DOVER, KOHL & PARTNERS
town planning

Memorandum

Date: January 15, 2015

From: Victor Dover FAICP

To: David Driskell, City of Boulder CO

Re: **DESIGN EXCELLENCE INITIATIVE FOR BOULDER**

1. **SUMMARY**:

As the City has been advancing its Design Excellence Initiative, I have been providing technical assistance. During autumn of 2014, I interacted with City planning staff, explored the topic, engaged various stakeholders, boards, and leaders, and conducted a well-attended public forum. While I heard about and saw many signs of high accomplishment in Boulder's evolving built environment, I also confirmed widespread dissatisfaction with the architecture and urbanism that has resulted from recently-approved development applications. After considering the situation, I recommend that Boulder can meet its Design Excellence goals through a combination of **three approaches: 1) advancing local design culture, 2) improving procedures, and 3) reforming regulatory instruments.** Not all of the methods grouped under these approaches require government to take the lead, but the most crucial ones do. As an immediate action, I recommend that the City undertake the accelerated preparation of a **Form-Based Code demonstration case** for a limited area that is undergoing change or areas where there is already consensus and policy direction through area plans or adopted vision. The demonstration case will allow the City to test and showcase the ways a form-based code can improve built results in Boulder. As a rapid stopgap measure for remaining areas of the City, I recommend altering the way Site Plan Review is typically used to upsize the scale of redevelopment; for example, the City can put a hold on height modifications through Site Review in all areas except those that have consensus for height and intensity. As a longer term measure, I recommend creating more complete, less vague Special Area Plans for the remaining areas undergoing change, via interactive public processes (as has been ongoing with the NoBo plan, TVAP, and now East Arapahoe), and then adopting form-based code regulations matched to those plans.

2. **BACKGROUND:**

I undertook a review of background documents, starting with the Design Excellence Workbook prepared by Planning Department staff. Documents I reviewed included the Downtown Design

Guidelines, the Transit Village Area Plan, project descriptions from recent developments, newspaper articles, and City Council minutes. I then took a trip to Boulder in December 2014; events during that trip included:

a. Tour of relevant recent development projects

b. Meetings with City staff

c. Tour of North Boulder with community stakeholders and City Council members

d. Joint Meeting with Design Advisory Board and Planning Board members

e. Meeting with local designers and developers

f. Study Session with City Council

g. Public Forum with keypad polling

At the joint Boards meeting and at the Public Forum, I delivered a food-for-thought presentation about Design Excellence programs and the contemporary state of architectural design. Afterward, we used keypad polling to provoke discussion among citizens about what works, and what doesn't, in Boulder architecture. The results of that revealing exercise are online and largely speak for themselves.

3. **OBSERVATIONS:**

a. **Boulder is smart:** The city has a high level of citizen awareness about architecture and urbanism, sophisticated elected officials, highly capable staff, quality-conscious developers, and dedicated local design professionals. **There is no reason why the next generation of architecture cannot be the best yet.**

b. **Boulder has a tradition of innovation and raising the bar**: Open space, historic preservation, multimodal transportation, citizen participation, and affordable housing programs were all redefined by your community. It is reasonable to assume Boulder will redefine Design Excellence programs in the same way.

c. **The public is justifiably frustrated:** This prosperous, discerning, capable community finds itself nonetheless routinely disappointed by modern-day buildings. Citizens ask, why (exactly) don't new buildings have as much charm as the old ones? Don't we deserve better?

d. **Indeed, buildings aren't that great**: A number of the new ones I visited either reflect a bland, corporate architectural expression, or overdone, gaudy attempts to generate "visual interest." (This last, often undertaken in response to well-intentioned, but vague, outdated directions in official design guidelines.) I saw mal-proportioned elements, inappropriate upper-floor setbacks or "stepbacks," cacophony of materials, and poor building-to-public-space relationships, all despite exhaustive review procedures, and perhaps "design by committee," under Site Review. To be fair, Boulder's recent architecture is on par or

above, when compared to peer cities nationally. In other words, it's a national problem; there's plenty of architectural disappointment to go around.

e. **Qualms about disagreeable growth and disagreeable architecture are not the same things:** As difficult as it might be, it is worth trying to distinguish the different messages among the objections raised in Boulder's raucous public conversation about development. Some citizen participants are simply unconvinced that any growth and change is desirable, regardless of its architectural packaging; others are focused on design flaws, and might accept or even welcome a taller building or denser development if they felt the architectural solution was Boulder-worthy.

f. **Opposition to height is used as a proxy for opposition to growth:** Building height is a central factor determining architectural proportion, the shape of the public realm, and relationships with neighboring buildings, so it is inseparable from both planning regulation and architecture. For some, the decision about the number of floors in a building comes to symbolize and embody all their feelings about whether the city as a whole is growing too fast or too much. Thus some observers feel it is very difficult to have a public conversation about the design of an individual building (and its height) without going back over the whole debate about growth at every meeting.

g. **The Boulderado Paradox:** Repeatedly, residents (and even designers) say their favorite building in the region is the Boulderado Hotel. Yet it seems impossible—given current regulations and recent official decisions—to imagine a building like the Boulderado getting approved today. The building is over 60 feet tall; even with Site Review permissions the tallest new buildings are capped at 55 feet. That part of the story tells us that just because a building extends beyond 35' or 38' doesn't make it a "bad" building. But the contradiction between preferences and regulations doesn't end there. Were it reviewed under current guidelines, the Boulderado would likely be deemed too flat along its street face (it goes straight up—no wedding-cake upper-level stepbacks), composed from too few materials, and designed with too plain a massing.

h. **Applicants are frustrated, too**: I heard numerous anecdotes about the time, expense and risk involved with navigating the Site Review process. Yet developers put up with this and slog through, because development in Boulder can be lucrative enough to make it worth the effort. Several developers report that they budget 18-24 months (and sometimes twice that) and up to $500,000 for the Site Review adventure. Three questions arose in my mind, hearing those stories. First, what if that money had been spent on embellishing the public realm and improving the quality of materials in the architecture, instead of covering the costly procedure? Second, if a way could be found to assure more satisfactory developments without the long review, would developers gladly take a by-right route even if they had to work within new, more stringent design requirements? Third, wouldn't the deliberations of the boards and committees be better spent on the occasional projects that break the mold, the exceptions to the rule, instead of convening on almost every project?

i. **There is vague and unhelpful wording in key regulatory documents:** Phrases like "create visual interest" and "use a variety of materials" and terms like "harmonize" and "compatibility" (and even some sort of desirable "chaos") are embedded in crucial passages in the City's thirteen separate sets of design guidelines. This invites architects to get it wrong in the minds of the reviewers, and opens the boards to accusations that their decisions are arbitrary. Some observers believe that in response, designers have begun piling more and more different materials onto facades and fashioning endless breakdowns in the building volume, hoping to make it indisputable that there is sufficient visual interest and sufficient material variety. (And perhaps, to meet the chaos standard as well—one building has been nicknamed the "ransom note" for its startling dissonance of design.) Several people reported that the advice of staff and the conclusions of the Design Advisory Board are contradicted at subsequent Planning Board hearings, a situation made more complicated given the vague guidance in the regulatory instruments. A last-minute decision to lop the top off a building design during a public hearing, for example, suggests everyone would have benefited from a more clearly written standard.

j. **The projects don't always get better:** The lack of predictability is compounded at least occasionally by unhelpful conclusions reached by the boards, conclusions reached despite every intention to comply with the guidance in official documents. Some of this may be due to residues from bygone planning fads that linger in the documents. For example, there's scant evidence to support the idea that wedding-cake stepbacks make for particularly good context-sensitive main street buildings; certainly the historic buildings of Pearl Street do not have wedding-cake profiles. Yet this shape has been demanded of modern buildings, quite conspicuously.

k. Why is the "by-right" route so seldom taken? According to everyone I asked, relatively few developments simply occur with administrative approval within the bounds established in the basic zoning. This seems to be either because there are so many "triggers" in the ordinance that mandate a Site Review, or because applicants opt to take the risk in hopes of getting the lucrative permission to build a little more (or a lot more). The numerous triggers may have been put in place to expand the number of times and ways the public can comment on a proposal before it is approved or rejected. Interestingly, everyone I asked also said development applications that persist through the process usually get approved in the end. ("Almost always," a planning board member and staffer said in unison.) Perhaps inadvertently, the message is being sent to developer applicants that the zoning the City has adopted doesn't reflect the real limits of what the City means to approve.

4. APPROACHES TO ACHIEVING DESIGN EXCELLENCE:

a. Advancing Local Design Culture

i. Training for the applicants, consultants, staff, boards and public:

It is a reasonable thing to reintroduce all parties involved (staff, board members, plus practicing designers and their clients) to **norms of architectural design**

once commonly known among architects, engineers, and even journeyman carpenters and bricklayers. Private groups, nonprofit organizations, and institutions could take the lead on this.

Boulder's historic traditional architecture, although wildly diverse in both scale and style, reflects such norms. These norms involve, for instance:

1. the massing of major building components;
2. apparent structure;
3. ways of making roofs and addressing the weather;
4. the proportions and positioning of windows, doors, storefronts, details, ornament and encroaching elements; and
5. the building-to-street relationships, especially with regard to how the ground floor facades address the public realm and how the building is positioned on its lot to shape that public realm.

These norms reliably produced agreeable, climate-responsive buildings of lasting quality, in case upon case, year after year, and naturally became the root of evolving, living traditions. Within these norms there was actually constant experimentation and invention, as new materials and technology became available and the needs of society changed. Despite their variety in building type, style, and land use, traditional buildings went together on the same streets comfortably, growing into fairly harmonious ensembles. Pearl Street and the Mapleton Hill neighborhood reflect this.

During the 20th Century, Modernist architecture dogma changed everything. Ideologues de-emphasized tradition and looked on the old norms with disdain, as restrictions to be shrugged off. New emphasis was placed on novelty and context was de-emphasized. Some leading architecture schools famously canceled courses in architectural history altogether; teachers hoped to set free the individual genius of their students and, in theory, to unlock greater freedom of artistic expression.

Some spectacular cultural breakthroughs did indeed result. The occasional landmarks of one-of-a-kind architecture are rightly cherished. Building interiors evolved to reflect the needs of contemporary households, businesses and institutions, too.

But while fine buildings still do occasionally result from within this lack of framework, **in general, the quality and durability and resource-efficiency of architecture has declined.** Urban design also deteriorated, as the abstraction-minded planning and legal professions and the car-minded traffic engineers supplanted architects as the leading form-givers in cities. During the years since,

generations of architects came into practice with no familiarity with the norms. We've reached a point where it is as if the architects of the past had been speaking an almost-mystical ancient language, one no longer spoken or even understood at all by the average practitioners.

Today, in some circles, a painstaking reassessment can be seen underway, provoked by the demands of historic preservation, a new environmental ethic, and public outrage. A recovery of the old norms, reintegrating them with modern practice, reborn traditions, and even a newly exuberant Modernist architecture, holds promise.

In bringing back the basic norms, it is not necessary to regulate "style" to such an extent that architects feel they are straitjacketed or left with nothing to contribute. To me, this is clearly evident in the well-loved new buildings in North Boulder designed by the Wolf-Lyons architecture team, where Spruce Confections has become a favorite meeting spot for neighbors. The buildings are simultaneously practical, comfortable, street-friendly, and fresh and creatively designed.

Training for the design decision-makers can come in many formats. The goal should be to elevate the level of design work by exposing practitioners and regulators to better examples they might emulate and to methods of practice not adequately introduced in architecture school. The more hands-on, the better.

ii. Documentation of the best/historic buildings:

Boulder's success story with historic preservation and adaptive reuse of buildings provides the ultimate designers' handbook. Many of the historic buildings reflect ideal proportions, materials, elements, and building-to-street relationships. However, the power of precedent simply isn't placed squarely on the desk of the student or practicing architect today. We revere these building types and designs for more than their age; it's because they work well, over and over. **More of the historic buildings should be carefully documented with measured drawings, and those drawings should be widely disseminated and used as one basis for training** and coding. Use a computerized format that makes it easy for designers to study (and explain) the similarities between the buildings you wish they'd emulate and the buildings they're designing, with overlays and side-by-side comparisons. Architects in private practice rarely have the luxury of time and extra staff to create these documents (or to conduct any basic R&D for that matter). The City resources may be stretched too thin, too. For this activity, look to the universities, nonprofit groups and volunteers to assemble the material.

For an example, see this Santa Barbara CA study. Santa Barbara maintains material of this sort on city websites where practitioners can readily access it.

iii. Design-Commission Subsidies?

One could conclude from disappointing architecture that clients are simply hiring the wrong architects. Some community foundations push patrons to hire better architects by offering to pay the designers' fees as long as the patrons hire architects on the foundation's approved list. The Cummins Foundation in Columbus, Indiana is one example; leaders in Northwest Arkansas are experimenting with a similar program. In Columbus, the Foundation's architecture subsidy program resulted in well-regarded buildings by Robert Venturi, Cesar Pelli, and Eero Saarinen, among others, in its heyday.

However, I do not recommend this approach as a first priority for Boulder, for two reasons. The first reason can be observed in Columbus itself. The buildings by Venturi, Pelli, and Saarinen are individually noteworthy, but they do not hang together in any kind of ensemble. While they are interesting examples of the signature style of each designer, they don't seem to have much in common with each other or even with the regional architecture of the Midwest. It's almost like an architectural petting zoo or World's Fair; the situation is worsened by the suburban site planning pervasive at the time. Boulder needs more buildings that have something in common, not more standalone examples of stylistic bravado.

The second reason is that Boulder has its own homegrown architectural standouts, and they have proven quite capable. A good example can be seen in the fine work by the Wolf-Lyons firm in North Boulder.

If a Boulder foundation does opt to try something similar, I would recommend that the thrust of the program should be on sponsoring architects who have demonstrated sensitivity to context, climate, and urban coherence.

iv. Design Competitions?

One way to provoke innovation, discover talent, and advance a local conversation about design is to select the architectural solution for buildings via design competitions. Design competitions may be open to all submitters or limited to pre-selected, qualified firms. Some of the world's most beloved building designs were chosen this way; the Chicago Tribune building and the Vietnam Veterans Memorial on the National Mall are two well-known examples. Competitions, however, are time consuming, expensive, and logistically challenging. They are a good idea for the occasional landmark or civic building, but not suited for everyday buildings.

v. Design Awards Programs

The goal is to raise the bar on design quality, and one way is to shower successful designs with recognition and publication. Creative people are motivated by getting credit for a job well done. Design awards become a simple way to send messages to future applicants about what the community loves, not just what it will tolerate. A design awards program could be undertaken as a joint

operation with one or more local cultural organizations and/or the daily newspaper, for example. Like certification for green building, design awards are a market transformation tool, and be aimed at the architects, the property owner/developer, or both. To be effective at transforming designers' daily habits and getting clients to put higher priority on hiring the best talent, a design awards program should be devised so it has an esteemed jury and is operated at a very high level. You would want an award that confers elite, prestigious recognition; in other words, this should not be just another of the many routine industry boosterism awards, or easy-to-win garden club plaques, but an award that really means more.

b. Improving Procedures

i. "Coach"-Type Reviews? Streamlining?

Some cities augment their traditional rule-making/compliance-checking role by also assigning staff to work closely with developer applicants and, where improvement is needed in designs, to show <u>how</u>, via drawings and sketches, the designs should be revised. This has the effect of consolidating authority in the planning official, since the staff is telling the applicant, "Here is how you can make this project comply; here is what you must do to get a positive staff recommendation for this project." We call this coaching, because it's analogous to the difference between knowing the rules of a game and knowing winning plays. It is usually faster than telling an applicant to "try harder" and then waiting to see what happens, so depending on staff resources it can result in faster overall turnaround.

However, Boulder already does this to a significant extent, drawing upon the talents of the chief urban designer. The question is, could this approach be taken further? Although there are legal limits to the delegation of authority, it seems more responsibility for interpretation of the regulations could be entrusted to staff and more staff-level redesign could be authorized, replacing some of the discretionary review by boards at the end.

This approach should always be accompanied by an alternative path to a decision to approve or disapprove of a design, so that an applicant who disagrees with the staff interpretation or who cannot agree to staff-driven design proposals has another option, such as the traditional reviews by boards and committees.

ii. Intensified Discretionary Review?

In response to suggestions that the present discretionary reviews such as those undertaken for the Site Review process are not working well, I explored this question: Could it be that the need is for more discretionary review instead of less? Would an even longer process with even more steps finally result in more desirable designs? I was told by some applicants that a longer and more

complicated process, with more detailed exhibits required earlier in the process, has been naturally evolving. One developer observed that "Concept Review has become Final Review, and Final Review has become tech specs. The drawings and scrutiny expected now for Concept Review are equal to those for final Site Review ten years ago."

My impression is that an even longer and more difficult discretionary review would add cost and difficulty for all parties but would probably do little to improve designs.

iii. Re-Arrange the Reviews?

Designers and applicants complain that after working with staff and the Design Advisory Board, they revise their plans only to find that the subsequent Planning Board review results in contradictory demands or introduces brand new demands. Anecdotes included reports of buildings that were worked out architecturally around a certain number of floors, in a manner agreed to by staff and the Design Advisory Board, that were subsequently downsized by vote of the Planning Board. One remedy is simply to make a clear and unwavering statement in the rules about the maximum height on a given block face, in a form-based code (see below). Absent that, it might work to convene joint meetings of the Planning Board and Design Advisory Board so that the contradictions are ironed out before the final hearing. Or, other creative re-arranging of the sequence of hearings could be tried, such as having the Planning Board's decision on basics like height and bulk precede the DAB's review of the finer details of design.

c. Reforming Regulatory Instruments

i. Detailed, strict "style ordinance"?

Some cities conclude that the architectural image of the community as a whole is so important that the design of individual buildings is secondary to the ensemble. In some cases, very strict requirements regarding architectural style are established, often to the chagrin of architects who complain that this unnecessarily restricts their freedom of expression.

I have doubts about the applicability of this approach for Boulder. The city's historic and contemporary architecture is not homogenous, but rather agreeably eclectic. Boulder has a thriving, inventive arts scene and design culture, and it seems improbable that they would be willing to cramp their creative impulses in this way. I have provided some examples below with the idea that there are small-detail lessons to be learned from those "style-coded" cities, but I am generally pessimistic about applying this approach whole-cloth for Boulder.

1. Example: Santa Barbara CA

a. The Santa Barbara Architecture Board of Review rulebook states, “The ABR does not mandate required architectural styles for specific areas or locations; however, consideration should be given to several factors that influence the ABR‘s preference concerning proposed architectural styles. Factors such as an area‘s prevailing architectural styles, area compatibility and structure visibility are factors which should be considered. One of the ABR‘s stated goals is to encourage the preservation of pre-1925 and Hispanic styles of architecture. In addition, traditional architectural styles based on the City‘s Hispanic tradition are preferred at locations that are highly visible to the public” and then goes on to require very specific architectural treatments and configurations.

2. Example: Coral Gables FL (Ordinance begins p. 44 of this application; Architectural Standards section begins p.80)

ii. Specific Plans, Special Area Plans, and Updated Design Guideline Documents

1. Examples include the North Boulder Subcommunity Plan, the Gunbarrel Town Center Plan, the Transit Village Area Plan, and hopefully soon, the Downtown Boulder Design Guidelines revision.

iii. Form-Based Codes with Architectural Standards

1. Definition: A form-based code is a method of regulating development to achieve a specific urban form. Form-based codes create a predictable public realm by controlling physical form primarily, and land uses secondarily, through municipal regulations. Unlike regular zoning that is typically organized around land uses (such as residential zones or commercial zones), an FBC is organized around place types and scales, such as street types, building types, or levels of intensity and urbanity.

2. Examples: South Miami FL, Bradenton FL, and Columbia Pike in Arlington County VA

3. Full-disclosure: I am a co-founder of the Form-Based Codes Institute, which is the leading organization promoting standards and training for FBC practitioners, and an unapologetic enthusiast for the technique.

5. IMMEDIATE-ACTION RECOMMENDATION: Form-Based Code Pilot Project

A Demonstration Case applying a Form-Based Code (FBC) should be undertaken for a limited area. The area chosen should be one for which there is already consensus and Council policy direction around detailed planning & urban design concepts. Such areas include the Transit Village (Boulder Junction), Downtown, Gunbarrel Town Center, University Hill and North

Boulder. As planning proceeds, eventually parts of the East Arapahoe corridor may be ready as well.

a. Options:

    i. Thinktank "model" product based only on best practices (not preferred)

    ii. Real-world application calibrated through public participation & interactive process (preferable)

    iii. A form-based code may be organized around street types, building types, or transect zones.

    A suggested process for developing a FBC through a pilot project approach is outlined in the Appendix.

b. Benefits of the FBC:

    i. Predictability; uncertainty is the enemy of reinvestment.

    ii. Higher quality results, in keeping with the expectations of Council and neighbors

    iii. Potentially faster reviews & approvals of compliant development applications

    iv. The FBC could be used to allow for more efficient and consistent Site Plan Review by staff and boards, OR it could be used to incentivize by-right applications by, for example, making a specific greater height limit achievable by-right (for example, 55' instead of 35' or 38') in locations clearly delineated on the FBC Regulating Plan.

c. Caveats: The FBC is not a panacea

    i. An FBC covering a small area won't inherently resolve the misgivings many Boulder citizens feel about growth; disagreeable design is only one of the things to which opponents of growth take exception.

    ii. Improving the "by-right" option means public participation must happen another way, i.e. in the creation of the special area plans.

    iii. Design quality will rise, but a new ordinance does not eliminate all possibility of ugly or controversial building designs; regulatory reforms should be carried out in parallel with some of the other approaches described above as "Advancing Local Design Culture," and expectations should be managed.

6. WHAT ABOUT THE REST OF BOULDER?

A pilot project in one specific area does not resolve inevitable concerns about the quality of development elsewhere in the city.

a. Development proceeding in disagreeable forms under the existing rules, in the areas of the city not covered by revised/detailed design guidelines or by the new form-based code pilot, will likely continue to disappoint. That shouldn't be a surprise. To be blunt: If you are sure that the existing rules and habits won't bring you the urban form you want, you have the wrong rules and habits.

b. The Site Review process, while it has likely improved the design of many projects—and while its intimidating time and expense has likely scared away many sub-par project proposals before they ever enter the approval pipeline—is still attractive to some applicants due to the potential of getting permission for greater height

c. Also, a substantial number of "triggers" in the regulations push projects into Site Review automatically, whether the developer was hoping to gain more height or not, and the custom (or perception) has been that once a project was going through Site Review anyway, more height and other waivers might as well be requested, since all aspects of the project will become subject to discretionary review.

d. One of the triggers of Site Review is related to reducing suburban-style minimum parking requirements that would apply to a by-right project. Lower minimum parking requirements are, however, an absolute necessity in the many areas where the community hopes to foster multi-modal transportation, increase walkability, create an agreeable human-scale public realm, provide for efficient use of land resources, mix land uses, and promote affordability! This is especially true in close-in neighborhoods and where retrofitting suburbia is on the agenda. Some parking reductions are handled administratively, but at other times, a developer's proposal to do the right thing and provide less parking is rewarded with a long process fraught with delay and extra expense, risk, and controversy (Site Review). This may find resolution in the City's current initiative to re-examine parking requirements citywide.

e. Given the occasions on which the City has used Site Review to grant allowances for greater height, sometimes while simultaneously negotiating design concessions or demanding the proffer of "community benefits," one interpretation is that past City Councils may have adopted a height restriction that is artificially low, to increase the leverage for that negotiation. In other words, the maximum height in the ordinance has come to be seen as a mere "baseline" against which to consider exceptions, waivers, variances and/or warrants for taller buildings— and not as an expression of the community's actual intentions for maximum height.

f. SHORT TERM SOLUTIONS: There are two ways to address this set of problems lying beyond the geographic reach of the new Form-Based Code Demonstration Case, in the short term.

    i. **Remove, at least for a set period of time, the proviso for negotiating extra height through the Site Review process** in all areas of the City other than those areas where there is a clear community vision for higher intensity development, articulated in an adopted area plan or similar policy document, such as in Boulder

Junction and in the Downtown. If you are looking for a move that might reassure the public, establish that the height limitation can no longer be waived on a project-by-project basis, without clear guidance on desire for greater height confirmed through a public process. Such clear guidance might come from a rezoning, reworked policy, or a detailed special area plan and accompanying form-based code for the geography in question.

1. Disallowing height modifications through site review would send a message to developers (and the public) that the height expressed in the zoning is the height that's intended, at least at this time. Boulder would be regulating like you mean it.

2. This should remove at least one inducement for voluntarily entering the Site Review pipeline and even form a disincentive for what some members of the public perceive as pell-mell development in locations where it is not desired.

3. This new no-height-waiver policy could be made subject to a sunset provision, expiring on a date certain (unless extended or made permanent). This would embed a future opportunity for the community to reconsider the maximum height.

4. As the Form-Based Code proves workable, it (or variations thereof) could be made applicable to more areas of the city, once detailed plans for them are created (as has been done with downtown, Boulder Junction, North Boulder, and Gunbarrel Town Center). In such areas, the height rules could be established under the Form-Based Code instead, which may or may not necessitate the continuation of Site Reviews.

ii. **Other triggers of the Site Review and its controversial outcomes may also be removed or revised so as to be applicable to fewer projects.** First among these is the reduction in required parking for residential projects. If Boulder is still convinced there is merit to having minimum parking requirements at all—notwithstanding the fact that other leading cities are dismantling them one by one—the **reduction in required parking could be made a staff-level decision all the time, instead of just some of the time.** A recommended resource on this topic is The High Cost of Free Parking by Donald Shoup.

g. LOOKING AHEAD: In the longer term, the only way to resolve constant dispute over outcomes in the larger city is to **stitch together meaningful community plans for each area, one by one, and apply regulations that match those plans.** These plans must result from public outreach that is both expeditious and in-depth.

i. This was done, notwithstanding understandable difficulty for such a pioneering effort, via the North Boulder charrette. A full-blown Form-Based Code was not adopted under the resulting North Boulder Subcommunity Plan, but tentative first

steps toward matching regulations were taken, to good effect. After that, successful area-specific plans were undertaken for Boulder Junction, Gunbarrel Town Center and the Civic Area. I am suggesting that this tradition should continue, but be accelerated, and in most cases special area plans should focused on an end result that includes adoption of precise standards instead of vague guidelines.

ii. Much of the city is unlikely to see much change. Most change, where area-specific plans and standards are therefore needed, will occur in the key activity centers and along major corridors.

iii. An updated multi-year schedule for area-specific planning should be laid out and confirmed, with priority areas placed first in the queue. Priority areas could be where the need is greatest and the stakeholders are best organized and most willing to volunteer their help.

APPENDIX

CREATING THE FORM-BASED CODE: SUGGESTED PROCESS

1) Create / confirm base maps of existing conditions and conceptual urban design plan, to be used as the basis for the FBC's Regulating Plan; post to web

2) Convene stakeholders in interviews and at least one public workshop

3) Convene a multi-stakeholder committee to advise the ers of the FBC

4) Augment illustrations of desired development form, to the extent necessary; post to web

5) Measure and document well-regarded local/regional examples of relevant building types, including synoptic survey

6) Create Table of Contents and Outline for the FBC. Typical components:

    i) Administration & Intent

    ii) How to Use This Ordinance

    iii) General Provisions (apply to all sites)

    iv) Definitions

    v) Regulating Plan

    vi) Basic Building Envelope Standards

    vii) Public Realm Standards

    viii) Architectural Standards

7) Create Regulating Plan

8) Meet journalists / editorial board to describe the project

9) Review Table of Contents, Outline and Regulating Plan with staff and multi-stakeholder committee (possibly via Webex or comparable online meeting); revise; post to web

10) Create FBC

11) Review FBC with staff; revise; post to web

12) Review second- FBC with multi-stakeholder committee; revise

13) Review second- FBC with interested local developers, business leaders, and architects

14) Post third- FBC to web

15) Conduct workshops with City Council, Planning Board, Design Advisory Board, Transportation Advisory Board, and the public; these can be back to back events the same week or joint meetings; present revised third- FBC for comment; revise to create final ; post to web

16) Meet journalists / editorial board to provide update on project

17) Conduct adoption hearings process

18) Conduct training session(s) with appropriate staff and members of boards/committees

19) Conduct training session(s) for professionals active in Boulder land development applications, perhaps as continuing education opportunities, jointly with trade groups such as AIA, ITE, ULI, ASLA, USGBC, and Bar Association