

# Common Ground for Building Our City

Development Community and Civic Leader  
Consolidation Workshop  
January 27, 2010

## Group 2

**Moderators:** Loretta Raider / Josh Warner

**Group Overview:** Group 2 had nine members – four female and five male. Two members were African American, one was Hispanic, and the rest Caucasian. Of the nine, two were developers, with one developer from an organization that was also a civic group. The group was well coordinated in their conversations, and no one monopolized the deliberation. Group members often referred to their personal stories of the project review process, as well as recounting conversations in their small group work at the civic group or developer's workshops. Most all of the topics in the low hanging fruit and gut wrencher categories were discussed at least briefly, and the group found common ground and named several actions for each of their assigned questions. The group demonstrated respect for one another and excellent listening skills.

### **Low Hanging Fruit: Timely Notification**

The group first shared ideas about the benefits and importance of early notification, as well as the negative implications when timely notification does not occur.

The discussion included :

- The desire on the part of the community that the developer provide information on what they want to build and where they want to build before plans go to an architect
- Civic groups need an opportunity to provide feedback
- 30 day notice seemed to be an appropriate amount of time
- The importance of a variety of communication methods to be utilized

*Common ground principle:*

**“Timely notice 30 days prior to the date of hearing, in the early design phase (before ZBA) a variety of communications are made to include civic groups.”**

### **ACTIONS:**

- Invite the community early into the design process
- Send fliers
- Send certified mail to all adjacent property owners
- Invite community to 2-3 meetings (A question was raised that the # of meetings is dependent on the nature of the project)
- ZBA holds hearings locally

- ZBA posts the hearing online
- The applicant is responsible for the notice (Enforcement by the ZBA)
- The orange poster must be kept for 30 day

### **Gut Wrencher 1: Which Projects Are Reviewed?**

The group took a fair amount of time to hash out some ideas, tell stories, and basically get their arms around this question. They did come to a common ground principle after exploring several of the options and opinions set out at the start of the conversation.

The first ideas and opinions stated involved “as-of-right” uses and the role of the zoning code, as related to comprehensive plans and neighborhood plans:

- “As-of-right” zoning should be just that, since it has been reviewed and considered ‘appropriate’ for a given area by definition
- Community input is or should be involved in making the actual zoning code (both classifications and zone districts)
- There are existing master plans and neighborhood plans (and some in the works) that are built on public input and describe the land use wishes/vision of the community
  - Here there was some tension or skepticism at just how much community involvement and input there was or is to these plans

Next, several group members proposed some principles that were deliberated on and considered for the common ground principle:

- Only projects that need a variance should be considered for public input/review
  - There was strong tension here, in that several group members considered as-of-right to be as-of-right, and several others noted that a project, even if allowed in an area, could warrant some level of public review, given certain circumstances
- Any projects other than single family residential should require public review
  - There was tension here, as some members felt that would be unfair for business uses and commercial buildings, and also that some single family residential projects might need public input/review
- There would exist a trigger for public input/review within each zoning classification (e.g., project square footage, use of multiple addresses/properties for the project, or if there is ‘character change’)
  - This was well received by the group, but again the topic of discussion came back to: “as of right zoning should mean ‘go pick up your permit.’”

Here, the group proposed what would eventually become the common ground principle:

“Projects can be as-of-right, but if there are impacts on the area, they can trigger public review.”

This was eventually finalized as the common ground principle:  
[added wording]

*Common ground principle:*

“Projects can be as-of-right, but if there are **impacts** on the [character of the] area, they can trigger public review.”

- There was strong sentiment from the developers in the group that the word ‘impact’ was a “slippery slope.” Impacts would have to be clearly defined and standardized in the code
- All group members agreed that clear, understandable, and standardized triggers should be determined for the concept of “impact”

The group finished out the discussion (and arrived on the above final common ground principle) by discussing and deliberating the following opinions/ideas:

- There are differences between use variances and scale/dimensional variances
- It must be clear in the code, the triggers and/or uses that cause public review
- If the triggers are too minute, civic associations may be overwhelmed by too many “little things” to consider
- When considering “the character of the area,” should the code be divided into geographic regions or neighborhoods, with a specific “character” or “characters” for each one?
- For the “character” trigger to be tripped, there must be a clear difference with the community character
- What about the new zoning code and re-mapping process? Won’t the community character be defined within the zoning code itself?

**ACTIONS:**

- Zoning re-mapping must incorporate much public input
- Clearly define what is as-of-right in the code
- City responsible for a large-scale education campaign, and must garner participation
  - The group considered education paramount for the zoning remapping process, and for how to navigate as-of-right vs. variance projects. Educating individual citizens as well as civic groups as a whole
- There should be clear triggers for public input/review for as of right projects
  - Triggers having to do with scale of project (multiple single family homes), size of project, etc.
- Zoning maps must be updated regularly
- Zoning overlay system should be preserved
  - But there was some tension here between keeping the overlays and thus adding complexity and ‘layers’ of regulation vs. enabling the community to go through a public process to amend/change the

actual zoning for the given area (emphasis on community process, as opposed to the councilperson amending the zoning)

Overall, the group agreed that this question was quite confusing (as asked on the handouts).

### **Gut Wrencher 2: How Are Projects Reviewed?**

The discussion was lively with diverse perspectives expressed.

- People really care about design, the community needs a voice
- Maybe there needs to be an aesthetic group in each neighborhood
- Design and Zoning are two separate issues
- Design and Zoning are not two separate issues
- The community must review designs (A question was raised, “What happens when the community doesn’t agree on design”)
- Traffic and environmental studies need to be addressed by the city and shared at public hearings
- Sustainability needs to be incorporated into the code.
- Scale and mass factors must be also be considered

After a fair amount of discussion and active listening the group agreed on the following principle.

#### *Common Ground Principle:*

Separate design out of the commission and include public input

#### *Actions:*

- Ground rules must be developed
- Each neighborhood has input into a citywide design commission
- Meetings are held to review and discuss design
- Neighborhoods develop plans of what they want to retain
- Materials, facades and other aesthetics must be judged (similar to the art commission).