

Code Committee members present Andrew Teske, Bill Wade, Candace Carnahan, Nancy Strippel (virtual), Emilee Powell, Mike Foster, Erin Nex, Shelly Dackonish, Keith Ehlers, and Kevin Bray.

City Council members present, Council members Scott Beilfuss (virtual), Dennis Simpson, Cody Kennedy, Jason Nguyen, Mayor Pro Tem Abe Herman, and Mayor Anna Stout.

Consultant Elizabeth Garvin Clarion Associates and Director of Community Development Tamra Allen reported that the Zoning and Development Code update was scheduled for adoption in March 2023, but was tabled by the Planning Commission based on requests from members of the Code Committee to continue to work through various issues. Members of the Code Committee requested a workshop with City Council to discuss the project.

Ms. Garvin gave an overview of the issues discussed by the Code Committee and presents a summary of resolved issues, outstanding issues, and adjacent issues.

Below were the main points mentioned:

Resolved Issues:

- EV charging stations: The state has released new rules for EV charging, and the Code Committee will incorporate them into the regulations.
- Outdoor lighting: Temperature standards were introduced, allowing for a range of lighting options. Adjustments were made to accommodate public safety concerns.
- Residential density: Changes were made to eliminate a density standard for residential uses in the M1 district.
- Utility undergrounding: The recommendation is to require new electric utilities to be placed underground but not existing ones.
- Definition of tiny homes: The definition was adjusted for better clarity.

Outstanding Issues:

- Private roads: There is a request to allow more private roads, and discussions are ongoing, considering factors like water service availability.
- Implementation of the PED bike plan: The plan requires active transportation in developments, and the code committee is discussing how it will be enforced.
- Significant trees: Continuing the discussion on significant trees from the landscape code update.
- Site plan review: The possibility of eliminating site plan review for certain non-building site improvements and change of use cases is being considered.
- Rezoning criteria: The Planning and Zoning Commission developed new regulations, but additional changes for clarification are being made in collaboration with the city attorney's office.
- Compact development standards: Proposed regulations for compact developments are being redrafted for better functionality.
- Manufactured home standards: Changes are being made to allow more opportunities for the placement of manufactured homes.
- Co-living housing standards: New regulations are being drafted for co-living housing, which involves shared living spaces and private bedrooms.

- Drive-thru locations: Discussions are underway to allow more drive-thrus in certain areas and explore design considerations.
- Parking and drive-thru location standards: Proposed regulations aim to limit parking and drive-thrus between structures and public streets. Further discussions are needed to find the right balance.
- Parking as a primary use: Evaluating whether vacant lots can be temporarily used for parking, potentially allowing structured parking as a primary use in downtown.

Adjacent Issues:

- Onsite stormwater vs. regional stormwater: Stormwater improvements fall under public works and are outside the scope of the zoning code.
- Street improvements: Exploring requirements for turn lanes, oversizing, and offsite improvements.
- Impact fee credits: The authorization of additional impact fee credits is governed by the Impact Fee Nexus study.
- Building code and fire code reviews: These reviews are separate from the zoning code but are referenced in the process.
- Processing time: Discussions about the speed of processing by the city, county, and state agencies.
- Cost of construction and affordable housing: Exploring the impact of construction costs on affordable housing creation.
- Public services and facilities: Addressing issues related to public services and facilities.
- Covenant and deed restrictions: These are dealt with outside of the development code.
- Trail construction: Issues related to trail construction and credits for larger developments compared to smaller ones.
- This summary provides an overview of the issues discussed by the code committee but may not include all the details or nuances of each topic.

During the opening discussion, City Manager Caton clarified that the purpose of the meeting is to provide an opportunity for the Code Committee and City Council to interact, discuss specific issues, and understand the progress of the project.

As discussions ensued, committee members raised concerns about the lack of clarity regarding who will bear the costs of various plans and policies, particularly in relation to affordability. The Code Committee emphasized the need for Council to prioritize affordability and how best to balance different priorities. The Committee members mentioned, the absence of discussion on who will pay for certain infrastructure improvements and land dedications and cost allocation for different plans and policies, particularly in terms of affordability. They highlighted the challenge of producing market-rate homes under \$400,000 and how increasing costs affect the housing market, pushing people into subsidized housing. They also mentioned that increasing costs reduce the availability of certain products and the ability of builders to secure loans. The need to balance priorities and spark conversations about affordability was emphasized. The Mayor expressed the importance of policy precision and exploring issues to improve the existing Code.

Committee members emphasized the importance of clarifying the meaning of affordability and differentiating between small affordability and capital affordability. They discussed how certain regulations and requirements proposed may not significantly impact affordability but the need to find a balance between regulations and affordability needs to be examined more considering the financial viability of developers. The Committee noted that they value the input of experienced professionals in the field and believe that reducing parking requirements helps with affordability efforts.

The Mayor emphasized the need for concrete numbers and measurements when discussing the affordability of the proposed changes. She expressed concerns about making policy decisions based on feelings rather than objective data. She suggested that the Committee work with consultants and staff to determine specific costs and impacts associated with the proposed changes, noting the importance of the overall picture and cumulative effects of various factors on the affordability of housing and businesses in the community. It was stated that without a comprehensive conversation about the financial aspects, the implementation of the plan could become challenging to build, plan, and integrate ideas from the 2020 plan.

Discussion noted that there is a distinction between a guiding plan and a specific code, emphasizing that the proposed changes may not be as concrete or enforceable as some participants might expect. They point out that the Code that is being discussed is different from the initial plan and may not provide the same level of specificity.

Discussion also noted the importance to quantify the impact of various factors such as undergrounding utilities and land use dedication fees. While these may be less impactful, they can still affect affordability. The Committee stated that they need to understand how these factors align with the City priorities and how the costs can be distributed among the City, users, and developers. Understanding the complexity of these decisions and all these factors can work towards a solution that benefits the community while addressing the cost implications. As the Committee and Council gather more information and have these conversations, it will be easier to determine the next steps and timelines.

They believe that with additional time, they can make progress and address most of the concerns. However, it was questioned whether the deadline set for the end of July can be met, emphasizing the importance of having conversations and working with consultants and staff to make the necessary changes to the Code. Staff will schedule additional joint meetings between the Committee and Council to continue to move the Code forward.