate the history of Boise be forefront in the future development of our city. Irresponsible actions on irreplaceable landmarks of this town is criminal for the next generations to inhabit this beautiful valley.”

38 These move in the right direction. All residents deserve to be in on the planning stages before developers are far enough down the road to garner a sense of inevitability for any project. There should be more teeth in neighborhood feedback, however

39 “ I support all the proposed changes as recommended by the Development advisory Group. Thank you PDS staff for providing this opportunity for public input in the notification process.”

40 I support the improvements in the city’s hearing and notification procedures. They are a good first step in the development of informed public involvement in the decisions that affect us.

41 I support all of these proposals.

42 Support all changes.

43 I support the changes.

44 I feel that all of the proposed changes will bring more awareness to the citizenry.

45 I support better notifications.

46 I support all of the proposed changes.

47 I support all of the proposed changes/updates. Thank you!

48 I support the proposed changes and Preservation Idaho.

49 I support the changes.

50 These are all positive changes!

51 I support the changes.

SUPPORT - COMMUNITY MEMBERS

52 Thank you for proposing these changes. I am in support of them.

53 I SUPPORT ALL OF THE CHANGES.

54 I support all of the proposed changes

55 I support the proposed changes.

56 I support all of the proposed changes.

57 I agree with all of these changes—the more comprehensive and coherent the notification process, the better!

58 I support the every proposed rule change. If we value informed participation in development it should be based on submitted documents and clearly delineated rules; on publicly available information that is easier to obtain than the current protocols. Let's encourage being informed and involved!

59 It makes a lot of sense to prevent unpleasant surprises for neighborhoods. The residents won't get angry and combative if they feel they have had a voice in the process. We are supposed to have a representative government aren't we? Does that end when the official gets elected? We should have a voice in what happens in our neighborhoods.

60 The proposed public notification requirements are a huge improvement to the existing process. I support the proposed public notification requirements.

61 The proposals are a big improvement—larger signs, larger notification radius, more explicit rules governing the developer / neighborhood meeting, and a start at allowing neighborhoods to have more participation early in the permitting process. Thank you for your efforts.

62 I support all these proposed changes. Transparency is about better communication and these changes help improve communication. Citizens deserve a fair chance at knowing what is happening in their neighborhood and the city so that they can participate in the future of the city. With busy lives, longer time frames and larger signs are important improvements. Thank you for your work with the Advisory Group.

63 These are all important and needed changes to facilitate greater neighborhood awareness and the chance for participation in the permitting process. Everything that can be done to encourage greater communication early in the process, ideally before an application is submitted to the city, gives a better chance that between well-intentioned developers and neighborhoods, a better outcome may be achieved. Larger signs are especially important for newly-annexed areas of the city, as these areas have been accustomed to the larger signs required by Ada County. Likewise, in less dense areas, the larger notification radius is essential to alert those who may be impacted by a land use change. Finally, it is crucial to remember that much of the city is not represented by an active neighborhood association, and so it is incumbent upon these notification standards to alert residents to the change and their ability to be involved in any public process. Thank you for the effort represented in proposing these changes.

64 Thank you for convening this committee, listening to their thoughts and acting upon them. This is a big step forward! Please continue supporting neighbor involvement in projects that require zoning changes and conditional use permits. Please do NOT pass blanket "up-zoning" for every part of the city in order to avoid requiring developers to notify citizens and hear their input on each new project that affects them.

65 I appreciate the opportunity to provide additional comment and lend my support to the recommended changes as they would enhance transparency and inclusiveness in the procedures.

66 The improvements to the process will go a long way to facilitate citizen input and involvement. Now the city should figure a way for citizens' concerns to carry as much or more weight than those of developers!!!

67 As a Boise property owner, I support changes that give residents an earlier voice in applications—and believe they deserve two weeks' notice prior to neighborhood meetings and public hearings.

68 Thank you for making the notification process more extensive.

SUPPORT - COMMUNITY MEMBERS

69 I support all of the changes listed above. I hope you move forward and pass each of the amendments. They all are important to help neighborhoods and people understand what is going on in their own neighborhood area and any changes (positive or negative) that may occur.

70 I approve of the proposed extended radius, site posting and meeting time frames.

71 I think these changes are all positive changes and needed. Thank you for addressing the needs of our city.

72 I find the recommended changes to be reasonable.

73 There needs to be some accountability for this to happen if there is no accountability and it isn't enforced then I don't think that it will be successful.

74 "I am in support of each of these changes to greatly improve the process and public access to information that impacts a neighborhood. Thank you for sincerely listening and acting on the citizens concerns."

75 These are excellent initiatives! Thank you for ensuring that more neighbors can have a voice for the developments happening in their community.

76 I would like to see and place comments electronically.

77 "These proposed changes are an improvement and welcomed. There could even be a larger area for notification along with more time ahead of hearings. The Sign size improvement is long overdue"

78 I wholly support the proposed changes. They give much better disclosure and opportunity to comment for the public on important changes to their neighborhoods.

79 I fully support the proposed changes, they will give such important zoning or construction much better public notice.

80 I believe these changes are appropriate and will provide improved notification to the public of new development.

81 Yes please post larger signs and notify more broadly, especially in our historic districts! Boise neighbors need to know what is going on near them. There is so much change going on in our beautiful city that we need to manage it well. Being involved in a historic neighborhood, when change happens, it can't go back. I was totally oblivious that a house right next to me could be demolished without even notifying me. That's crazy. Be open about the change, allow the discussion and make the right decisions. I understand we've been more pro-developer for awhile, because this is their full-time job. For most of us working schmucks you need to make sure we know it is going on. Then it is up to me whether I care about the change enough to try to influence it or let it go. At least I knew it was happening. You did your part to let me know and if I don't like it, I can't complain.

82 I support the recommended changes.

83 I agree with each of the proposals. Neighbors need to be notified of development in their neighborhoods.

84 What a great set of changes. I think the improvement in notification will help both the applicant, those impacted, and the city overall to have a higher level of communication which, in turn, will provide for better outcomes. The larger signs are great and are long overdue. I would see most of the small ones stuck behind a tree or bush; well out of site of any passerby. Well done!

NEUTRAL AND MIXED - COMMUNITY MEMBERS



85 “Hello Celine,
I forgot to add on the survey I do support
the extended time of notification to at least
10 days, 14 days would be better.
Thank you.”

86 I agree with proposed changes. I particularly like the
expanding of notification . I don't think 300 feet is arg
enough for notification.

87 “These changes are very good and way overdue!!
I'm pleased that they are in the final stages of review and
implementation. Congratulations.
My only other comment is that even 500 feet is a rather
narrow area for notification, especially for a large parcel of
land. Those should have multiple copies of the 4x4 notice
on each edge of the property that is visible to passersby.”

88 I would be in favor in greater than 500 feet
notification and even larger signs than 4' square. It is hard
to read from a car driving by.

89 “I support all the changes. I'm the president of the
West End Neighborhood Association. One out-of-town
developer of a very large project in our neighborhood
didn't know about the requirement to hold a neighborhood
meeting. He would have learned about that requirement
if he'd had to attend a pre-application meeting. The
longer notice period ahead of neighborhood meetings is
also really needed to ensure that we can get the word out
and people can plan to attend. Notifying more people is
also a good idea, as people who live 300 to 500 feet from
projects are also affected by them. Finally, larger projects
should have larger signs. If Garden City can do it, so can
Boise. Extending the area where people must be notified
is”

90 I agree with these amendments... as minimums.

91 “Hello, Thank you for soliciting feedback on some
recommendations for changes. I recently went through
a rezone application for the first time and think I can
provide some fresh feedback on the changes:

- Applicants to provide additional notice from 5 to 10
business days. I think this is a good recommendation
to help give people time to plan their schedule.
- Expand City Provided Radius Notice from 300 to 500
ft. For some of them I agree but for others 300 ft seems
to get the core of people that are directly impacted:
Amendments to the land use designation previously
determined in the comprehensive plan. (Comprehensive
Plan Amendments) 500 ft. Changes in the zoning
for parcels of land. (Rezoning) 500 ft. The act of
dividing a parcel of land into parcels for development.
(Subdivisions) 500ft. A permit for use that is allowed
within the zoning district based on specific conditions
to ensure the proposed use is compatible and will
not have an adverse impact on the surrounding area.
(Conditional Use Permits) 300ft. A permit that
provides some allowances to dimensional standards
if development is clustered, provides amenities, and
preserves natural features. (Planned Unit Developments)
300ft. A process to allow a use that is prohibited in the
current zoning district. It is intended for uses that would
be of equal or lesser impact than those permitted in that
zoning district. (Special Exceptions) 300ft.
- Updates to site Posting: I can see how this is a burden on
city resources. However writing the details in code will
be a challenge and so detailed that it will likely be difficult
for the applicant to follow. Plus getting consistency across
so many applicants may be a challenge and certainly there
will be complaints on the placement from neighbors and
potentially lawsuits. Maybe consider a shared approach
model where the City puts up the signs and the applicant
removes them. Or, have the city contract with a third
party to place the notices, to keep consistency and control
and have an additional fee the applicant pays.
- Meeting Timeframes and Requirements: It is a good
idea to have pre-application meeting before the
neighborhood meeting for first time applicants only. I
am not sure there is value in changing the neighborhood
meeting from 5 to 10 days as the ones attended are
usually not there for collaborative discussion but for
opinion only. What may be helpful is for the city to
develop a one page information on zoning for the
average person that the applicant can print and share at
the neighborhood meeting.”

NEUTRAL AND MIXED - COMMUNITY MEMBERS

92 “Thank you for the opportunity to provide comments. The bigger sign is a much better idea and having multiple signs including on the actual property is important. Also suggest additional notices on social media such as Next door since the City suggests neighborhoods use it. Also keep paper notices because not everyone uses social media. Use a Larger font on the actual change vs the accompanying technical jargon so people can focus their attention more readily. What are the alternate ways for people who cannot attend the neighborhood meeting to provide their feedback on proposed changes? Expanding outreach to 600 feet is better than 500 ft because in some areas they may not be many people impacted at 500’ but once the change happens to the property many people are impacted. Think less densely populated area of Boise (foothills) vs State St or Northend. Thank you”

93 “I am strongly in favor of the proposed changes to your notification procedures. We have lived in several cities throughout the US and Boise was the only place where notices were/are so limited in scope and intent. Thank you for working to improve the process and for carrying the planning/zoning regulations into the 21st century. One concern remains: the proposed loosening of ADUs across the city should also be an action that requires notification for 500’. Is that going to happen. A rash of ADUs in an established neighborhood could drastically change its character and livability. Comment?”

94 Larger signs are needed. More notice is needed. Interested parties don’t always drive right by the location related to the notification AND a letter sized sign won’t be noticed by most passersby.

95 I think 500 feet is a small distance if the change will impact all of the neighbors. Maybe the city should think about requiring signatures from all the neighbors like ACHD does?

96 “Greetings and thank you for the opportunity to comment. I support expanding the notification area to at least 500 feet and would like at least three streets around the intended area. Yes to a larger sign and also through the use of social media platforms like Neighborhood Next Door, neighborhood Facebook and websites. Standardized signing and larger signs would help people see the notices. Make font size large for phone numbers so people can more readily see how they can contact the City and provide comment. Would suggest a QR code for smart phone users.”

97 Thanks so much for the opportunity for input! I totally support all of the above changes. In addition, the applicant and/or city should be required to notify the germane neighborhood association of all of the above project types at the same time notice goes to the 500-foot-radius addressees. I assume that any move to upzone or to redefine overall zoning classifications to upzone also would qualify as a zoning change and the neighborhood and 500-foot-radius neighbors would be notified.

98 “I am supportive of increasing the notice period to 10 days to provide additional flexibility for people with comments to organize their time to provide feedback.

I am strongly opposed to increasing the radius for notification and feedback. This is likely to increase ad hoc opposition to minor housing changes and further empower a vocal minority passionately opposed to most (or all?) new types of development. I support liberalizing / loosening zoning laws more generally and this increasing radius would have the opposite practical effect.

I have no opinion on what signs would be best. “

99 “I appreciate the opportunity to comment on the City’s desire to modify standards and procedures in order to “provide greater transparency and facilitate additional opportunities for public comment on land use applications.” This is a worthy and probably overdue undertaking.

While I support all the proposals related to earlier notification, increased mailing radius, and larger signage, I would propose taking some of them further. I understand that one consideration is expanding the current 300’ minimum mailing radius for notification of public hearings to 500’ in many instances. I sincerely hope this also applies to developers’ neighborhood meetings. 300’ is totally inadequate for large projects that significantly affect entire neighborhoods; 500’ is somewhat better, but still conservative; 1,000’ (which is still well under a quarter mile) would be better still. Neighborhood associations, if they even exist or are active in an area, shouldn’t have to bear the brunt of notification brought on by the actions of a developer.

Another consideration is increasing from seven days to ten days the post-mark requirement for mailed advance

NEUTRAL AND MIXED - COMMUNITY MEMBERS

notice of neighborhood meetings. While a step in the right direction, this is a fairly incremental improvement, and I would strongly suggest going up another four days and just making it an even two weeks. Developers know well in advance of two weeks when and where they plan to hold a neighborhood meeting, and there is no ethical reason whatsoever for them to withhold this information from affected residents until only five (or eight) days before meetings, which has been common practice.

I would now like to share some personal experiences and observations re. neighborhood meetings that have formed the basis for my preceding suggestions. It is abundantly clear that the goal of developers in regard to neighborhood meetings, in addition to checking off a box on the path to acceptance, is to arouse as little attention as possible among the neighbors. That is why they typically meet only the minimum legal standards of notification and conduct, and never, in my experience, rise to the level of meeting best practices. An example follows.

In her "letter of explanation" submitted 2-27-18 to the City for development proposal CAR18-00006 or Prominence, Trilogy Development Co. representative, Jane Suggs, used an interesting term. It was "fly under the radar of neighborhood opposition." She observed that small development proposals can often get away with this while lamenting that large ones can become "sitting ducks."

But it certainly wasn't for lack of trying that Prominence wasn't able to evade the "radar of neighborhood opposition" that she found troubling. In addition to only the legal minimums of notification time and radius being met, the meeting was held seven days before Christmas in 2017. Really? A week before Christmas? Only a very naive or gullible person would fail to see this for what it was—a calculated move to limit attendance by people distracted by preparation for a major holiday. More recently, in February of this year, she hosted a second neighborhood meeting for the same project two days after a three-day holiday weekend. A trend?

Because of these kinds of calendaring abuses—legal perhaps, but unethical and certainly not ascending to any ideal of best practices regarding transparency—I would like to see neighborhood meetings prohibited two weeks before and one week after major holidays. The public deserves better than to have neighborhood meetings sprung on them

at times when it is shrewdly calculated they will be more distracted and busy and less likely to attend.

Quickly now, because this has become longer than I'd planned, just a few more examples of questionable practices re. developers and their neighborhood meetings. At the meeting referenced above for Prominence on 12-18-17, around 200 were in attendance, and Ms. Suggs had failed to arrange for a PA system, which could have been available from the school for the asking. This lack of preparation made it difficult for many to hear what was being said, both by her and members of the audience. A presenter, especially a very experienced one, should be prepared for likely contingencies.

Late last fall a developer for a proposal on Shields Ave. in NW Boise held his meeting in a freezing, dark, vacant house illuminated only by a couple camp lanterns. A later meeting for the same property, but a different developer and proposal, was likewise held in the freezing cold, in the dark, illuminated only by camp lanterns, but this time outside the house. People were standing around shivering, barely able to see the documents, and in danger of falling into ditches or stumbling over things in the unkempt yard in the dark. I think these were ridiculous charades that shouldn't have been tolerated by the City, but the developers got to "check their boxes" and move on nonetheless.

Apparently, a basic consideration of others sometimes needs to be spelled out and enforced, so thank you for proposing these changes in that direction and also for your time in reading and considering my observations and opinions."

100 Area of impact is definitely much wider than 300ft. And to be honest, its much wider than 500ft. That is just under a tenth of a mile. Impact often stretches to well beyond that distance. I would even like to see that if any of the bordering parcels are outside the new limit of 500ft, that they be notified anyways because their parcel abuts the applicant's property; they will undoubtedly be affected one way or the other. The signs are important as well and the larger size is what other agencies like Ada County and Meridian also use. It would be nice to shore up consistency in our area. Often the current little 18x24 signs get blown over, kicked over or taken, its hard for those big signs to be moved or knocked over. In the interest of informing the public its in your best interest to up your game on the notification protocol. I fully support expanding all aspects of it.

NEUTRAL AND MIXED - COMMUNITY MEMBERS

101 I strongly endorse these changes in notification. In fact, the neighborhood meeting should occur 3 weeks (21 days) ahead of application submittal to allow for some real interchange between project and affected citizens. Ten days is better than the current 5 but still does not provide a realistic time for a proponent to amend his or her proposal.

102 "Idaho Code requires notification beyond 300' when the project impact is determined; regardless of the distance from the project. Therefore, the 500' should be the minimum; not the maximum. Many projects within Boise's city limites and especially within the ""area of impact,"" seriously impact area residents/citizens....even a mile or two away. If the City's intention is to serve the needs and values of the residents within and without the city limits, then more attention needs to be paid to impact beyond 300' or 500'. Peace"

103 "It all looks like a significant improvement to me. Thank you to everyone for working on this. I only have one comment:

The radius requirement for notice is critical. It seems to me that the zone of impact is directly related to the size of the project. The radius, therefore, ought to be tiered according to the scale of the project, with 500 feet being an absolute minimum. "

104 "I support all of these recommended changes and improvements to transparency and citizen inclusion for hearing and notification procedures, with the exception of anything that uses wording such as ""special exceptions."" This type of wording tends to create issues that impact the citizen and not the developer. I am refering to the last point under the list for expanded notification radius. Special exceptions simply allow for an abuse of the system as a developer's attorney finds a clever ""work-around.""

Thank you for the effort and time devoted to this project over the past months."

105 "1. Considering mail in the Boise Valley is delivered the next day in most instances, 7 calendar days is adequate. 10 business days for a neighborhood meeting mailing is excessive and with the City cut-off dates being once per month, will create a timing hardship.

2. The intent of a neighborhood meeting is to allow those in close proximity to comment on the plan and offer mitigation considerations to the developer. Obtaining a large enough venue for a 500' radius is difficult and difficult to manage. The specifics of a site (such as separation by a collector or arterial street, a body of water / Boise River, etc) should be considered during the pre-app and the radius determined at that time. If this is a requirement, the City needs to provide a space at City Hall for the neighborhood meetings.

3. Larger 4 x 4 sign is fairly standard and acceptable. However, the site plan should not be included on the sign. A project goes through many revisions through the process and the sign / plan could be obsolete. Instead instructions on where to find application materials should be included on the sign.

4. Agreed, a pre-app before neighborhood meeting is ideal. Holding the Neighborhood meeting a minimum of 5 days before application submittal is adequate. Again, with the City's cut-off dates, the delayed submittal timing creates unnecessary hardships."

106 "1- notice radius should be 500'. In some instances, the actual number of residences and/or businesses needs to be considered. In some locations even 500' would be a very bare minimum of notifications.

2- Pre development meeting- on a project that will impact neighbors or neighborhood significantly, why wouldn't a neighborhood rep be invited as well? Not all NA's are active enough, or experienced enough at this process but some are. It would/could save a lot heart ache at the neighborhood meeting.

3- signs- I like the size of the sign, noticeable- but developers should only be required to post/staple printed sheets to the sign. I think it is expensive to have detailed sign main. The size and ""PUBLIC NOTICE"" should be required, much more noticeable."

MIXED - DEVELOPERS AND PLANNERS



107 “Celine: as a professional planner who has worked in three states over forty years, I would offer that one of the biggest flaws in the current process that is not addressed by these changes is the nature of the neighborhood meeting. Before I arrived in Idaho it was unheard of that a developer would be responsible for these meetings without any oversight by the city staff. Everywhere else, the meeting is facilitated by city staff in a neutral function. This avoids misinterpretations by the public and the applicant. I know this is a matter of staff resources, but I would suggest that it avoids a lot wasted effort later if there are misunderstandings that germinate at the meeting. It also holds everyone more accountable to the facts and the basis under which an individual application is reviewed, and sets the tenure for the remainder of the review process. If I was a staff member responsible for an application, I would surely want to know what went on at neighborhood meetings beyond just some developers notes. Now that the noticing area is being expanded, these meeting take on even more importance and need supervision. In the least, and maybe Boise has this, there should be a standard template for the conduct of the meeting. Thanks for the consideration.”

108 “I’m not sure if expanding the neighborhood notice radius from 300’ to 500’ is still in the works, but I wanted to bring up a couple of concerns that will result if/when we invite more people to the neighborhood meeting. I hold these neighborhood meetings all over the valley. I am not against increasing the radius at all, but just want to share some of the impacts:

It will be harder to find a place to hold the meeting with more people. It would be a good idea to change the code to increase the distance from the site that the meeting can be held from 2 miles to 4+ miles. Schools are a good place for meetings, but they now require rental agreements, a rental fee, AND a certificate of insurance. Acquiring a certificate of insurance was a bit of a problem when I was a self-employed/independent planner. I work at WHP now and we have insurance. I don’t think you want to discourage the independent consultants from providing this planning/entitlement service; or even burden a property owner who is doing their own meeting. Oh yeah, at some schools there are so many after-school events that it is often difficult to find a day that works for the planner and the school.

More people may mean renting a public address system. We are already up to \$280 for microphones (for me and one for the audience), speaker and a screen for a PowerPoint presentation, since a larger crowd usually means they cannot see the typical 24”x36” plan board.

Whether the radius is 300’ or 500’, Boise’s meeting list includes property owners and “occupants” if the parcel is a rental. We sent over 50 notices to occupants for my one acre project at 211 Highland Street due to the apartments across the street. 8-10 of those letters were returned as “No Such Address”. Not sure how to scrub those lists for actual addresses or occupants though. BTW, no apartment occupants attended the meeting, even though I held it at Smoky Mountain Pizza with drinks and bread sticks.

Just some thoughts about the notification changes. Thanks.

109 “I’ve been working in the Boise architecture field since 2005. I love the idea of having the pre-app meeting before neighborhood meetings. It would really help the client assess if their project is feasible. I don’t mind expanding the radius to 500’-0”.

But I do have issue with the 10 business day notification and the larger sign. These delays and expenses for large signs are hard on business owners, especially startups. Often business owners have to pay additional rent during this limbo process, or lose the lease because of delays. They are often blindsided by all the hoops they have to go through. I’ve had many clients that were shocked and angered they needed budget for design services and permits. Sometimes they just give up because they don’t have the time or money. The delays are bad for business. It hurts the small family businesses the most. Having the pre-app meeting first would help. I also think spreading the notice time to 10 business days might make people forget about upcoming meetings anyway. I’d be happy to chat more about this if you would like. Thank you.”

MIXED - DEVELOPERS AND PLANNERS

110 My comment is based on 30 years of experience as a public sector planner. Before changing the timing of the neighborhood meeting, I am wondering if the committee discussed the purpose for the meeting. To keep the meeting format the way it is represents a lost opportunity to improve relationships between the staff and the neighborhoods. It is a lost opportunity for staff to be seen as a neutral player in the development process. It is a lost opportunity for staff to hear first hand what the issues are with an application from the perspective of the neighbors. It is a lost opportunity for their to be a clear and correct explanation of the city code provisions as applied to an application. Never before coming to Idaho have I experienced a requirement for neighborhood meetings that were not monitored and facilitated by the city staff. At least make the change to have staff facilitate the neighborhood meetings for some threshold of larger projects.



BCA BUILDING CONTRACTORS ASSOCIATION
OF SOUTHWESTERN IDAHO, INC.

"A Tradition of Building Excellence for Over 50 Years"

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NATIONAL ASSOCIATION
OF HOME BUILDERS

Website: www.bcaswi.org
E-mail: bca@heritagewifi.com

March 6, 2019

City of Boise
Planning & Development Services
Attention: Celine Acord (copy to Mayor Bieter, Jason Blais)
150 N. Capitol Blvd.
Boise, ID 83702

Regarding: New Public Hearing Notice Requirements

Ms. Acord,

Thank you for reaching out to the Building Contractors Association of Southwestern Idaho (BCASWI) regarding the City's notification procedures for applications, including new developments. We represent approximately 400 companies in the Treasure Valley connected to the homebuilding industry. As residents that live and work in our local community, we are hopeful that the City will take our comments seriously as we should work together to address common concerns and issues related to housing. As we continue to see housing affordability become a greater problem in the City, we are hopeful that the City will consider working more closely with the BCASWI to try to meet the needs of the local public.

After having the opportunity to review the proposed changes, we have the following concerns:

First, based on the input from several of our members, there does not appear to be a notification problem in the City for new development. In fact, it is not uncommon to have people that live 2 or more miles away from a development come and testify in opposition. Today, neighbors are well organized and communicate in a variety of ways with their neighbors. Increasing the distance to notify neighbors from 300 to 500 feet will add unnecessary costs.

Second, another concern is the consideration to add more time before an application for development can be filed. Currently, neighbors opposed to development have more than a month to prepare for a hearing for simple applications. For more complicated development applications, that time to "prepare" can often be several months.

We are concerned that the proposed changes will not solve any serious issues, but rather these changes will make it more difficult to do business in Boise and cause delays in the creation of more housing in the city. This will result in a reduction in the new housing supply in the City,

new home price increases, housing to be even more unaffordable for our local residents and a continued sprawl to surrounding cities.

We are hopeful that the City will consider these unintended consequences that impact housing unaffordability for our local residents and not adopt these new proposed hearing and notification procedures. We recognize that Boise is trying to accommodate the requests of all of its residents, and we ask that the City consider a more equitable balance as it addresses expressed concerns.

We look forward to working with the City in the future on our common interests to address local housing policies, including housing affordability.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Richter", with a long horizontal flourish extending to the right.

Dan Richter, President

EXHIBIT 1

CITY *of* **BOISE**
PLANNING AND DEVELOPMENT SERVICES

Planning
Review Process
for Public
Hearings





BE HEARD!

There are many opportunities in the review process to make your voice heard.

EXHIBIT 1

start

PRE-APPLICATION



1 PRE-APPLICATION MEETING*

Applicant meets with city planners to discuss the project's details and neighborhood meeting requirements.



2 NEIGHBORHOOD MEETING*

Applicant holds a public meeting to review the project and answer questions with affected residents, property owners and neighborhood associations.



3 APPLICANT SUBMITS APPLICATION

*Not Required for Design Review

REVIEW



4 PROJECT REVIEW

City planners review project for compliance with the development code, consistency with the comprehensive plan and other long range plans.

5 PUBLIC NOTICE

Neighborhood associations, property owners and occupants within the minimum designated outreach area of 300 feet receive notice of the application submission, a link to the application and the date of public hearing.

A notice is posted in the newspaper
and on the property.

EXHIBIT 1

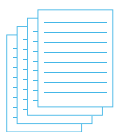


6

PUBLIC COMMENTS

Anyone can submit written comments (including email) to the assigned City of Boise planner any time after the application is received and up to 5 p.m. the Thursday prior to the public hearing.

DECISION



7

STAFF REPORT

Planners make recommendations based on the development code, comprehensive plan, public agency comments and comments from the public; however, the final decision is made by the hearing body. The staff report is available one week before the hearing at

CITYOFBOISE.ORG/PUBLICMEETINGS



8

PUBLIC HEARING

There is a public hearing to review the project, hear recommendations from city planners and take testimony from the applicant, neighborhood associations and individuals.

ruling

A recommendation or final decision is made.

APPEAL



9

APPEAL

There is a 10-day appeal period following the final decision. Anyone who spoke at the hearing or submitted testimony can appeal the decision. No new information can be submitted after an appeal is filed.

PLANNING AND
DEVELOPMENT SERVICES

208-608-7100

CITYOFBOISE.ORG/PDS



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City of Boise

CITY of BOISE

CITY PLANNING HANDBOOK



1C 15
41

№5 (AP-32)



DEVELOPMENT REVIEW PROCESS

Communities grow and change over time. To ensure they remain places people want to live, work and play, new developments must be carefully reviewed and take into account the needs, concerns and interests of both the property owner and the broader community.

Boise's Planning and Development Services Department (PDS) is tasked with ensuring new developments and other land use changes throughout the city help Boise achieve its goal of becoming the most livable city in the country. To achieve this, the department utilizes this shared vision for the built environment:

- **ENERGIZE OUR NEIGHBORHOODS**
Create centers of neighborhood activity and energy
- **CONNECT THE COMMUNITY**
Serve all modes of transportation
- **REDEFINE DOWNTOWN**
Expand Downtown as the city's center
- **EMBRACE OUR EDGE**
Plan for a sustainable pattern of development
- **LEVERAGE LANDHOLDINGS**
Utilize City of Boise properties as a catalyst for new development

This handbook is an overview of the resources and processes the City of Boise uses when reviewing new developments. It details how community members can provide input during the review process and lists city departments and partner agencies that review development projects.



COMPREHENSIVE PLAN

Boise's Comprehensive Plan, **BLUEPRINT BOISE**, establishes a broad vision for growth in Boise. The plan breaks the city into geographic planning areas and provides policy guidance for each. A series of master plans and neighborhood plans provide more specific guidance.

The plan, which was adopted in 2011 after extensive outreach that included citizen input and community workshops, is based on seven key principles:

1. Environmental Stewardship
 2. A Predictable Development Pattern
 3. Stable Neighborhoods and Mixed-Use Activity Centers
 4. A Connected Community
 5. A Community that Values its Culture, Education, Arts and History
 6. A Strong, Diverse Economy
 7. A Safe, Healthy and Caring Community
-

ZONING ORDINANCE

While the Comprehensive Plan establishes an overall vision for the city and provides the general policy guidance to achieve it, **ZONING** is the tool used to implement that vision.

Boise's Zoning Ordinance establishes allowed and prohibited uses for every property in the city, as well as uses that are allowed under specific conditions. It also specifies dimensional standards such as height and setbacks. While the city has 23 unique zoning districts, properties are generally classified as residential, office, commercial and industrial. There are also open land and special purpose zones.

Allowed uses are almost exclusively regulated by the zoning ordinance. Discretionary permits (rezones, planned developments, conditional use permits, etc.) are influenced by the policies of the Comprehensive Plan.

What Does That Mean?

BLUE WORDS are listed in the glossary at the back of the booklet.

There are also overlay and specific plan districts that establish additional standards or allowances for specific areas of the city.

A complete list of the zoning and overlay districts and their unique standards is available at [PDS.CITYOFBOISE.ORG/PLANNING](https://pds.cityofboise.org/planning).

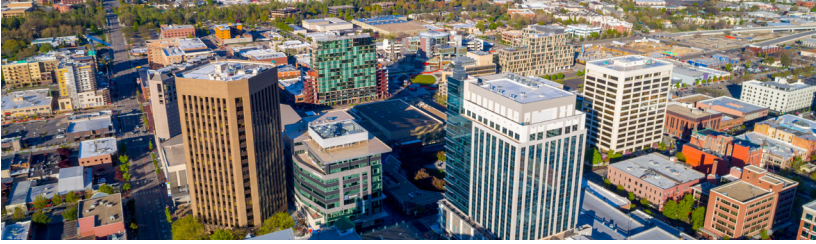
DECISION-MAKING BODIES

THE PLANNING DIRECTOR OR STAFF MEMBER are authorized to provide ordinance determinations. They issue final decisions on minor applications (such as duplexes, accessory dwelling units, home-based businesses, child care facilities and smaller design review and historic preservation applications). Administrative application review is primarily based on objective review criteria. Any administrative decision can be appealed to the Planning and Zoning Commission.

THE PLANNING AND ZONING (P & Z) COMMISSION makes the final decision on conditional use permits, planned unit developments and most variances. They also review appeals of administrative decisions and make recommendations to City Council on rezones, annexations and amendments to the ordinance and Comprehensive Plan. Any P & Z Commission decision can be appealed to City Council. The P & Z Commission meets on the 1st and 2nd Monday of the month.

THE DESIGN REVIEW (DR) COMMITTEE reviews the aesthetics of multi-family residential, commercial, office and industrial projects located in the **DESIGN REVIEW OVERLAY DISTRICT**. Their oversight includes architecture, landscaping and site design. Their review is limited to projects that have allowed uses or have been previously approved by the Planning and Zoning Commission. They also review appeals of administrative design review decisions and make recommendations on ordinance amendments to the Planning and Zoning Commission and City Council. Any DR Committee decision can be appealed to the Planning and Zoning Commission. The DR Committee meets on the 2nd Wednesday of every month.

Learn more about the Design Review process
[CITYOFBOISE.ORG/DESIGN-REVIEW](https://cityofboise.org/design-review)



THE HISTORIC PRESERVATION COMMISSION reviews the aesthetics of projects that are within **HISTORIC OVERLAY DISTRICTS**. While they are independent of the Planning and Zoning Commission and similar to the Design Review Committee, they do not make decisions regarding the use of properties. They review appeals of administrative historic preservation decisions and make recommendations to City Council on ordinance amendments. Any decision of the Commission can be appealed to City Council. The HP Commission meets on the 4th Monday of every month.

CITY COUNCIL is the final legislative authority on zoning and land use decisions. They make decisions on rezones and amendments to the ordinance and comprehensive plan based on recommendations from the Planning and Zoning and Historic Preservation Commissions. They also review appeals of those board's decisions. City Council meets every Tuesday.

Hearing times are contingent upon holidays and other events.

HOW DECISIONS ARE MADE

Each application is analyzed against a set of review criteria.

ADMINISTRATIVE REVIEWS

Decisions are generally based on objective standards. Depending on the type of application, input from partner agencies and city departments is required. Decisions are usually made within two weeks.

HEARING-LEVEL APPLICATIONS

While decisions use some of the same objective criteria as administrative reviews, hearing-level applications are also reviewed against the comprehensive plan's more subjective elements. Decisions are based on a recommendation from the Planning Team, input from partner agencies and public testimony (written and verbal). Decisions are rendered at the conclusion of the public hearing.

THE PLANNING DEPARTMENT'S ROLE

The Planning Team is responsible for helping both the public and applicants navigate the hearing process, regardless of the ultimate decision. They can provide guidance for filing applications and submitting both written and verbal testimony.

City planners prepare a **STAFF REPORT** and make recommendations to the decision-making bodies at public hearings. Recommendations are based on specific review criteria outlined by applicable law, the requirements of any commenting public agency, and correspondence received from the public.

THE PUBLIC'S ROLE: GET INVOLVED + INFLUENCE DECISIONS

There are multiple opportunities throughout the development process for the public to ask questions, state concerns and help shape the nature of a project. Although the **APPROVAL CRITERIA** are unique for each application, they generally consist of the following:

- Consistency with the comprehensive plan and related policy documents
- Compatible with adjacent uses
- Adequacy of infrastructure/ability to provide services
- Compliance with applicable zoning regulations

Tips on Providing Testimony

- To provide effective public testimony, it is important to provide comments that generally align with the approval criteria.
- Focus comments on facts and specific project details.
- The Planning Team is always available to explain their analysis and answer questions in advance of the public hearing.
- There are multiple opportunities for public input throughout the entire application process.

THE APPLICATION PROCESS



***BE HEARD!** There are many opportunities in the review process to make your voice heard.*

Pre-Application Phase

- 1 PRE-APPLICATION MEETING***
 The applicant meets with city planners to discuss the project's details and receive direction on materials and permit requirements.
- 2 PUBLIC NEIGHBORHOOD MEETING***

 The applicant must hold a public meeting to review the project and answer questions with owners of property within 300 ft. of the project (there are a few exceptions where only adjacent property owners must be notified), other affected residents and neighborhood associations. Property owners and residents may ask questions, state concerns and request changes.

 Depending on the type of feedback received, the developer may opt to redesign the project and hold an additional neighborhood meeting before submitting to the City.
- 3 APPLICATION SUBMISSION**
 The applicant submits the project application. Applications are due the last Tuesday of each month.

**Not required for Design Review*

Review Phase

4 PROJECT REVIEW

Once the application is submitted to the city, it is assigned to a member of the Planning Team for review. They base their review on Development Code requirements, guidance of the Comprehensive Plan, comments from partner agencies and other city departments, and comments received from the public.

As part of the process, the city sends the application to the relevant neighborhood association for review. Many associations post information about the development proposals on their websites or send emails to their membership lists. Boise's neighborhood associations are listed at ENERGIZEOURNEIGHBORHOODS.ORG.

5 PUBLIC NOTICE

For most applications, property owners and residents receive a mailed notification 15 days prior to the public hearing. Notice is also posted on-site and published in the newspaper 15 days before the hearing. The notification provides details about the project, contact information for the assigned planner and directions to find more information on the city's PDS Online system at PDSONLINE.CITYOFBOISE.ORG.

6 PUBLIC COMMENTS



The public may submit written comments (including email) to the assigned City of Boise planner any time after the application is received and up to 5 p.m. the Thursday prior to the public hearing. All comments submitted within this time-frame will be added to public record for the project. However, providing comments two weeks prior to the scheduled hearing for the project ensures that staff will have time to review them before turning in the staff report. Any comments received after this deadline must be provided in the form of public testimony at the hearing.



Decision Phase

7 STAFF REPORT

Planners make recommendations based on the development code, comprehensive plan, public agency comments and comments from the public; however, the final decision is made by the hearing body.

Staff reports are available one week before the public hearing.
Go to CITYOFBOISE.ORG/PUBLICMEETINGS.

8 PUBLIC HEARING



Public hearings are held in Boise City Hall, 150 N. Capitol Blvd. In general, the hearing proceeds in the following order:

- The Planning Team presents their recommendation.
- The applicant makes their presentation.
- There is a brief Q & A to clarify any aspects of the project before public testimony begins.
- Registered neighborhood associations speak first. They may take as much time as the applicant, up to 30 minutes.
- Members of the public each have three minutes to comment on the project.
- The applicant has an opportunity to rebut.

Next, the decision-making body makes a recommendation or final decision (known as “findings”). It may include **CONDITIONS OF APPROVAL** to ensure compliance with the zoning code. In general, approval or denial of a project is based on:

- Consistency with the comprehensive plan/policy documents
- Compatibility with adjacent uses
- Adequacy of infrastructure/ability to provide services
- Compliance with applicable zoning regulations

Appeal Phase

Anyone providing comment, either in writing or as public testimony, is considered a “**PARTY OF RECORD**.” This qualifies them to appeal any decision or condition for a project to the next level of review. The appeal period closes 10 days after a decision is made.

9 APPEAL



There are three levels of appeals:

- Appeals of Administrative decisions are heard by the respective commission (Planning & Zoning, Design Review or Historic Preservation).
- Appeals of Committee/Commission decisions are heard by City Council.
- Appeals of City Council decisions are heard in District Court and then State Supreme Court, if necessary.



PARTNER AGENCIES AND DEPARTMENTS

City planners seek input from other city departments and partner agencies in making recommendations and decisions. These are the most common agencies that provide input.

ADA COUNTY HIGHWAY

DISTRICT (ACHD) has jurisdiction over and is the decision making body for all public right-of-way within the City of Boise and Ada County and is responsible for the design and maintenance of all streets, including curb, gutter, sidewalk and bike facilities. ACHDIDAHO.ORG

BOISE FIRE DEPARTMENT

(BFD) is responsible for providing emergency services throughout Boise. BFD reviews new buildings and projects for compliance with the International Fire Code, emergency access and Wildland Urban Interface (WUI) compliance. CITYOFBOISE.ORG/FIRE

BOISE PARKS AND RECREATION

(BPR) maintains, designs and provides programming for Boise's 89 parks, 190 miles of Foothills trails, 25 miles of Greenbelt pathways, hundreds of acres of open space, Zoo Boise, two golf courses, six outdoor pools and a number of community centers. Large-scale developments often work with BPR to dedicate new park land and create new connections to Foothills trails and the Greenbelt. CITYOFBOISE.ORG/PARKS

BOISE POLICE DEPARTMENT

(BPD) specifically comments on projects per the guidelines of Crime Prevention Through Environmental Design (CPTED), which focuses on how changes to the built environment can deter criminal behavior. CITYOFBOISE.ORG/POLICE

BOISE PUBLIC WORKS is

responsible for reviewing drainage, street lights, solid waste, sewer, floodplain, hillside grading and pressurized irrigation. [CITYOFBOISE.ORG/PUBLIC WORKS](http://CITYOFBOISE.ORG/PUBLIC_WORKS)

CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)

ensures essential public health services are made available to protect the health of all citizens in Boise and the Treasure Valley. CDHD comments on centralized water and sewer systems for new development, and environmental health regulations regarding food establishments and child care facilities. CDHD.IDAHO.GOV



IDAHO TRANSPORTATION DEPT (ITD) has jurisdiction over the state highway system, including the design and maintenance of sections of State Street, Broadway Avenue, Front Street, Myrtle Street, Chinden Boulevard and Eagle Road. ITD.IDAHO.GOV

SCHOOL DISTRICTS. The Boise School District and West Ada School District are responsible for the oversight, development and maintenance of the public education system in Boise and the Treasure Valley. The school districts review new developments to determine impacts on public schools, in terms of new student demand and safe routes to school. BOISESCHOOLS.ORG and WESTADA.ORG.

VALLEY REGIONAL TRANSIT (VRT) is responsible for the public transportation system that serves Boise and the Treasure Valley. VRT reviews new developments for impacts to existing or planned public transportation routes, including the need for improvements, such as additional bus stops, bus shelters, etc. VALLEYREGIONALTRANSIT.ORG

IRRIGATION DISTRICTS. There are several irrigation districts throughout Boise and the Treasure Valley. New developments within irrigation service areas must coordinate with Public Works and irrigation districts on the protection, use and maintenance of irrigation company facilities.

APPLICATIONS AND REVIEW AUTHORITY

CITY COUNCIL

- Annexation
- Comprehensive Plan Amendment
- Rezone
- Subdivision

PLANNING AND ZONING COMMISSION

- Conditional Use Permit
- Planned Unit Development
- Variance

HISTORIC PRESERVATION COMMISSION

- Certificate of Appropriateness

DESIGN REVIEW COMMITTEE

- Design Review



RESOURCES

PDS WEBPAGE

[PDS.CITYOFBOISE.ORG/PLANNING](https://pds.cityofboise.org/planning)

- Zoning Code
- Zoning Districts
- Blueprint Boise (Comprehensive Plan)
- State Code (Local Land Use Planning Act)

BOISE CITY CODE

[CITYOFBOISE.ORG/CITY-CODE](https://cityofboise.org/city-code)

GLOSSARY

APPROVAL CRITERIA

Also referred to as “Findings,” are the specific principles or standards that must be followed or incorporated into any development based on the associated entitlement. These typically include compatibility of the proposed project to the surrounding uses and/or neighborhood; compliance with the Development Code and Comprehensive Plan; and level of impact to public services and facilities.

BLUEPRINT BOISE

Boise’s Comprehensive Plan. It establishes an overall vision for the city and provides the general policy guidance to achieve it. It breaks the city into geographic planning areas.

CONDITIONS OF APPROVAL

These are conditions attached to an approved entitlement that form part of a mutually accepted contract between the City and the applicant, property owner, or future property owners that state specific actions required to allow a use to commence or how it will operate into the future. These may include hours of operation, landscaping/screening requirements, improvements to public services and facilities, etc. (Source: Christopher Netherway PPT - <https://www.planning.org.au/documents/item/1167>)

DESIGN REVIEW OVERLAY DISTRICT

Design Review Overlay Districts are intended to encourage building and site designs that enhance the surrounding environment, are compatible with nearby properties, and are consistent with the goals of the City.

HISTORIC OVERLAY DISTRICTS

Design Review Overlay Districts are intended to encourage building and site designs that enhance the surrounding environment, are compatible with nearby properties, and are consistent with the goals of the City.

GLOSSARY

OVERLAY ZONES

An Overlay Zone is a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district. (Source American Planning Association)

PARTY OF RECORD

Anyone who submits written or verbal testimony at a public hearing. Only someone designated as a “party of record” can file an appeal of the decision.

STAFF REPORT

The report that city planners present to the relevant decision-making body. The report has a recommendation for approval or denial that is based on specific review criteria set out in the Zoning Ordinance, Blueprint Boise, area master plans, neighborhood plans, etc. The report also includes the requirements of other public agencies that reviewed the project, as well as correspondence received from the public.

ZONING

Boise’s Zoning Ordinance governs land use within the city. It establishes allowed and prohibited uses (as well as uses allowed under specific conditions) for every property in the city.



APPLICATION TYPES

ABBREVIATIONS

- CAA – Staff Level Permits
- CAR – Annexation/Rezone
- CFH – Floodplain/Hillside Permit
- CPA – Comprehensive Plan Amendment
- CSN – Sign Permit
- CUP – Conditional Use Permit
- CVA – Variance
- CZC – Zoning Certificate
- DRH – Design Review/Historic Preservation
- PUD – Planned Unit Development
- ROS – Record of Survey
- SOS – Subdivision Other Stuff
- SUB – Subdivision
- ZOA – Zoning Ordinance Amendment

ZONING DISTRICTS		
DISTRICT TYPE	ABBREVIATION	DISTRICT NAME
OPEN LAND	A-1	Open Lands, Park
	A-2	Open Land, Reserve
RESIDENTIAL	R-1A	Single Family Residential, Large Lot
	R-1B	Single Family Residential, Suburban
	R-1C	Single Family Residential, Urban
	R-1M	Town Lot Residential
	R-2	Medium Density Residential
	R-3	Multi-Family Residential
OFFICE	N-O	Neighborhood Office
	L-O	Limited Office
	R-O	Residential-Office
COMMERCIAL	C-1	Neighborhood Commercial
	C-2	General Commercial
	C-3	Service Commercial
	C-4	Planned Commercial
	C-5	Central Business
	PC	Pedestrian Commercial
INDUSTRIAL	M-1	Light Industrial District
	M-2	Heavy Industrial District
	T-1	Technological-Industrial Park
	T-2	Technological-Manufacturing Park
SPECIAL PURPOSE	HS	Health Services District
	U	University District

For more information visit: cityofboise.org/zoning-districts

PLANNING AND DEVELOPMENT SERVICES

(208) 608-7100

CITYOFBOISE.ORG/PDS



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City of Boise

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NEIGHBORHOOD MEETING BEST PRACTICES

PROPOSED DEVELOPMENTS



To get more information about the process, reach out to any of the following:

- Your neighborhood association president
- The project representative
- Planning and Development Services
(208) 608-7100 or cityofboise.org/pds



CITYOFBOISE.ORG



@City_of_Boise



Facebook.com/BoiseCity



@CityofBoise



City of Boise

NEIGHBORHOOD MEETING BEST PRACTICES : APPLICANTS



Now that you have completed your pre-application meeting with City of Boise, you are required to hold a neighborhood meeting prior to formally submitting your application.

The Boise City Code sets a baseline standard for neighborhood meetings. However, successful meetings go beyond the requirements and implement the best practices outlined below.

REQUIRED BY BOISE CITY CODE

- Applicant must hold a meeting to allow the public to review the proposed project
- Meeting must be held no more than six months or less than five days prior to submitting the application
- Meeting must be held within two miles of the project site
- Meeting must be held Monday through Thursday (excluding holidays), and start between 6:00 p.m. and 8:00 p.m.
- A notice must be sent or delivered to occupants and property owners within 300 feet, at a minimum, and to the registered neighborhood association. The City of Boise is currently testing an extended notification radius of 500 feet and encourages applicants to do the same
 - Mailed notices must be postmarked at least seven days prior to the meeting
 - Hand-deliveries must occur at least five days prior to the meeting
 - Submit sign-in sheet from the neighborhood meeting

BEST PRACTICES*

- Schedule a meeting with neighbors when the plan/design is still flexible
- Connect with the neighborhood association to determine a convenient date and time for the neighborhood meeting

- Choose a location that is at or near the project site. If you hold the meeting at the project site, make sure to include the location on the neighborhood notice letter and provide a comfortable meeting space (i.e. seating options, tables, microphone, etc.). If you choose an alternate location, make sure it is appropriate and ADA compliant; for example, if it is too warm or too cold outside, meet indoors (i.e. a nearby library, meeting hall or community room).
- At the meeting:
 - Arrive 10-15 minutes early and if no one shows up, wait 30 minutes past the scheduled time before leaving.
 - Have a sign-in sheet at the entrance, along with comment cards.
 - Introduce yourself to the neighborhood association contact and all attendees.
 - Reiterate the purpose of the meeting: to inform residents about the proposed project and gather their input before submitting a formal application to the city.
 - Prepare a short (5-10 minute) presentation about the proposed project and any details on how it fits into the City of Boise Comprehensive Plan and the zoning code in the area. If available, share the site plan, project design and a timeline of upcoming public meetings or hearings with all stakeholders (i.e. ACHD).
 - If available, share maps and any graphics that show the proposed project's location and preliminary design. Bring handouts for attendees to take home.
 - Bring copies of your pre-application meeting form in case attendees have questions about what has been shared with the city planners.
 - Have extra business cards on hand and encourage attendees to contact you if they have additional questions after the meeting.
- After the meeting, circle back with the neighborhood association and all attendees on any changes that you made to the project plan and application, based on the input received. Inform them of next steps and encourage them to stay involved.

**Not required by city code but recommended.*

NEIGHBORHOOD MEETING BEST PRACTICES : NEIGHBORHOOD ASSOCIATIONS



As the designated neighborhood lead, you have the opportunity to help shape the future of your neighborhood.

You are the main contact for the City of Boise, which means that you will receive notifications for any proposed projects that fall within your neighborhood boundaries. Below are some best practices for encouraging your fellow neighbors to get involved.

BEST PRACTICES

- Learn about the resources and processes the City of Boise uses when reviewing proposed developments in the city and your neighborhood (SEE: CITY PLANNING HANDBOOK) and serve as the resource for your neighborhood association members.
- For large-scale or complex projects, consider creating sub-committees to serve as leads for the various components of the proposed development.
- Before the meeting:
 - Once you receive a notification about a proposed project in your area, update your neighborhood association with the information. Include the date, time and location of the neighborhood meeting with the project representative.
 - If you hold a monthly meeting, make sure the agenda includes information about the proposed development and subsequent neighborhood meeting with the project representative.
- Remind neighbors of the resources and processes the City of Boise uses when reviewing proposed developments, so they arrive at the meeting prepared to have an informed conversation with the project representative.
 - Share information from the neighborhood meeting (date, time, location) with the project representative on your neighborhood association's social media channels.
- At the meeting:
 - Introduce yourself to the project representative and give them your contact information. Let them know that you will be the main point of contact from the neighborhood association.
 - Ask the project representative the best way for you to stay engaged in the proposed project. Can you call them directly? Is email a better mode of communication?
- After the meeting:
 - **FOLLOW-UP!** After the neighborhood meeting, the project representative may update their proposed plan, then submit a formal application to the City of Boise.
 - As soon as the application is filed, the city assigns a permit number to the project. The permit number is the key to tracking the project online. If you know the permit number, you can review the project's documents at [PDS.CITYOFBOISE.ORG/PERMITS](https://pds.cityofboise.org/permits)
 - Not sure if the project has been submitted yet? You can find a weekly report of projects that have been submitted for review at [PDS.CITYOFBOISE.ORG/REPORTS](https://pds.cityofboise.org/reports). Just click "View PDF" under Planning Division Permits Received.
 - Identify if other partner agencies will also be involved. Some examples include:
 - If the proposed development includes updates to the streets in your neighborhood (i.e. a new sidewalk, curb or gutter) contact ACHD ([ACHDIDAHO.ORG](https://achdidaho.org)) to learn about upcoming public hearings or public comment opportunities.
 - If the proposed development includes updates to the transit system, contact Valley Regional Transit ([VALLEYREGIONALTRANSIT.ORG](https://valleyregionaltransit.org)) to learn about upcoming public hearings or public comment opportunities.

As a community member, you are entitled to know about any proposed developments in your neighborhood. The City of Boise requires applicants to hold a neighborhood meeting before formally submitting an application for a project.

Below are some quick facts on what a neighborhood meeting is, what to expect and how to stay involved.

WHAT IS THE PURPOSE OF A NEIGHBORHOOD MEETING?

A neighborhood meeting is required by Boise City Code (see reverse side for full details). The purpose of the meeting is for the neighbors to meet the project representative and learn about the proposed project. Neighbors should use this time to ask questions and provide feedback.

By communicating with the project representative early in the process, the proposed project has a greater chance of being a welcomed change to the area.

HOW LONG IS A NEIGHBORHOOD MEETING?

Meetings typically run for 30 minutes to an hour. However, for large-scale or complex proposed developments, 1-2 hours may not be enough time. In this case, the project representative may choose to schedule a longer meeting or follow-up meeting.

Be sure to check the postcard for the exact duration and frequency of meetings.

WHAT HAPPENS AFTER THE NEIGHBORHOOD MEETING?

After the neighborhood meeting, the project representative will take feedback into consideration and may update the proposed plans. At this point, they can formally submit an application to the city.

WHERE CAN I REVIEW THE APPLICATION?

As soon as the application is filed, the city assigns a permit number to the project. The permit number is the key to tracking the project online. If you know the permit number, you can review the project's documents at [PDS.CITYOFBOISE.ORG/PERMITS](https://pds.cityofboise.org/permits)

Not sure if the project has been submitted yet? You can find a weekly report of projects that have been submitted for review at [PDS.CITYOFBOISE.ORG/REPORTS](https://pds.cityofboise.org/reports). Just click "View PDF" under Planning Division Permits Received.

WHAT HAPPENS WHEN A PROJECT IS SUBMITTED TO THE CITY?

The following steps take place before an application is approved or denied.



PROJECT REVIEW

City planners review the project for compliance with the development code, consistency with the comprehensive plan and other agency-adopted or neighborhood plans.



PUBLIC NOTICE

Affected parties receive notice of the application submission, a link to the application and the date of the public hearing.



PUBLIC COMMENTS

Anyone can submit written comments to the assigned city planner up to 5 days by 5:00 p.m. before the hearing, or testify at the public hearing.



STAFF REPORT

Planners make recommendations based on the development code, comprehensive plan, public agency comments and comments from the public; however, the final decision is made by the hearing body. The staff report is available one week before the hearing at [CITYOFBOISE.ORG/PUBLICMEETINGS](https://cityofboise.org/publicmeetings)



PUBLIC HEARING

These hearings are held on the third floor of Boise City Hall starting at 6:00 p.m. Recommendations from the city planners, and testimony from the applicant, neighborhood association and community members are heard before the final decision is made. If no opposition is voiced, the project can be approved on a consent agenda at the beginning of the hearing.



APPEAL

There is a 10-day appeal period following the final decision. Only citizens who have submitted written or verbal testimony can appeal a decision.

CITY of BOISE



Providing Testimony at a Public Hearing

1. Using the agenda, identify the item you wish to provide public comment.
2. On the numbered sign-up sheet for the item you wish to testify, fill out your contact information.
3. Review the public hearing procedures to understand when you'll be asked to speak.

Please note: As a citizen, you are allotted 3 minutes, or approximately 500 words, to testify on any project that is heard tonight.

If you have a question about a specific agenda item or about providing testimony, please speak with the assigned planner or city staff prior to the hearing.





EXHIBIT 1

WHAT TO EXPECT...

There are a variety of items on the agenda this evening; not all will be heard and discussed. If staff recommends approval of an item and there is no opposition, then the item will be placed on the consent agenda at the beginning of the hearing. All items on the consent agenda are approved with one motion and will not be discussed for the remainder of the hearing.

For other items that have opposition, the hearing will generally proceed as follows:

1. **REVIEW BODY** calls item to the floor
2. **STAFF** presents findings (5-10 min.)
3. **APPLICANT** presents application (15-20 min.)
4. **DESIGNATED NEIGHBORHOOD ASSOCIATION** presents testimony (15-20 min.)
5. **GENERAL PUBLIC** may provide oral testimony (3 min. each)

*Please note: Public testimony is time reserved for individuals to share their support or concerns, **not to ask the Review Body questions.***

6. **APPLICANT** presents rebuttal (5 min.)
7. **REVIEW BODY** discusses and renders decision

Any individual who provides testimony is considered a “Party of Record,” which qualifies them to appeal any decision or condition for a project to the next level of review. Signing up without providing testimony, however, does not qualify an individual as a Party of Record.

If you have questions about the item, please speak with the assigned planner or city staff prior to the hearing.



Parcel Report: S1028214008

Report Date

2/6/2019



Address: 3625 W ELDER ST
Primay Owner: BURTON HOTEL GROUP OF BOISE LLC
Secondary Owner:
Subdivision: 3N 2E 28
Acres: 2.84100000
Legal Description: PAR #4008 NR CTR S POR
NE4NW4 EXC R/W
SEC 28 3N 2E
PARCEL B R/S 7363 EXC R/W
#214006-B

Neighborhood Association: Hillcrest
Association: Dan Loughrey
Contact Email: dloughrey@aol.com
Contact Phone: 208-323-2032 | 208-378-8289
Association Website:

Prior Planning Casses:
CUP08-00044
CUP09-00062
CUP16-00057
CUP08-00044
DRH08-00114
DRH16-00320

City Limits: BOISE
Zoning District: L-OD^{1,2}
Land Use Designation: Office³
Comprehensive Planning Area: Central Bench
Airport Overlay: B-1⁴
Parking Overlay: N/A
Wildlife Urban Interface: OUT
Hillside: OUT
FloodPlain: OUT
Irrigation District: N/A
Permitting History: CUP16-00057
DRH16-00320
Records of Survey: RS_10563
Related Parcels:

¹ L-O: Limited Office: Zone intended to accommodate office space in locations that are served by primary access, but that are inappropriate for commercial development because of proximity to residential uses. The zone also provides for residential development.

² D: Design Review Overlay District: Requires approval for any exterior changes to building facades, landscaping, parking, and building form and appropriateness.

³ Intended to accommodate small existing office complexes such as dentist offices, outpatient clinics and small professional offices. The office designation may be used to provide a transition between intense commercial uses and surrounding neighborhoods.

⁴ The B-1 overlay in the Airport Influence Area is affected by air traffic patterns below 1,000 feet and/or sound levels that negatively impact residential neighborhoods (65-70 DNL). Residential development is limited to three units per acre and new schools are not allowed.

Neighborhood Meeting Notice Template Letter

MM/DD/YYYY

Dear Resident,

Prior to submittal of a development application, Boise City Code requires a meeting between the applicant and neighbors. This is your notice to meet and review (*briefly label proposed project here*).

This is not a public hearing, and public officials will not be present. If you have questions regarding meeting requirements, please contact the Boise City Planning & Development Services Department.

Purpose:

To review (*list development proposal info*)

When:

(*Date and time of meeting*)

Where:

(*Location/address of meeting location*)

Project Description:

This project is located at (*include address*), parcel number (*include parcel number*). This proposed project is (*provide a detailed description of the development proposal. Include an additional page for a site plan or drawings of the project.*)

If you have questions about the meeting or proposed development project, please contact (*list the contact person on behalf of the proposed development (not City Staff or PDS), address and phone number of the applicant or applicant's representative*).

Please note: To track attendance and certify that a meeting was held, a sign-in sheet will be present at this meeting. The applicant will submit this sign-in sheet with their application, which will then be used to notify you of when the application was submitted.

To provide feedback regarding this meeting, you can submit your comments at:

<https://pds.cityofboise.org/planning/proposeddevelopmentfeedback>. The pre-application number is (*include pre-application number*). You can use this information to look up the progress of the project on PDS Online at:

<https://pdsonline.cityofboise.org/pdspermits/>. To learn more about the planning process, please visit:

<https://pds.cityofboise.org/planning/documents/planning-review-process/> where you can review information about neighborhood meetings and the planning review process.

Sincerely,

(*signed*)

Proposed Development Project - Feedback

Thank you for your interest in providing feedback on a proposed development in Boise. Please complete the form below to have your comment routed to our planning division.

Project Information: Please provide as much information as possible so we can ensure your comments are associated to the correct project.

Project Address

Please provide the project address that you are providing comment on.

Project Intersection

Please provide the nearest intersection for the project you are providing comment on.

Project Parcel Number

If known, please provide project parcel number that you are providing comment on.

Project Pre-Application Case Number

If known, please provide the pre-application case number for the project that you are providing comment on.

Name of Project Developer

Brief Project Description

Provide a brief description of the project.

Project Comment/Feedback *

Provide your comment or feedback on the proposed project noted above.

Your Information

Name *

Please provide first and last name

Email *

Street Address *

Please provide your street address

Phone Number

Please provide your contact phone number

I am not a robot

☐ I'm not a robot


reCAPTCHA
[Privacy](#) - [Terms](#)

Submit

NOTICE OF A PUBLIC HEARING

HEARING INFORMATION - CITY COUNCIL



LOCATION: **Boise City Hall**
150 N Capitol Blvd., 3rd Floor



DATE: **January 1, 2019**



TIME: **6:00 pm**

PROJECT INFORMATION

CASE NUMBER:

Visit **PDS.CITYOFBOISE.ORG/PERMITS** and enter the case number above to view plans and associated documents.

APPLICANT:

ADDRESS:

REQUEST:



PLANNING & DEVELOPMENT SERVICES

For questions or to provide public comment, contact us at
zoninginfo@cityofboise.org

PDS.CITYOFBOISE.ORG

208-608-7100 or TDD-TTY 800-377-3529

Boise City Hall, 150 N Capitol Blvd., Monday-Friday; 8 am - 5 pm

NOTICE OF A

PUBLIC HEARING

HEARING INFORMATION - CITY COUNCILLOCATION: **Boise City Hall - 150 N Capitol Blvd., 3rd Floor**

DATE:

TIME: **6:00 pm****PROJECT INFORMATION -**

CASE NUMBER:

Visit **PDS.CITYOFBOISE.ORG/PERMITS** and enter the case number above to view plans and associated documents.

APPLICANT:

ADDRESS:

REQUEST:

**PLANNING & DEVELOPMENT SERVICES**For questions or to provide public comment, contact us at
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208-608-7100 or TDD-TTY 800-377-3529**Boise City Hall, 150 N Capitol Blvd.,**
Monday-Friday; 8 am - 5 pm