



Council Communication File Number: Ord 2514

Agenda Date: 7/24/2023

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Ordinance

FIRST READING OF AN ORDINANCE AMENDING SECTION 21-7205 OF THE CITY OF COMMERCE CITY LAND DEVELOPMENT CODE TO ADD CONSTRUCTION STANDARDS FOR RESIDENTIAL DRIVEWAYS

Summary & Background

The Land Development Code (LDC) (Ordinance #1798) was adopted by City Council in January 2009 and went into effect on March 1, 2009. The 2009 Land Development Code was a comprehensive update to the Commerce City Zoning Ordinance, which included a wide variety of topics dealing with development and land use, such as application types, zoning districts, use standards, subdivision procedures, design standards and signs. The existing LDC and regulations guide development to ensure consistent and orderly processes. Amendments to the LDC are proposed to clarify and streamline processes and requirements for future development.

As residential development has occurred, there has been a lack of consistent construction techniques and variances in durability, longevity, and the quality of residential driveways. This has led to premature spalling and cracking of concrete driveways. This premature deterioration of residential driveways detracts from residential neighborhoods and burdens the residents therein by necessitating maintenance costs to preserve both aesthetic consistency and value in the property.

In an effort to ease such burdens on the residents of the City, and in order to protect consistency in residential neighborhoods, the amendments in this proposed ordinance regulate the construction of residential driveways through minimum construction standards to be applied to all newly constructed residential driveways. One exception for alternative materials is proposed based on the proposed driveway length. In addition, language is included allowing for existing driveways constructed prior to June 10, 2023 to be repaired and replaced with the same material and standards that existed at the time of original construction. However, any driveway comprised of gravel, dirt, or rock shall conform to the proposed standards when replaced or repaired.

Lastly, more concrete approval criteria have been added to the sub-section titled "Exceptions." Currently, the City Engineer is able to allow deviations from this section's standards without criteria describing what standards may or may not be excepted. As proposed, the building official would be able to allow exceptions to the section subject to new approval criteria, which include physical conditions of property, frequency of driveway

usage, or other hardships.

Staff Responsible (Department Head): Tricia McKinnon, Acting Community Development Director

Staff Presenting: Nathan Chavez, City Planner

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation: Approval of Ordinance 2514

Action Alternatives:

Deny the ordinance; or

Continue the application to a subsequent City Council hearing.

Potential Motions:

Approval

I move that the City Council approve the proposed Land Development Code text amendment contained in Ordinance 2514.

Denial

I move that the City Council deny the proposed Land Development Code text amendment contained in Ordinance 2514.

Continuance

I move that the City Council continue discussion of the proposed Land Development Code text amendment contained in Ordinance 2514 to:

The next regularly scheduled City Council hearing; or
A date certain.