

TO: BPDA; Matrix Consulting Group

FROM: Sean Suder; Racquel Jackson

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RE: Peer City Review and Analysis

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## EXECUTIVE SUMMARY

The BPDA has requested our team to perform a Peer City Analysis for the cities of Atlanta, Cincinnati, Denver, Detroit, Miami, Philadelphia, Portland, San Francisco, Seattle, and Vancouver. This comparative analysis serves as a guide for Boston in its efforts to revise its Article 80 code, aiming to establish a more predictable, equitable, and efficient development process. Given that Boston has a population of 667,137 and a high density of 13,976 residents per square mile, it is crucial that the revised code mirrors the needs and diversity of its growing population.

The research into these peer cities offers insights into their methodologies, criteria, and procedures regarding mitigation and community benefit programs. Moreover, it highlights best practices in the field of mitigation and community benefit studies. This will pinpoint potential avenues for enhancement for the BPDA. The following report details the mitigation framework and any existing community benefits programs of these cities. Before we explore the details of the report, we have summarized some key takeaways from our analysis.

- Atlanta's NPU model demonstrates the positive impact of involving residents directly in the development process, which could improve community engagement and satisfaction with new projects in Boston.
- Denver and Detroit highlight the value of structured negotiations and formal feedback mechanisms, such as Community Benefit Agreements (CBAs), Good Neighbor Agreements (GNAs), and Neighborhood Advisory Councils (NACs), which can foster better relations between developers and communities.
- Both Denver and Portland employ mechanisms (impact fees and SDCs) to ensure developers contribute to the cost of public infrastructure and services, a strategy that could help fund improvements in Boston without overburdening existing taxpayers.
- Seattle's Incentive Zoning program, which grants developers additional floor space in exchange for investing in public amenities, and Philadelphia's zoning bonuses for public benefits, both offer strategies to encourage developers to address community needs, including affordable housing and public spaces.
- Portland's DRAC provides a framework for involving citizens in the review and improvement of development processes, which can lead to more transparent and accountable urban development.

- Detroit's Community Benefits Ordinance and Seattle's Affordable Housing Impact Mitigation Program are examples of policies designed to ensure that large-scale developments include affordable housing options, addressing a major issue that is also relevant for Boston.
- Miami's approach to urban development integrates various incentives (such as height and Floor Area Ratio (FAR) bonuses) for developers who contribute to public benefits. This could be a holistic model for Boston, promoting the creation of affordable and workforce housing, and including benefits like long-term affordability covenants and reduced parking requirements, especially for projects near transit lines.

### CITY OF ATLANTA

Atlanta uses impact fees to address development-induced infrastructure and environmental challenges, reinvesting the revenue in public amenities. The city employs the Neighborhood Planning Units (NPU) system for community-developer negotiations, ensuring balanced urban growth while prioritizing environmental sustainability and resident well-being.

- With a population of 499,129 and a density of 3,685 people per square mile, Atlanta is experiencing significant urban development, emphasizing infill and mid/high-rise structures to cater to its increasing density. The city sees a blend of construction types with a focus on mixed-use, multi-family residential, and commercial developments.
- Atlanta was selected due to its effective use of impact fees for mitigation and its comprehensive Neighborhood Planning Unit system, empowering residents to influence development.

### REVIEW PROCESS

- Developers submit development applications to the Office of Zoning and Development or building permit applications to the Office of Buildings, which are then assessed by various city departments for compliance with regulations, infrastructure impact, and zoning.
- If a project requires zoning board approval, community feedback is solicited, and the Neighborhood Planning Units (NPUs) provide recommendations on zoning and land use requests.
- Once a project clears reviews and secures board or council approvals, permits are issued. This is followed by construction inspections, leading to the issuance of a Certificate of Occupancy after project finalization.

### MITIGATION STRUCTURE

- The City of Atlanta has set detailed criteria for impact fee assessments, including timing during the building permit process, fee calculations based on service areas and levels, options for construction or land dedication in lieu of fees, and provisions for redevelopment or changes in use. This structured approach ensures fair contribution towards urban growth and infrastructure needs.
- Atlanta's impact fees aim to ensure that as the city grows, it can maintain adequate facilities in transportation, parks, recreation, and emergency services. These fees ensure new developments contribute equitably to the costs of expanding essential public services.

- Fees are assessed during the building permit process, [calculated](#) based on specific service metrics, and can be offset by developers offering to construct improvements or land dedications. Adjustments are made for unique land uses or changes in property use, with a focus on recovering actual improvement costs.
- The City of Atlanta employs Tax Allocation Districts (TADs), or tax increment financing (TIF), to drive public and private redevelopment in designated zones. This system reallocates enhanced property tax revenues from new investments to fund infrastructure and development costs, primarily via tax allocation district bonds, with approval needed from all tax-authoritative entities, including the City, County, and school.

### ROLE OF COMMUNITY

- Instead of a Community Benefits program, Atlanta utilizes the Neighborhood Planning Units (NPU) approach, a unique framework that promotes collaboration between developers and local communities, empowering residents to influence the development process.
- Established in 1974 by Mayor Maynard Jackson, the NPU system provides residents the opportunity to participate actively in the development process and to inform residents about city government operations. The Department of City Planning is tasked with recommending NPUs covering all city areas, which may span various neighborhoods and cross council district boundaries. The Atlanta City Council must approve these designations, based on criteria set by the Department of City Planning, considering existing citizens' organization boundaries and allowing for changes in neighborhood boundaries as needed.
- There are more than 240 neighborhoods in the City of Atlanta which are organized into 25 NPUs. Each NPU serves as the formal channel through which residents can voice their concerns and offer input on crafting strategies to meet the needs of each neighborhood.
- NPUs can recommend actions, policies, or comprehensive plans to the city and city agencies on issues impacting neighborhood livability, such as land use, zoning, housing, and environmental quality. They assist in identifying neighborhood priority needs, review and advise on city budget items for neighborhood improvement and consult with City Planning on the preparation of the 5 and 15-year comprehensive development plans.
- Each neighborhood planning unit (NPU) is responsible for establishing its own voting procedures, detailed in bylaws that define voter eligibility and the voting process for issues and officer elections. Every resident, as defined in [Section 6-3012\(3\)](#), gets one vote and can hold office in only one NPU. Additionally, all NPU and committee meetings are required to be open to the public.
- The NPU facilitates development projects that align with community goals through semi-formal negotiations, contributing to coordinated urban planning and promoting a balanced development environment in the city.
- The conditions mutually settled upon by the community and developers can be private agreements or submitted to the Office of Zoning and Development. Recommendations from the NPUs are often included in the staff report and subsequently adopted by the zoning board or city council.
- The duration of discussions between the Neighborhood Planning Unit and developers can differ from one project to another. The official evaluation period begins when the NPU receives the

development proposal, with a standard phase for review and recommendations taking two to three months. When the NPU and the developer (applicant) fail to negotiate conditions successfully, a deferral may be requested by either party to provide extra time for reaching an agreement on the project. Given the absence of standard procedures for deferral requests, timelines for more complex projects are often prolonged, with the duration determined on a case-by-case basis to ensure sufficient time for thorough negotiation.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- NPUs serve as a mechanism for bringing community concerns to the attention of city officials. These units provide recommendations and serve as an advisory capacity to the Mayor and the City Council on various zoning and land-use issues within their neighborhoods. City Reference: [Atlanta Code of Ordinances - Neighborhood Planning Units](#)
- The city has specific ordinances detailing the application of impact fees in Atlanta, aligned with the state's overarching legislation. City Reference: [Atlanta Code of Ordinances - Development Impact Fees](#)
- Specific resolutions or ordinances are adopted to create individual TADs within the city, detailing the boundaries, duration, redevelopment plans, and other specifics for each district. City References: [Atlanta Code of Ordinances related to TADs](#)

### CONCLUSION

Atlanta's urban development strategy presents valuable lessons for Boston's A80 process. Atlanta's utilization of impact fees not only addresses developmental challenges but also reinvests revenue into crucial public amenities. Similarly, Boston's use of impact fees can be optimized by studying Atlanta's model to ensure revenue is strategically reinvested to meet infrastructural and community needs. Boston should consider implementing a structure akin to Atlanta's Neighborhood Planning Units (NPU) system due to its success in extracting substantial community benefits that extend beyond the realm of zoning. The NPU model emphasizes collaboration between developers and community members, ensuring that development projects not only comply with zoning regulations but also actively contribute to the community's well-being. This approach has led to significant gains in Atlanta, where developments often include amenities and improvements directly benefiting local residents. By adopting a similar structure, Boston could ensure that new projects bring more than just structural changes. They could include community centers, green spaces, or local business support, directly addressing the needs and desires of the residents. This model fosters a more holistic approach to urban development, where the focus is not solely on the physical landscape but also on enhancing the quality of life for those who live there. The NPU system's success in Atlanta in garnering tangible benefits for communities suggests that Boston could achieve similar outcomes, creating a more inclusive and responsive urban development process. Additionally, Atlanta's Tax Allocation Districts (TADs) offer a mechanism to harness enhanced property tax revenues for infrastructure and development, which could be of interest to Boston. Adopting these practices from Atlanta could bolster Boston's A80 process, ensuring a balanced approach to development that emphasizes community engagement, infrastructural growth, and environmental sustainability.

### CITY OF CINCINNATI

The City of Cincinnati lacks an official Community Benefits Agreement (CBA) program, but Community Coalitions negotiate with developers, representing diverse local groups and residents. While elected officials aren't usually part of these agreements, they help facilitate communication and ensure alignment with city policy goals. CBAs complement governmental processes, emphasizing transparency and community engagement without direct government control.

- Cincinnati boasts a population of 309,317 with a density of 3,970 persons per square mile, highlighting a dense urban environment conducive for targeted development strategies. Predominant development trends in the city center around medical infill projects and multifamily urban residential constructions, reflecting the city's growing healthcare focus and the demand for urban living spaces.
- The city was selected due to its well-developed Community Benefits model, which offers valuable insights and can serve as an informative reference for other municipalities.

### REVIEW PROCESS

- The Coordinated Site Review process aids developers in understanding regulatory conditions by providing early written feedback from all relevant departments, streamlining permit applications.
- The review comprises three stages: Preliminary Design Review focuses on initial site plans and zoning parameters; Development Design Review delves deeper into site details, including topography, utilities, and zoning analysis, offering specific design guidelines and public approval endorsements, the final Technical Design Review consolidates the project details, including grading, construction, and legal documentation, ensuring all major decisions are set before permit requests.

### MITIGATION STRUCTURE

- The City of Cincinnati does not currently impose impact fees and it also lacks incentive zonings at present. However, the city is actively exploring methods to address equitable housing and zoning.

### ROLE OF COMMUNITY

- CBA campaigns in Cincinnati typically initiate with a new project proposal, leading stakeholders to form or engage existing coalitions, which then work with developers to address socio-economic and environmental impacts, ensuring alignment with community values. The informal nature of CBAs offers adaptability, catering to varied neighborhood needs while championing equitable development.
- When developers seek city-based advantages like zoning changes or project approvals, CBAs enhanced by city support fortify the coalition's negotiating stance.
- CBAs provide tailored commitments to neighborhood needs, allowing coalition members direct enforcement of provisions without relying on city involvement, even though disputes can be litigated; notably, the city doesn't oversee the enforcement of these agreements.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- Developers, community coalitions, elected representatives, and independent urban redevelopment corporations are key stakeholders in CBAs.
- Elected representatives facilitate communication and align projects with the City's goals but are not direct parties to CBAs. The aim is to secure additional benefits and gain public support for projects that might be lacking in community benefits or have potential negative impacts.
- CBAs are especially effective for large projects in urban areas where developers seek community support for benefits like public subsidies, zoning changes, or project approval.
- CBAs can include any agreed commitments, allowing customization to neighborhood needs and project parameters.

### CONCLUSION

The City of Cincinnati offers valuable insights for cities like Boston. Cincinnati's approach to development encompasses community involvement through the use of Community Coalitions, even in the absence of an official Community Benefits Agreement program. These coalitions, representing diverse local stakeholders, work closely with developers to ensure that projects align with the community's vision. Through processes like the Coordinated Site Review, Cincinnati offers a structured, three-stage feedback mechanism that aids developers at various stages of their projects. Crucially, Cincinnati's CBAs, which address socio-economic and environmental impacts, are characterized by adaptability, allowing for tailored commitments specific to each neighborhood. Boston, with its similar historical context and urban challenges, can look to Cincinnati's emphasis on community engagement, transparent review processes, and the balance of governmental oversight with grassroots coalition-building as best practices to adopt and adapt for its urban development landscape.

### CITY OF DENVER

In Denver, urban development is a strategic blend of addressing challenges and enhancing community welfare. The city proactively integrates mitigation and community benefits into its projects. This ensures developments resonate with Denver's growth vision, balancing environmental, infrastructure, and neighborhood impacts with community gains. This section explores Denver's use of agreements and Impact Fees to harmonize growth with community well-being.

- Denver boasts a population of 713,252 and a population density of 4,674 people per square mile, marking its position as a vibrant urban hub. The main developmental focuses are on infill projects, mid/high rise buildings, institutional spaces (including medical, research, and technology facilities), mixed-use areas, and a spectrum of housing from multifamily units to single-family residences.
- Denver stands out as a preferred choice due to its comprehensive approach to mitigation, featuring developer agreements that outline precise mitigation measures and a system of impact and linkage fees for projects without such agreements, establishing it as a favorable benchmark for efficient and effective development review processes.

### REVIEW PROCESS

- The Large Development Review (LDR) produces a written framework, approved by various city agencies, which outlines the studies, infrastructure improvements, and requirements for the entire proposed development area. All rezoning, subdivision, or site development plan applications initiate an evaluation for LDR applicability, led by a Development Review Committee. The committee includes the Office of Economic Development & Opportunity – Affordable Housing, Neighborhood Equity; Department of Transportation and Infrastructure – Transportation, Wastewater, Floodplain, Transportation Design and Transportation Mobility; Department of Parks and Recreation – Office of the City Forester, Natural Resources, Parks Planning; Department of Public Health and Environment; Denver Public Schools; Denver Water; Department of Community Planning and Development – Development Services, Planning Services; City Attorney's Office; and any special districts providing or proposing infrastructure service to the LDR area.
- LDR Process Steps: Starts with a pre-application meeting, followed by preliminary LDR scope determination, a community information meeting, a formal LDR application, the finalization of the written framework, and proceeding to subsequent development steps. Some steps can overlap with LDR given the Development Review Committee's approval.
- A Site Development Plan (SDP) is mandated for new commercial structures, major additions, new multi-residential units, and certain tenant modifications or occupancy changes.
- The SDP process includes an initial development concept submission, a formal SDP submission post concept approval, and the final SDP's approval and recording.
- Community Planning and Development coordinators oversee both Large Development Review and SDPs, assisting in identifying land/building concerns, gathering technical details, coordinating inter-agency reviews, and guiding on building permit applications.

- The timeline for [permitting](#) in the City of Denver, as of late 2023, varies significantly depending on the type of project. Over the past 12 months, 60 Site Development Projects took an average of 278 days to receive approval to apply for building permits. This duration encompasses both the time taken by applicants to make necessary revisions and the time spent on city reviews.
- For major residential projects, which include home additions, Accessory Dwelling Units (ADUs), extensive home remodels, and similar large-scale projects, the approval process can take approximately 259 days. For major commercial projects, the average approval times are also substantial, with major commercial projects facing an average wait of about 257 days, depending on their size and complexity.
- For intermediate commercial projects, the average approval time is approximately 79 days. For intermediate residential projects, the average approval time is approximately 102 days. Intermediate projects, in both residential and commercial contexts, typically encompass those involving exterior and interior renovations, upgrades or modifications to utilities, and moderate extensions or additions.

### MITIGATION STRUCTURE

- Denver's Impact Fees fund capital improvements detailed in the City's "Gateway Infrastructure Financing Study" and capital improvements program. These fees are structured to ensure developments in designated subareas gain substantial benefits from related public improvements and support areas projected for significant future growth.
- The city's impact fee calculations are centered around four main categories: fire, parks and trails, roads, and storm drainage. Each category's fee depends on variables such as the type and number of residential units, square footage or acreage of non-residential development, and specific development subareas.
- For fee determination within each category, base calculations involve multiplying per unit impact fees by development quantities. Adjustments for credits, along with a 5% administrative fee, are consistently applied. When developments encompass multiple uses, impact fees are determined separately for each use type.
- Impact fees are assessed during the building permit process. The exact timing for the assessment of these fees varies based on the project type and its stage in the development process. The fees are typically assessed between the completion of the initial plan review and the issuance of the building permit. The calculation of these fees is based on the specific details of the development, such as its size, type and its anticipated effects on city infrastructure and services.
- Impact fees for roads are determined by the number and types of residential dwelling units within the residential development or the square footage of nonresidential development, categorized by development type, for each building permit application. The fee is based on one of the following development types: single family, multifamily, retail, hotel, office or other commercial.
- A Development Agreement (DA) is a contract between the city and developers, concentrating on infrastructure, public improvements, and alignment with community goals, including the phasing and timing of these enhancements. DAs can encompass provisions exceeding standard city guidelines, such as the River Mile project in Denver, which might stipulate additional infrastructure, affordable housing, and open spaces.



## MEMORANDUM -EXTERNAL

- A single project in Denver may have multiple agreements, such as a Development Agreement (DA) with the city and a Community Benefit Agreement (CBA) or Good Neighbor Agreement (GNA) with the community. While these agreements can address similar topics, they remain distinct legal documents; developers ensure private agreements don't conflict with city requirements but might include additional commitments or unique community collaboration not covered in a city DA.
- Currently, there is no specific data available on the exact duration required to enter into a Community Benefits Agreement or Development Agreement in Denver. The timeframe for such agreements can vary significantly, largely influenced by factors like the scale of the project, the duration of negotiations, and the rezoning process involved.

### ROLE OF COMMUNITY

- Community Benefit Agreements (CBAs) foster partnerships between community groups and developers, giving residents a voice in development decisions. By prioritizing creative approaches outside of city regulations and highlighting elements like open spaces and benefits for local businesses, CBAs typically engage the community early in the planning process to address their interests and concerns.
- Good Neighbor Agreements (GNAs) are contracts between neighborhood organizations and developers or new business operators. They impact development approvals by addressing the relationship with immediate neighbors and specific project impacts. Communities are usually engaged when potential physical effects, such as operational hours or noise levels, are anticipated, ensuring that concerns like parking and operational standards are considered and integrated into the development process.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- As outlined in the [Denver Municipal Code, Title II, Chapter 50, Article III](#), this article specifically details the regulations, procedures, and requirements associated with development impact fees in Denver. It serves as a key legal framework establishing the city's authority and methodology for imposing and collecting these fees.
- Blueprint Denver is part of Denver's comprehensive plan. It provides guidance on land use and transportation in the city. While it doesn't establish impact fees, it sets the direction for growth, which indirectly informs where and how impact fees might be applied.
- Denver development projects may entail various agreements, including city-affiliated Development Agreements (DAs) and community-oriented CBAs or GNAs. Although these agreements can overlap in content, they are separate legal entities. Notably, while the DA process is formalized within city guidelines, CBAs and GNAs represent collaborative community efforts that aren't necessarily city-driven. As of our latest contact with Denver, precise integration of these agreements within city procedures was under verification.

### CONCLUSION

Denver's urban development approach offers valuable insights for cities like Boston, as it harmoniously intertwines growth aspirations with community welfare and environmental considerations. Key to Denver's success is its detailed development review process, starting with the Large Development Review

(LDR) which requires inter-agency collaboration and emphasizes public engagement. This meticulousness extends to their Site Development Plan (SDP) process, ensuring that even minor infrastructural changes align with the city's broader vision. Denver's mitigation structure uses Impact Fees to fund vital capital improvements. These fees are intricately calculated based on variables like type of development, ensuring an equitable distribution of developmental benefits and burdens. Their adoption of diverse agreements, from city-driven Development Agreements (DAs) to community-centered Community Benefit Agreements (CBAs) and Good Neighbor Agreements (GNAs), epitomizes their commitment to inclusive urban planning. Boston can emulate Denver's best practices by similarly emphasizing transparency, inclusivity, and multi-faceted approaches to urban development, ensuring that both city and community objectives are synergistically achieved.

### CITY OF DETROIT

The Detroit Community Benefits Ordinance prioritizes residents' interests in the city's development projects. It mandates collaboration between developers and the community for sizable investments, ensuring that the impact and benefits are discussed and shared fairly. This ordinance underscores Detroit's dedication to equitable development, promoting harmony and growth in its diverse communities.

- Detroit boasts a population of 632,464 with a density of 4,606 people per square mile, reflecting a densely populated urban environment. The city's primary development focuses include infill projects, mid to high-rise buildings, and institutions related to medical, research, and technology sectors.
- Detroit was selected for its pioneering "Community Benefits Ordinance," and its experiences and lessons can offer valuable insights and guidance for the Boston project, particularly in fostering community engagement and collaboration in urban development initiatives.

### REVIEW PROCESS

- Detroit's plan review ensures compliance with a range of codes, including zoning, building, electrical, plumbing, and more. The division collaborates with other city departments like Health, Engineering, Planning, and Fire Marshal for comprehensive project review and adherence to all relevant codes.
- The division is responsible for approving various permits, including those for building, demolition, signs, awnings, and temporary use.

### MITIGATION STRUCTURE

- Detroit's Community Benefits Ordinance (CBO) is activated for projects valued at \$75 million (Tier 1) or more, or those receiving \$1 million or more in tax abatements or city land transfers.
- Upon activation, a Neighborhood Advisory Council (NAC) with nine representatives from the impacted area is formed. NAC members, who are at least 18, are residents nominated by peers and chosen via elections and city department/council member appointments.
- The Planning Director hosts at least one additional meeting between the NAC and developer; prepares the "Community Benefits Report" detailing outreach, concerns, and NAC details; collaborates with the City Council for streamlined approvals and processes Tier 1 Project requirements swiftly. Development agreements for Tier 1 must cover enforcement, reporting, compliance, and engagement.

Tier 2 developments are development not qualifying as Tier 1 with an investment of \$3,000,000 or more during construction, operations, or renovations. For Tier 2 Projects, developers collaborate with the City and possibly workforce development agencies; aim to boost local hiring, training, and align with State and Federal Law; and they work with the Planning Director to address community impacts. Commitments are integrated into development agreements, ensuring clarity and enforceability.

### ROLE OF COMMUNITY

- The NAC engages with the community through meetings that typically extend over a three-month period, dedicated to detailed deliberations on the project. This process usually involves 5-6 formal community meetings, aimed at presenting the project to those affected, evaluating its impacts, and determining community benefits. These discussions culminate in a final development agreement that is subject to the approval of the Detroit City Council.
- The public can also actively participate in the development process by making public comments at the City Planning Commission and Board of Zoning Appeals meetings, allowing them to voice concerns and provide feedback. The community's feedback is integral to shaping the final development agreement, ensuring that developments align with residents' interests and contribute positively to the community's well-being.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- The Community Benefits Ordinance is established and defined by the Detroit Code of Ordinances under [Part IV, Chapter 12, Article VIII](#).

### CONCLUSION

Detroit's Community Benefits Ordinance (CBO) exemplifies a holistic approach to urban development, prioritizing residents' well-being and ensuring their active participation in shaping the city's growth. Detroit has crafted a development model that emphasizes collaboration between developers, the community, and the city's administrative divisions. The structured review process, encompassing compliance with multifaceted codes, coupled with the CBO's activation for major projects, showcases Detroit's commitment to transparent and equitable development. Both Tier 1 and Tier 2 developments are integrated within this framework, with clear guidelines for developers, emphasizing community impact mitigation and benefits. The establishment of the Neighborhood Advisory Council (NAC) for intensive discussions and the meticulous role of the Planning Director further enhance this comprehensive approach. As historic cities like Boston seek to refine their development practices, Detroit's model, marked by its community-centric culture and rigorous oversight, stands out as a potential best practice worth emulating.

### CITY OF MIAMI

The City of Miami has launched three key programs to cater to its residents' varied housing needs: the Public Benefits Program for broad community development, the Affordable Housing Special Benefit Program for low to moderate-income households, and the Workforce Housing Special Benefit for the essential workforce. These initiatives highlight Miami's dedication to ensuring diverse housing options, promoting inclusivity, and enhancing the city's socio-economic well-being.

- With a current population of 449,514, Miami boasts a high population density of 12,284 individuals per square mile, suggesting a compact urban layout. Miami's primary development landscape is characterized by infill projects, mid to high-rise structures, institutions encompassing medical, research, and technology sectors, mixed-use developments, and multifamily residential complexes.
- Miami's robust and well-developed impact fee system, along with its flexibility in offering zoning incentives and development agreements, makes it an ideal choice for urban development projects seeking both standardized mitigation approaches and strategic incentives.

### REVIEW PROCESS

- Before applying for any major modifications or permits like Rezoning, Special Area Plan Designation, etc., applicants need a Pre-Application Meeting, which costs \$500. Meetings are scheduled twice a month and result in feedback from city departments like Planning, Zoning, and Public Works. Post-meeting, applicants receive a consolidated report, the Pre-Application Summary, which is valid for three months.
- The City of Miami offers an Expedited Plan Review for commercial projects over 20,000 square feet, speeding up the permitting process. This review can be requested for various disciplines, including Building, Electrical, and Zoning. This evaluation process covers both development proposals and building permit applications.

### MITIGATION STRUCTURE

- The Public Benefits Program offers developers bonus Building Height and Floor Lot Ratio (FLR) in Transcet Zone 6 (T6) and District Zone Work Place (D1) for contributions to public benefit initiatives including Affordable/Workforce Housing, Public Parks, Green Building, etc. Contributions are managed via the Miami 21 Public Benefits Trust Fund, with allocation decisions made annually.
- The Affordable Housing Special Benefits Program encourages Affordable Housing development by providing architectural/design standards modifications and parking reductions. It requires a recorded covenant ensuring the property meets criteria for 30 years post Certificate of Occupancy issuance. It also allows for reduced parking requirements, especially for elderly housing, with potential density bonuses for specific Affordable Housing projects.
- The Workforce Housing Special Benefit is available for developers who ensure 25% of Dwelling Units serve residents earning between 60-80% of AMI, with the remaining units catering to up to 100% of AMI. Developments need to be near Transit Corridors or TODs and must adhere to a 30-year covenant. Parking requirement reductions are available, with a max cap of 80% reduction, and vary based on the project's location and nature.

### ROLE OF COMMUNITY

- As of this writing, clarity on the role and influence of community engagement in Miami's development review process remains elusive, despite outreach efforts made via phone and email to the relevant office.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- The City of Miami's mitigation and community benefits are established in the "Miami 21 Code", specifically detailed in the following articles: [Article 1](#), [Article 2](#), and [Article 3](#).
- Applicants must provide a covenant ensuring affordability for at least 30 years from the issuance of occupancy certificates and obtain city certification of compliance with AMI criteria to qualify for Affordable Housing Development benefits.
- Once the City issues a building permit for a qualified Affordable/Attainable project, the Zoning Administrator issues a certificate to allow owners to sell surplus density. Each sale is recorded, and 15-25% of proceeds are directed to the City's housing fund or CRA, as decided by the City Manager.
- The issuance of a building permit for bonus height and FAR is contingent upon the Zoning Administrator's certification of compliance, after relevant departments' assurance and either clearance of a certified check to the Miami 21 Fund or the City Manager's approval of a non-cash commitment, with all cash contributions being non-refundable.

### CONCLUSION

The City of Miami has effectively prioritized urban development and housing through three pivotal programs: the Public Benefits Program, the Affordable Housing Special Benefit Program, and the Workforce Housing Special Benefit. These initiatives demonstrate Miami's dedication to inclusive housing and community enrichment in its dense, compact urban environment. Similar to Boston's urban landscape, Miami's focus on infill projects, high-rises, and mixed-use establishments reflects its urban planning vision. While developers benefit from incentives like bonus building rights and streamlined permit processes, the role of community engagement in Miami's development review remains unclear. Boston can glean insights from Miami's strategies, particularly from the comprehensive "Miami 21 Code", to enhance its own urban development practices.

### CITY OF PHILADELPHIA

To foster urban development that caters to the community, the City of Philadelphia has initiated incentives for incorporating public amenities. Philadelphia developers and property owners can benefit from perks like extra floor space, greater building heights, and added residential unit allowances when they incorporate features that enhance the urban environment and address communal needs. The following section offers an in-depth examination of the city's established criteria and conditions, serving as a detailed guide for those seeking to benefit from these incentives.

- Philadelphia boasts a population of 1,567,258 with a density of 11,233.6 individuals per square mile, indicating a bustling urban environment ripe for development. The city's predominant development patterns include Infill, mid-rise constructions, medical facilities, mixed-use spaces, multifamily residential units, and warehouses, reflecting a diverse range of urban growth strategies.
- Philadelphia was chosen due to its comprehensive zoning bonus approach, encompassing methodologies for a wide range of amenities including public art, public spaces, transit, parking, green buildings, trails, and beyond.

### REVIEW PROCESS

- For certain building projects, the Civic Design Review (CDR) evaluates the design's impact on the public realm in a monthly public forum. The committee consists of one or two representatives from the community, alongside design and development professionals who are appointed by the Mayor. Stakeholders can provide feedback, with the committee giving advisory recommendations to relevant city departments. Applicants, which include architects and engineers, submit detailed materials to the Philadelphia City Planning Commission and engage with community organizations. The process aims to ensure the project benefits the community's public spaces and meets design standards.
- The Philadelphia City Planning Commission (PCPC) reviews certain zoning applications, including civic design, master plans, subdivision plats, conceptual plans, site plans, and zoning appeals (variance and special exception). Applicants must provide specific site plans and details for their projects, either online or in person, with each application having its own submittal requirements as outlined here: [Philadelphia City Planning Commission Plan Reviews](#).
- Prior to filing a zoning permit application, a non-mandatory conceptual plan review is recommended, which offers feedback and can prevent delays. This review can be scheduled via email for virtual meetings on specific days and times, requiring electronic submission of project details. Subsequent to the review, applicants proceed with the zoning permit application, which may undergo additional reviews or hearings by relevant city departments.
- Neighborhood conservation overlays (NCOs) and neighborhood commercial areas (NCAs) have design standards maintained by the Philadelphia City Planning Commission (PCPC) to retain a neighborhood's character; alterations or new constructions in these zones need reviews by PCPC or Licenses and Inspections (L&I), considering factors like building setbacks and facade composition. Applicants from homeowners to architects can schedule in-person or online reviews,

providing drawings, site plans, and material details. After PCPC approval, L&I continues the permit process.

### MITIGATION STRUCTURE

- Floor area bonuses are available in designated zoning districts like RM-2, RM-3, RMX-3, CMX-4, and CMX-5. Properties in RMX-3, CMX-4, or CMX-5 need specific frontage, with exceptions for Mixed Income Housing. CMX-3 properties have criteria related to locations such as the Center City Commercial District. Developers can employ multiple bonus types unless expressly limited, and properties within certain overlay districts must ensure varied categories when applying both floor area and height bonuses.
- For the height bonus, properties need to be situated within certain overlay districts, have a commitment to contribute to the residential housing stock by constructing a minimum of three units with affordable housing provisions, and be located in either RM-1, CMX-2, or certain CMX-1 zones with specific base height restrictions.
- For the Dwelling Unit Density Bonus, properties in RM-1, CMX-1, CMX-2, or CMX-2.5 zoning districts can refer to Table 14-702-1 for bonus categories, and in case of discrepancies, the Zoning Code text takes precedence.
- The public space bonus can be obtained by supplying either (1) open space, public parks, or public plazas, or (2) a public room. Any public open space, parks, or plazas contributed for this bonus will also contribute towards fulfilling the mandated open area requirement.
- The Mixed Income Housing Bonus allows developers to earn bonuses through affordable housing provisions, either by designating 50% of the floor area for residential use or opting for a payment-in-lieu agreement, though the latter isn't available for developments with under ten units; developments not adhering to zoning code standards for non-residential use inclusion are excluded.

### ROLE OF COMMUNITY

- Philadelphia's Civic Design Review (CDR) fosters community engagement by conducting monthly public forums where stakeholders can offer feedback on proposed projects, ensuring that developments align with community interests and enhance public spaces.
- Some neighborhood associations such as the Center City Residents' Association (CCRA) have a formal process for Community Benefits agreements; however, this process operates independently and is not affiliated with the Planning Department. The CCRA, while not formally involved, aids development by brokering private agreements with developers. They host monthly public discussions on projects needing zoning variances, aiming to align ZBA decisions with CCRA views and promote growth that accentuates the neighborhood and adjacent commercial zones.
- In 2019, the City of Philadelphia attempted to establish a Community Benefits Agreement program specifically for city-supported and high-impact development projects, but it was vetoed by the mayor, and no such program has been implemented since.



### MITIGATION AND COMMUNITY BENEFITS DETAILS

- The legal and regulatory framework establishing and defining the City's mitigation process, specifically for Floor Area, Height, and Dwelling Unit Density Bonuses, is detailed in the "Philadelphia Code" available at [Philadelphia Code](#).

### CONCLUSION

Philadelphia offers developers incentives like increased floor area, height allowances, and residential units when they integrate amenities that foster community welfare and enhance the urban landscape. Philadelphia's mitigation structure revolves around bonuses in floor area, height, and dwelling unit density, each catering to specific zoning districts and criteria. Boston can benefit from integrating Philadelphia's bonus systems such as floor area, height, and dwelling unit density bonuses that incentivize developers to address communal needs and enhance the urban environment, thereby fostering a more harmonious balance between growth and community aspirations.

### CITY OF PORTLAND

The City of Portland has established a comprehensive system to balance urban development with infrastructural stability, primarily through the use of System Development Charges (SDCs). These fees, also known as community and traffic impact fees, are imposed on certain construction and development projects to counterbalance their effect on city infrastructure like storm and sanitary sewers, parks, streets, and water systems. Levied during the building permit process, the revenues from SDCs support essential city services, reflecting Portland's dedication to sustainable urban growth. SDCs apply to a wide range of scenarios, from adding Accessory Dwelling Units and new commercial spaces to changing the use of a property, emphasizing the city's thorough approach to managing infrastructure impacts.

- Portland boasts a population of 641,162 with a density of 4,888 people per square mile. The primary types of development in the city encompass Infill, mid/high-rise structures, mixed-use buildings, multifamily residential properties, and warehouses, reflecting a diverse architectural landscape catering to varied urban needs.
- Portland was chosen due to its attractive development incentives, benefit agreements, and a diverse range of system development charges, making it a favorable environment for businesses and developers. The presence of system development charges in Portland provides a potential model for standardizing mitigation fees for smaller Boston projects, offering valuable insights for effective urban planning and development strategies.

### REVIEW PROCESS

- Development Services spearheads the City of Portland's development review process, ensuring construction projects adhere to city and state codes with an emphasis on safety, sustainability, and livability.
- The City's Land Use Services group ensures adherence to both City Title 33 (Planning and Zoning) and City Title 11 (Trees) by reviewing proposals during the permit approval process. Of the six types of land use reviews (I, Ix, II, IIx, III and IV), Type III and IV incorporate public hearings, allowing community input before final decisions are made.
- Early Assistance appointments are private, informational meetings between the applicant and city staff to guide project proposals, addressing key issues and city requirements early on, with meeting summaries available to the public upon request. While early assistance isn't mandatory, it's advised for intricate projects or sites; however, it doesn't replace the need for a pre-application conference for specific land use review applications.
- Currently, the average duration for obtaining approval and issuance of residential building permits is as follows: for additions, the timeframe is typically 166 days; for alterations, the process generally takes 64 days; and for new construction, the average is 241 days. This duration encompasses both the time taken by applicants to make necessary revisions and the time spent on city reviews.
- Currently, the average time required to obtain approval and issuance of building permits for commercial projects is as follows: for additions, the typical period is 162 days; for alterations, it generally spans 72 days; and for new construction, the process extends to an average of 704 days. This includes the time applicants need to complete necessary revisions and the duration of the city's review process.

### MITIGATION STRUCTURE

- System Development Charges (SDCs) are applied at the time of issuing a building permit, with separate fees calculated based on the project's effects on the city's stormwater and sanitary systems, parks, recreational areas, water supply, and roadway infrastructure.
- Portland's Environmental Services runs the Sewer Connection Program. Fees, such as \$8,913 for single-family homes, are based on factors like residential units, project size, and transportation. Sustainable practices can lower these charges.
- Environmental Services System Development Charges (SDCs) are determined by the type and scale of the property, with residential charges based on equivalent dwelling units, and commercial charges based on plumbing fixtures. Stormwater SDCs are calculated using the impervious surface area and expected traffic generation of the property. These charges contribute to funding the necessary infrastructure upgrades and expansions required for new developments.
- The Parks System Development Charges support the expansion and enhancement of parks, trails, and natural areas. Funds, allocated between Central and Non-Central areas, prioritize neighborhood parks and expansive regional trails. Developers have options to modify fees through alternative calculations or park donations.
- The calculation of Parks System Development Charges (SDCs) is driven by the requirement to expand the city's park system in response to population growth from new development. These charges finance capital projects, including the acquisition of new land, creation of new parks, or enhancement of existing park facilities. The distribution of these funds considers both community-level (neighborhood parks) and broader city needs (regional trails, natural areas). These fees are subject to annual adjustments and any modifications are authorized by the City Council or corresponding city agencies.
- The Transportation System Development Charges (TSDCs) fund the city's transportation infrastructure, based on evening commute patterns. These fees support road and sidewalk projects, with potential reductions for developers improving city transport facilities. Charge calculations factor in city growth, infrastructure, and trip data, with some areas incurring extra fees.
- TSDCs are calculated based on the development type and estimated person trip generation, especially during peak hours, acknowledging the varied impacts of residential, commercial, and industrial land uses. The rates are differentiated based on categories such as residential, commercial services, commercial institutional, commercial restaurant, commercial retail, commercial office, and industrial. Each category has specific rates based on units of measurement like square footage, per dwelling, per bed, per room, etc.

Water System Development Charges (SDCs) are calculated based on meter size, which relates to the plumbing fixture count in a development. These charges contribute to the development's share of the water system capacity. Notably, dedicated fire lines are exempt from SDCs, emphasizing the importance of fire safety infrastructure. Additionally, water-related SDCs, collected during the permitting process, are allocated to fund Capital Improvement Projects. **ROLE OF COMMUNITY**

- The Development Review Advisory Committee (DRAC) is a citizen-led advisory group, weighing in on policies, budgets, and procedures impacting development review processes. They provide

feedback on these issues to agencies such as the Bureau of Environmental Services, Bureau of Transportation, Water Bureau, Portland Fire and Rescue, and Urban Forestry staff under Portland Parks and Recreation. The scope of DRAC is to provide input to these bureaus on the processes for development review, permitting, and enforcement of all applications, but not the review of individual development applications.

- DRAC's primary aim is to promote an efficient, transparent, and accountable development review process aligned with the City's land use, transportation, housing, and other key goals. As a medium for public input, the Committee leads on issues affecting development, offers insights into potential regulations' impacts, proposes changes to the regulatory landscape, and observes the efficacy of these rules in achieving the City's development objectives. Their advisory role extends to providing recommendations on customer service, permitting, process optimizations, and ensuring adequate budgeting for development review bureaus to achieve service goals.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- The legal and regulatory structure that establishes and details the city's mitigation process is firmly rooted in the "[Title 17 Public Improvements Code Section](#)" of Portland's municipal code. This section serves as a foundational document, providing clarity, direction, and procedures on public improvements within the city.

### CONCLUSION

The City of Portland has innovatively integrated urban development with infrastructural resilience by employing System Development Charges (SDCs) and a comprehensive development review framework. Leveraging community and fees, Portland addresses the strain that new developments place on its infrastructure, ensuring sustainable growth. Their meticulous review process, supported by citizen-led advisory groups, emphasizes transparency, safety, and sustainability. Portland effectively integrates public input and sustainable practices into its growth strategy. As Boston considers enhancing its urban development framework, adopting a system similar to Portland's System Development Charges (SDCs) could be highly beneficial. Portland's model effectively addresses the impacts of growth on key urban elements like transportation, parks, and environmental infrastructure. By implementing a similar approach, Boston could ensure that new developments contribute equitably to city services, aligning with broader urban planning objectives and promoting sustainable growth. This strategy would aid in managing infrastructure demands, improving urban resilience, and enhancing the overall quality of life in the city. Moreover, referencing cornerstone resources such as Portland's "[Title 17 Public Improvements Code Section](#)" can offer pivotal guidance in crafting a sustainable and forward-thinking environment.

### CITY OF SAN FRANCISCO

San Francisco utilizes Development Impact Fees and Development Agreements to address effects of new constructions on public resources. Development agreements are contracts between the City and developers outlining mutual obligations, public benefits, and fees, providing certainty to developers and securing benefits for the City. Most impact fees are outlined in Article 4 of the Planning Code, assessed by the Planning Department, and collected by the Department of Building Inspection. These fees can be citywide or neighborhood specific.

- With a population of approximately 808,437 residents and a density of 17,237 people per square mile, San Francisco's development strategy prioritizes optimizing space usage, as evident by its inclination towards vertical structures and multifamily residential units. The primary developmental focus ranges from infill and mid/high-rise structures to specialized sectors like medical research/biotech and technology.
- This city was selected for study due to California's pioneering role in adopting impact fees. The inclusion of the Interagency Plan Implementation Committee, incorporating citizen input, further exemplifies their comprehensive approach. Moreover, San Francisco's utilization of zoning bonuses and intricate development agreements for expansive projects provides a holistic and adaptable model for understanding urban development strategies.

### REVIEW PROCESS

- The Project Review Meeting offers a collaborative platform for the public and the Planning Department staff to discuss specific project-related Code requirements, planning processes, departmental policies and development approvals.
- Nearly all development projects in San Francisco undergo an environmental review to assess and disclose potential impacts. The review's depth varies based on the project's scale and type, ranging from minimal assessments to comprehensive environmental impact reports. The Planning Department guides applicants on the required review level, associated fees, and timeline during the Preliminary Project Assessment.
- The design review team evaluates projects during the Preliminary Project Assessment, ensuring alignment with Residential Design Guidelines. This team collaborates closely with planners and applicants, providing expertise in architectural design and neighborhood compatibility. While their meetings are private, feedback is documented and shared with applicants for transparency and consistency throughout the project's design phase.
- The Street Design Advisory Team (SDAT) serves as an advisory platform where various City agencies discuss and offer feedback on prospective modifications to the public right-of-way. Led by the San Francisco Planning Department, SDAT comprises representatives from key city entities like SFMTA, SF Public Works, and the SF Fire Department. Its primary goal is to ensure consistent guidance for projects enhancing the public right-of-way, adhering to the Better Streets Plan and Planning Code Section 138.1. The team focuses on the safety, aesthetics, and accessibility of street and sidewalk alterations.

### MITIGATION STRUCTURE

- To address the infrastructural strain of new developments, the city imposes development impact fees. These fees counterbalance increased demands on public services and facilities, such as the transit system. Depending on the project, developers might opt to pay these fees in lieu of adhering to specific Planning Code provisions, like open space requirements.
- With the city's growth it is imperative to enhance infrastructure, particularly in expanding neighborhoods. Development impact fees finance these essential improvements. The Planning Department's outlined Area Plans pinpoint regions for these investments, with the Interagency Plan Implementation Committee (IPIC) overseeing the allocation of collected fees to respective departments like Public Works or SFMTA for project implementation.
- The computation of these [fees](#) is determined by factors such as square footage or the number of residential units. They support various vital developments, from schools and parks to public art.
- Development Agreements (DAs) are contracts between the city and developers, detailing development conditions and public benefits, like affordable housing or employment opportunities. DAs minimize development uncertainties and permit the city to harness additional public benefits. Development Agreements often apply to extensive projects over 5 to 200 acres, involving long-term, multi-phase development with new infrastructure and rezoning. They're also used for smaller-scale projects to attain benefits beyond the scope of existing zoning laws. The formulation and approval process is intricate, involving multiple city bodies.
- While DAs offer broad negotiation potential, their unique nature for each project, encompassing variations in attributes like land ownership and location, introduces complexities, making standardization challenging. Furthermore, these agreements can stipulate specific conditions, ranging from project timelines to financing terms for public amenities. They may set construction commencement dates, dictate project phase completion timelines, or lay out terms for public facility financing. DAs are flexible, crafted to suit the unique circumstances of each project, and ensure adherence to stipulated conditions or any linked agreements.

### ROLE OF COMMUNITY

- The Planning Commission, typically through the Planning Department, oversees building permits, ensuring they align with the Planning Code, including Section 101.1 and Design Guidelines. Occasionally, the Commission exercises its "Discretionary Review" (DR) authority to mandate project modifications. Initiated by public request, DR is reserved for projects with unique or exceptional circumstances.
- The Planning Code mandates neighborhood notifications for many discretionary permits within specific zoning districts. Most Residential, Neighborhood Commercial, and Mixed-Use Districts require such notifications, especially for building expansions, certain changes of use, and formula retail uses. Upon submission of a Building Permit to the Department of Building Inspection (DBI), the Planning Department initiates the notification. This involves sending out notices to residents, property owners within 150 feet of the project, and registered neighborhood groups, initiating a 30-day public review.
- During the 30-Day Notification Period, neighbors can relay concerns or comments to the Project Sponsor or Planning staff about the proposed development project. Plan revisions within this

window might necessitate a fresh notification. One pivotal action neighbors can take is filing a Discretionary Review, a formal request for the Planning Commission to evaluate the application. However, such reviews are only accepted within the 30-day notification timeframe. If no Discretionary Review is submitted, and the 30-day period concludes, Planning staff can endorse the Building Permit Application, forwarding it to DBI for subsequent evaluation.

- Regardless of mandatory notifications, early engagement with neighbors and local groups is recommended during project planning. Such proactive communication informs the community and addresses potential concerns, fostering smoother project progression. The Planning Department provides resources and contacts for effective neighborhood outreach.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- The foundation for assessing Development Impact Fees and in-lieu payment options is detailed in [Article 4: Development Impact Fees and Project Requirements That Authorize The Payment Of In-Lieu Fees](#). Meanwhile, the procedures and stipulations for entering Development Agreements are provided in [Chapter 56: Development Agreements](#).

### CONCLUSION

In drawing insights from San Francisco's development and mitigation protocols, it's evident that a structured legal and regulatory framework is pivotal in guiding development activities. By employing Development Impact Fees and structured Development Agreements, San Francisco seeks to balance urban growth with community needs and infrastructure demands. Boston, looking to adopt best practices, would benefit from a similar structured approach, anchoring its development processes in clear legal directives. This would not only foster transparency but also enhance predictability for developers. However, San Francisco's experience also underscores the importance of standardizing the Development Agreement process. While the city's approach is commendable, variations in project nature, ranging from land ownership to commercial space, pose challenges in consistency and comparability. Thus, for a city like Boston, while adopting San Francisco's strategic methods, an emphasis on process standardization will be crucial to ensure equitability, clarity, and efficiency in the development landscape.

### CITY OF SEATTLE

Seattle is committed to mitigating urban development effects with two strategies: Incentive Zoning (IZ) and the Affordable Housing Impact Mitigation Program for Commercial Development. Through IZ, developers can surpass Land Use Code constraints by providing community benefits. Concurrently, the Affordable Housing Impact Mitigation Program supports lower-wage households, addressing challenges from new commercial developments. Together, these initiatives underline Seattle's dedication to sustainable, inclusive growth.

- Seattle's population stands at 749,256, with a dense urban fabric highlighted by a population density of 8,775.03 people per square mile. This has given rise to primary development trends which emphasize infill, mid to high-rise structures, and multifamily residential projects to accommodate the growing populace efficiently.
- This city was selected for evaluation because, while its mitigation elements are less developed compared to other Washington cities, its approach to benefit agreements offers valuable insights for potential implementation.

### REVIEW PROCESS

- Seattle utilizes three types of Design Reviews: Streamlined Design Review, Administrative Design Review for smaller constructions, and Full Design Review for sizable developments such as apartment buildings or large commercial projects, each of which ensures public involvement and transparency.
- The Full Design Review process is tailored for mid- to large-sized developments and is particularly rigorous, encompassing public Design Review Board meetings during initial design stages and recommendation phases. Specifically, the Full Design Review process applies to the following types of developments: multifamily projects with more than 8 units in the "Low rise 2" zone, new developments with 3 or more attached or detached dwelling units and/or at least 2,000 square feet of nonresidential space, or a lot adjoining one or more qualifying lots where the combined size of development proposals exceeds thresholds in Table A or B to [Section 23.41.004](#). A "qualifying lot" is defined as one where, on the day a complete development proposal application is submitted: (a) a complete Master Use Permit or building permit application within Table A or B limits of Section 23.41.004 is already submitted; and (b) a certificate of occupancy hasn't been issued, or if not required, the final inspection isn't complete. Design review is mandatory for both the subject lot and qualifying lot if their development proposals are submitted simultaneously. This comprehensive assessment evaluates the aesthetic, site relation, topographical challenges, and material quality of proposals. Developers also have the flexibility to request "departures" from the standard Land Use Code.
- Streamlined Design Review, typically mandated for townhouse developments, assesses proposals based on multiple factors like building appearance, site relations, accessibility, and material quality. Incorporating written public feedback, developers can request "adjustments" from the Land Use Code. Following the early design guidance (EDG) phase, projects can transition to the building permit application, with the review's pace influenced by plan quality, responsiveness to corrections, and public interest.



- Administrative Design Review, an optional route for specific commercial and residential projects like office buildings or multifamily developments, evaluates a proposal's architectural aesthetics, its harmony with neighboring sites, adaptability to unique site features, and accessibility. Throughout the process, public feedback is encouraged, and developers can seek "departures" from the Land Use Code to enhance their design proposals.

### MITIGATION STRUCTURE

- In Seattle's Incentive Zoning program, developers who aim for extra floor space are mandated to either invest in public amenities like affordable housing, child care, and open spaces or make use of Transferable Development Potential and Rights (TDP/TDR) and Regional Development Credits (RDC). This is governed by the Master Use Permit application, which stipulates whether developers opt for performance, payment, or a combination. While zoning specifics guide the extra floor area approach, for buildings up to 85 feet, the emphasis is on providing affordable housing, aligning with Comprehensive Plan goals.
- The Affordable Housing Impact Mitigation Program addresses the increased need for affordable housing from new commercial developments over 4,000 square feet, targeting housing for lower-wage workers; developers can opt for cash contributions, with incentives given for street-level commercial spaces by excluding their first 4,000 square feet from charges.

### ROLE OF COMMUNITY

- The Design Review Boards and staff value public feedback on project designs to understand vital design aspects. Everyone can submit comments online, or for projects under Design Review Board evaluation, comments can be presented at board meetings. However, comments should align with the Design Guidelines, emphasizing building design elements.
- Comments can be made during the designated public comment period. While comments post-deadline might be considered if submitted before the review's completion, due to the vast number of feedback received, individual responses aren't guaranteed. Direct queries about the project should be addressed to the project planner. For impactful comments, referencing specific criteria, policies, or guidelines relevant to the application type is essential.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- Seattle's mitigation process is firmly rooted in its legal and regulatory structure, notably outlined in Chapter 23.58A - Incentive Provisions, which can be accessed and reviewed on the city's official municipal code library at [Seattle Municipal Code - Chapter 23.58A](#).

### CONCLUSION

Seattle successfully navigates urban development challenges through its Incentive Zoning (IZ) and Affordable Housing Impact Mitigation Program. Seattle's design review system, encompassing full, streamlined, and administrative processes, champions public participation and ensures architectural cohesion. Developers in Seattle are incentivized to contribute to community benefits in exchange for extra floor space, with a notable focus on provisioning affordable housing. Public input, channeled through the

Design Guidelines, is pivotal to this review model. Given its effectiveness, Boston might evaluate Seattle's design review mechanisms for potential future adaptation and implementation.

### CITY OF VANCOUVER

Vancouver's Impact Fee Ordinance ensures developers support infrastructure and community well-being through impact fees, offsetting effects of new developments and bolstering public facilities for a growing population. Additionally, the community benefits program emphasizes not just construction, but also improving residents' quality of life, endorsing cultural, social, environmental growth, and affordable housing. Together, these actions highlight Vancouver's comprehensive urban planning strategy.

- Vancouver, with a population of 2,657,000 and a density of 5,750 people per square kilometer, is experiencing significant urban growth, demanding diverse development strategies to cater to its evolving needs. The primary development types driving this urban transformation include infill, mid/high-rise structures, medical research/biotech facilities, technology hubs, office spaces, mixed-use projects, multifamily units, and traditional single residential homes.
- The city was selected due to its distinctive approach of utilizing a standardized dollar-per-square-foot metric for determining both amenity contributions and impact fees from developers.

### REVIEW PROCESS

- While Vancouver's development review process isn't all-encompassing, leveraging the expertise of design professionals and consulting with the City of Vancouver's staff ensures alignment with key regulations and a streamlined application process. The city emphasizes a detailed review mechanism, engaging various stakeholders and prioritizing community feedback, which plays a pivotal role in project outcomes.
- Vancouver is currently revamping its development review process to include a structured project assessment framework, improved online resources, clear role delineations with escalation protocols, set timelines for City staff feedback, and targeted recommendations to address identified inefficiencies.

### MITIGATION STRUCTURE

- The Traffic Impact Fee is determined by the formula  $TIF = F \times T \times A$ . "TIF" stands for the traffic impact component of the total fee, "F" represents the fee rate per vehicle trip adjusted annually for inflation, "T" indicates trips generated by a proposed development (with potential adjustments like the business enhancement factor), and "A" is an adjustment factor, set at 85%, for anticipated tax revenues allocated to capital facilities.
- The Park Impact Fee is derived from the formula  $PIF = F \times U$ . "PIF" denotes the park impact component of the total fee, "F" is the park impact fee rate per housing unit (either single-family or multifamily) adjusted annually, and "U" signifies the number of housing units associated with a proposed development. Current rates are provided in [Table 20.915.050-1](#).
- The city collects school impact fees from developments on behalf of school districts with an adopted capital facilities plan. This fee, determined by the formula  $SIF = \{ (CS \times SF) - (SM) - (TC) - (FC) \} \times A$ , considers costs of improvements, student factors, state funding, tax credits, and facility credits. For effective implementation, the plan must undergo review by the city's planning commission, receive council approval after a public hearing, and be supported by an interlocal

agreement. Table 20.915.060-1 provides district-specific impact fees for single-family and multifamily residences.

- Impact fees are calculated separately for various development types using specified formulas. For mixed-use developments, fees are calculated per use type. Prior to development permit issuance, no building permit will be issued within designated service areas unless impact fees are calculated and paid as per the regulations. Fees are computed at the building permit application stage, payable at permit issuance (except as noted in VMC 20.915.075), and recalculated if the permit isn't issued within a year.

### ROLE OF COMMUNITY

- The public actively engages in the development approval process, starting from community planning stages. They provide input on pivotal city policies, like Transportation 2040 Plan and Housing Vancouver Strategy. Residents have multiple opportunities to influence the development, from pre-application meetings to speaking directly to the Council for rezoning reports.
- When a development seeks rezoning, residents are empowered to actively engage at every stage, from pre-application meetings to public hearings. This involvement not only influences the project's direction but also ensures that developments bring an array of benefits to the community, such as parks, libraries, social housing, and essential infrastructure.
- For by-right developments, the greater community lacks input on specific impact fees or other mitigation measures beyond the policy level.

### MITIGATION AND COMMUNITY BENEFITS DETAILS

- Vancouver's mitigation strategy for developments is anchored in a robust legal and regulatory framework, specifically outlined in Chapter 20.915 "Impact Fees" of the city's municipal code. Further details can be accessed [here](#).

### CONCLUSION

Vancouver's urban development strategy offers a harmonious blend of infrastructural progression and community enrichment, reinforced by its clear and standardized Impact Fee Ordinance. The city's commitment to transparent, calculable fees combined with a deep emphasis on community engagement ensures that growth is both sustainable and resonant with residents' needs. As cities like Boston explore enhanced development strategies, Vancouver serves as a beacon, demonstrating the advantages of comprehensive planning through the adept use of impact fees. These fees not only support tangible infrastructural advancements but also weave in the vital fabric of community well-being, highlighting a balanced approach to urban growth.