

Land Development Code City Council Study Session

April 14th, 2025



Purpose

Review and gather feedback on Land Development Code updates to:

- 1) Add more public input to the development process
- 2) Follow Recent State Laws

Agenda

1. Development Review Procedure Key Updates
2. State Housing and Land Use Bills

Development Review Procedure Key Updates



*Provide early opportunities
for Public, and Planning
Commission/City Council
input*

*Streamline the
process for simpler
use reviews*

Planning and Land Development Process

**Community and
Neighborhood Planning**

Regulatory Phase

**Neighborhood
Design/Horizontal
Infrastructure Development**

Vertical Development

Plan

Regulate

Design

Build

Development Stages - Outcomes

Regulatory Phase

- Creation or establishment of rules that govern development
- Establishment of zoning and other rules that will govern development of an area
- Annexations, Rezoning, PUD Zoning

Neighborhood Design/Horizontal Infrastructure Development

- Establishment and layout of land uses and open space
- Roadway/Mobility System Layout and Design
- Trunk Infrastructure and stormwater
- Subdivision of land into right-of-way, lots and tracts.
- Final engineering of infrastructure and roadways.
- Construction of infrastructure
- Subdivision Plats
- Civil Construction Drawings

Vertical Development

- Design and site planning of individual lots
- Building design and architecture
- Design of site infrastructure
- Construction of site and building
- Development Plans/PUD Development Permits
- Building Permits

Public Participation



Increasing Impact on the Decision/Needs for Public Participation

Collaboration

**Community and
Neighborhood
Planning**

Consult

Regulatory Phase

Inform

**Neighborhood
Design/Horizontal
Infrastructure
Development**

Vertical Development

- Public input has a defined role in many of the City's review processes, which are spelled out in the Land Development Code
 - Neighborhood Meetings
 - Includes opportunity to provide testimony at Public Hearings
- Public Input is a consideration when reviewing projects against the prescribed review criteria
 - Council has to weigh what is relevant and factual

Provide Early Opportunities for Public Input



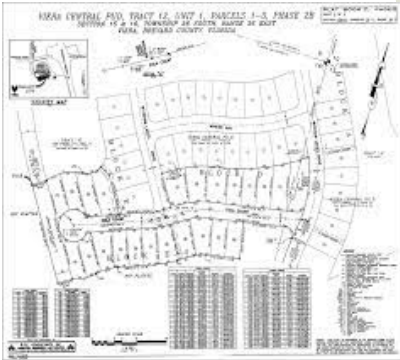
Preliminary Plat

- Show lot layouts, streets, and public spaces early, ensuring compliance with the LDC and engineering feasibility.
- Move Public Review earlier to reduce uncertainty in the Final Plat stage.




Master Development Plan

- New tool to coordinate and get early feedback on large developments and complex mixed-use developments.
- Support the shift from PUDs to straight zoning with this new tool.

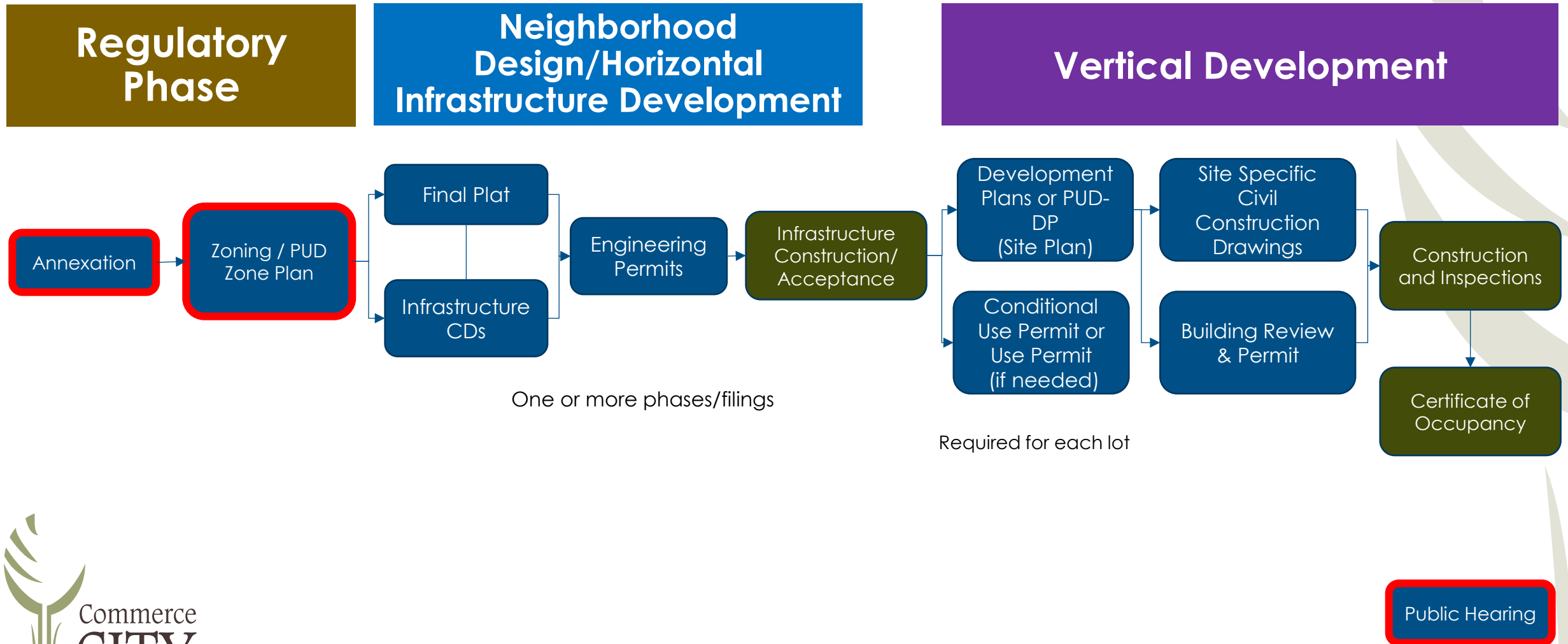
Today's General Development Process

	Regulatory Phase		Neighborhood Design/Horizontal Infrastructure Development		Vertical Development	
	<p>Should county land be incorporated, and if so, what rules should apply?</p> 		<p>How does the proposed development align with our Land Development Code and support the area's planned vision?</p> 		<p>What specific design and engineering details are needed to achieve the vision?</p> 	
Development Process	Annexation	Rezoning / PUD Zone Plans	Concept & Sketch Plans/Sketch Plats		Final Plats	Development Plans
Approval Process	PC & CC	PC & CC	Administrative	Administrative	Administrative PC & CC (Upon Call-up or Appeal)	Administrative PC & CC (Upon Appeal from staff decision or director referral)

Proposed Development Process

	Regulatory Phase		Neighborhood Design/Horizontal Infrastructure Development		Vertical Development	
	Should county land be incorporated, and if so, what rules should apply?		How does the proposed development align with our Land Development Code and support the area's planned vision?		What specific design and engineering details are needed to achieve the vision?	
						
Development Process	Annexation	Rezoning	Master Development Plan	Preliminary Plat	Final Plats	Site Development Plan
Approval Process	PC & CC	PC & CC	PC & CC	PC & CC	Administrative	Administrative

Current Development Process

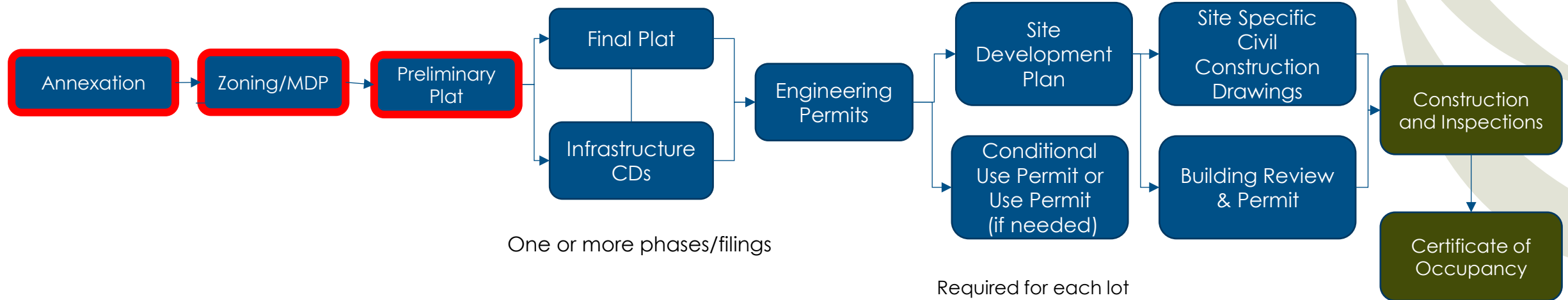


Proposed Development Process

Regulatory Phase

Nighborhood Design/Horizontal Infrastructure Development

Vertical Development



Public Hearing

Streamline the process for simpler use reviews

- **Use By Permits will be replaced with Limited Use Permits and would no longer go to Board of Adjustments.**
 - Limited uses are subject to specific design or operational standards
 - More predictable outcome rather than relying on negotiation on a case-by-case basis
- **Conditional Uses still subject to recommendation by Planning Commission and final action by City Council.**
 - Provides for additional scrutiny and vetting in a public manner for uses that may generate more impact (e.g., Hazardous Waste Collection)
- **Both Limited Use Permits and Conditional Use Permits would run with the land**

State Housing and Land Use Bill



Residential Occupancy Limits (HB 24-1007)

State Requirements

Prohibits municipalities from **imposing occupancy requirements based on family relationship**, but allows occupancy limits based only on:

- **Health and safety standards** (e.g., international building code standards, fire code regulations, public health and water quality standards); or
- **Affordable housing program guidelines** from the state or federal government.

Intent

Make it easier to share homes between occupants and help households afford increasingly high housing costs.

Residential Occupancy Limits (HB 24-1007)

Current Standards

LDC occupancy standards follow the city's municipal code requirements from **Buildings and Building Regulations (5-302)**:

- Max **3 unrelated adults** per dwelling
- **No more than 1 registered** sex offender, and **up to 2** if related to the head of the household.
- Dwellings must have at **least 200 sf per adult occupant**.

Residential Occupancy Limits (HB 24-1007)

Proposed Adjustments

- **Update Buildings and Building Regulations (5-302):**
 - **Remove** occupancy limits for unrelated adults
 - **Align** occupancy limits with the **International Property Maintenance Code**
 - **Min. Bedroom Size: 70 sf; 50 sf per occupant.** Also includes a minimum living and dining room size based on the number of occupants.
- **Update the LDC to replace the term “family” with “household”** to better align with state law and reference the Buildings and Building Regulations.

Parking Minimums (HB 24-1304)

State Requirements

- In **transit service areas**, municipalities **cannot require** minimum vehicle parking spaces for:
 - Multifamily Residential
 - Adaptive re-use for residential
 - Adaptive re-use for mixed-use development with at least 50% residential use
- Municipalities have the option to require **one parking space per unit** for **multi-family with 20+ units or affordable housing**

Intent

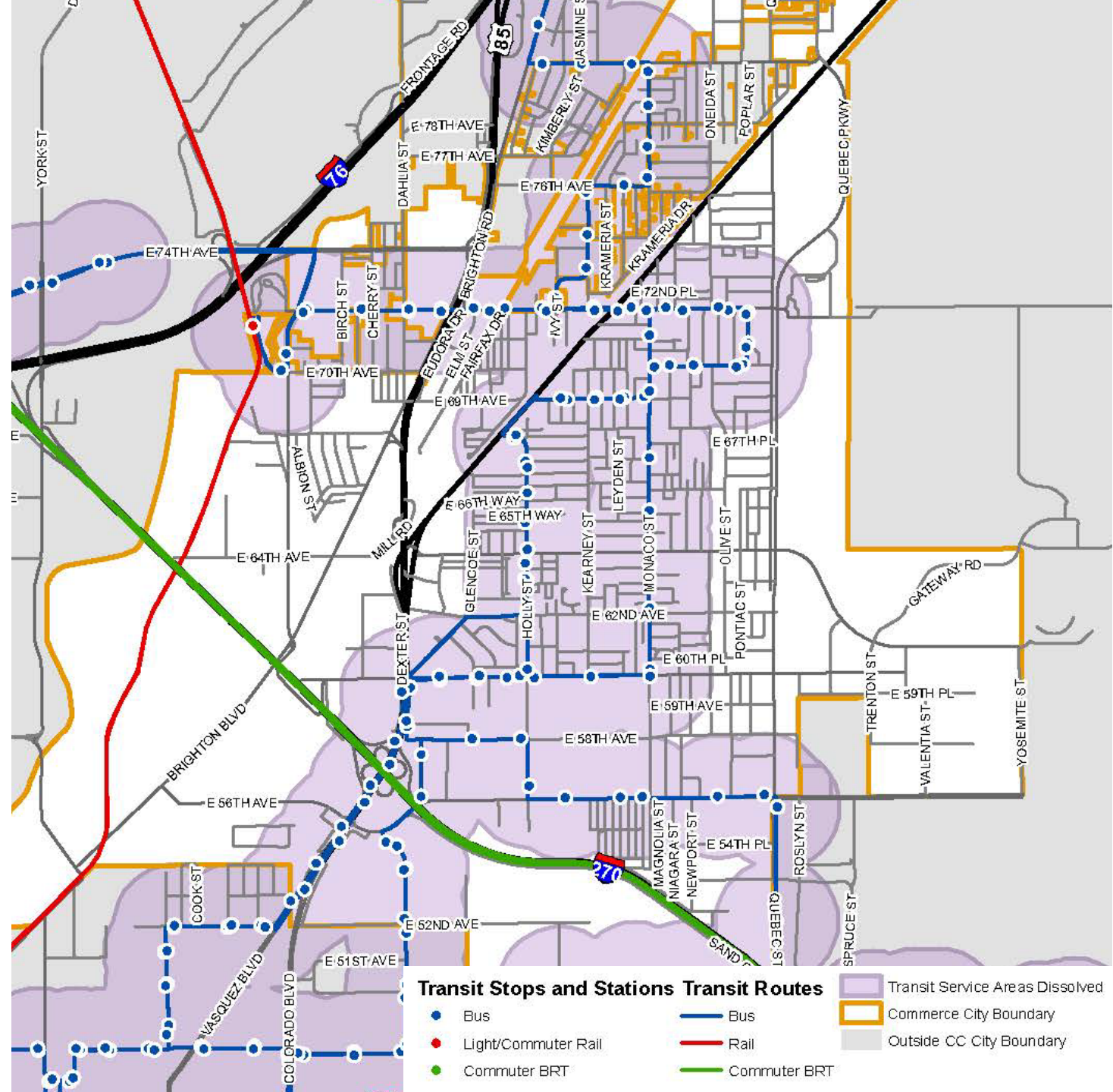
Allows the potential for more housing to be built and bases the parking requirements on market needs.

Parking Minimums (HB 24-1304)

Map

Transit service areas map,
published by **Department of
Local Affairs**, defined as $\frac{1}{4}$
mile of existing or planned
stations served by:

- Commuter and light rail
- Public bus route that run
every thirty minutes or
more

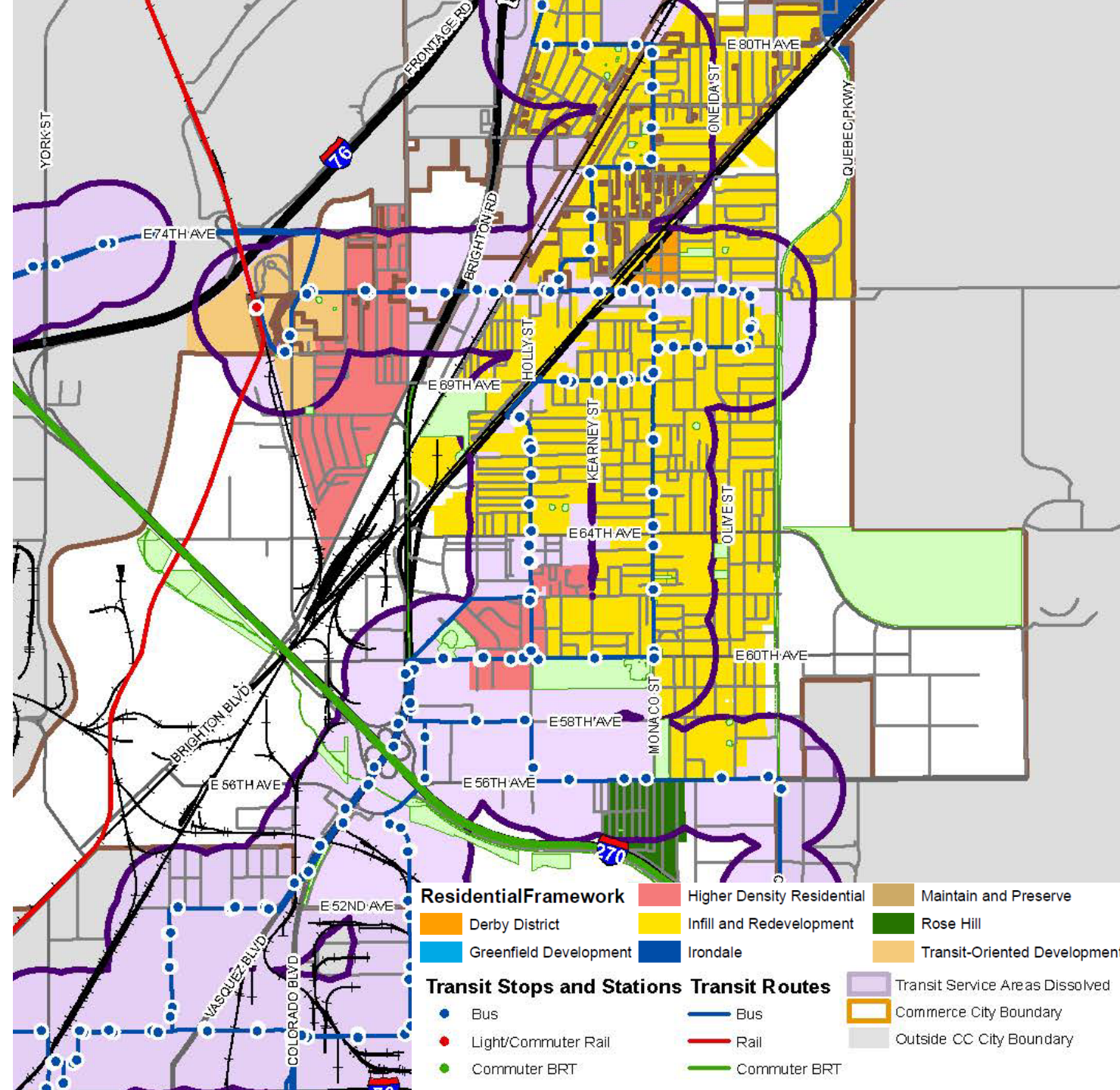


Parking Minimums (HB 24-1304)

Map

Transit service areas map,
**published by Department of
Local Affairs**, defined as $\frac{1}{4}$
**mile of existing or planned
stations** served by:

- Commuter and light rail
- Public bus route that run
every thirty minutes or
more



Parking Minimums Limits (HB 24-1304)

Current Standards

- There are minimum off-street parking requirements for all uses
- **No exemptions** for minimum off-street vehicle parking requirements but **allows for minor reductions** through an incentive program:
 - Shared use parking program
 - Larger office buildings
 - Mixed-use development
 - Core Center
- The Director may also reduce parking requirement for certain hardships.

Parking Minimums Limits (HB 24-1304)

Proposed Adjustments

Maintain current parking reduction standards. Additionally, if a development in the **Applicable Transit Service Area** is one of the following, then the parking minimum is reduced to zero:

- Multi-family Residential,
- Adaptive Reuse (where at least 50% of the resulting use is residential).
- Mixed-Use (where at least 50% of the resulting use is residential).

Parking Minimums Limits (HB 24-1304)

Optional Parking Requirement

- For **multi-family with 20+ units or affordable housing**, municipalities **may require one parking space per unit**.
- The city may only impose this requirement only if, within 90 days of receiving a completed application, the city conducts a project-specific analysis that:
 - Identifies a substantial negative impact on safe pedestrian, bicycle, or emergency access;
 - Demonstrates that the city's parking management strategies (e.g., subsidized transit passes) would not mitigate the identified impact.

Accessory Dwelling Units (HB 24-1152)

What is an ADU?

A dwelling unit on the **same lot** as a **primary dwelling** unit that is **accessory (smaller)** than the primary dwelling unit and is either **attached, enclosed, or detached**.



Accessory Dwelling Units (HB 24-1152)

State Requirements

Municipalities must **allow one ADU where single family detached units are permitted** with the following requirements:

- ADU approvals must be administrative.
- Cannot require parking or owner occupancy (with limited exceptions).
- Cannot restrict the design and dimensional standards that are more stringent than those for single-family homes.

Intent

Increase housing options for smaller households, lower-income households, and elderly

Accessory Dwelling Units (HB 24-1152)

Proposed Adjustments

Allow attach, contained, and detached ADUs in where single-family detached homes are allowed.

Use

- Max of **one ADU per lot**
- **No** owner-occupancy requirement
- **No** off-street parking required

Size

- **Max of 75%** of the primary dwelling unit or 1,000 sf (whichever is less)
- **Baseline allowance of 400 sf**
- **No max for basement converted units**
- **Detached ADU** to be **no taller** than the height of the **primary home or 22 ft., whichever is less**

Location and Design

- **Detached:** Must have shared vehicular access, and be located behind the primary home
- **Attached:** Not to have the appearance of multi-family from the street (e.g., multiple accessways, mailboxes)

Accessory Dwelling Units (HB 24-1152)

Owner-Occupancy

Cannot require that the ADU or single-family home on the lot **be owner-occupied**, with the following two exceptions:

- Requiring proof of owner residence when **application for construction** is submitted.
- Requiring proof of owner residence when **application for short-term rental** of the ADU is submitted (city already requires this).

Nonfunction and Artificial Turf Prohibition **(HB 24-005) State Requirements**

- **Prohibits planting nonfunctional turf, artificial turf, or invasive plant species** on commercial, institutional, industrial, common interest community property, and right-of-way
- **Nonfunctional turf** is defined as **turf grass not used for active recreation**, such as sports fields or playgrounds.

Intent

Lower landscaping water use and increase the use of native, more drought tolerant plants.

Nonfunction and Artificial Turf Prohibition *(HB 24-005)* **Current Standards**

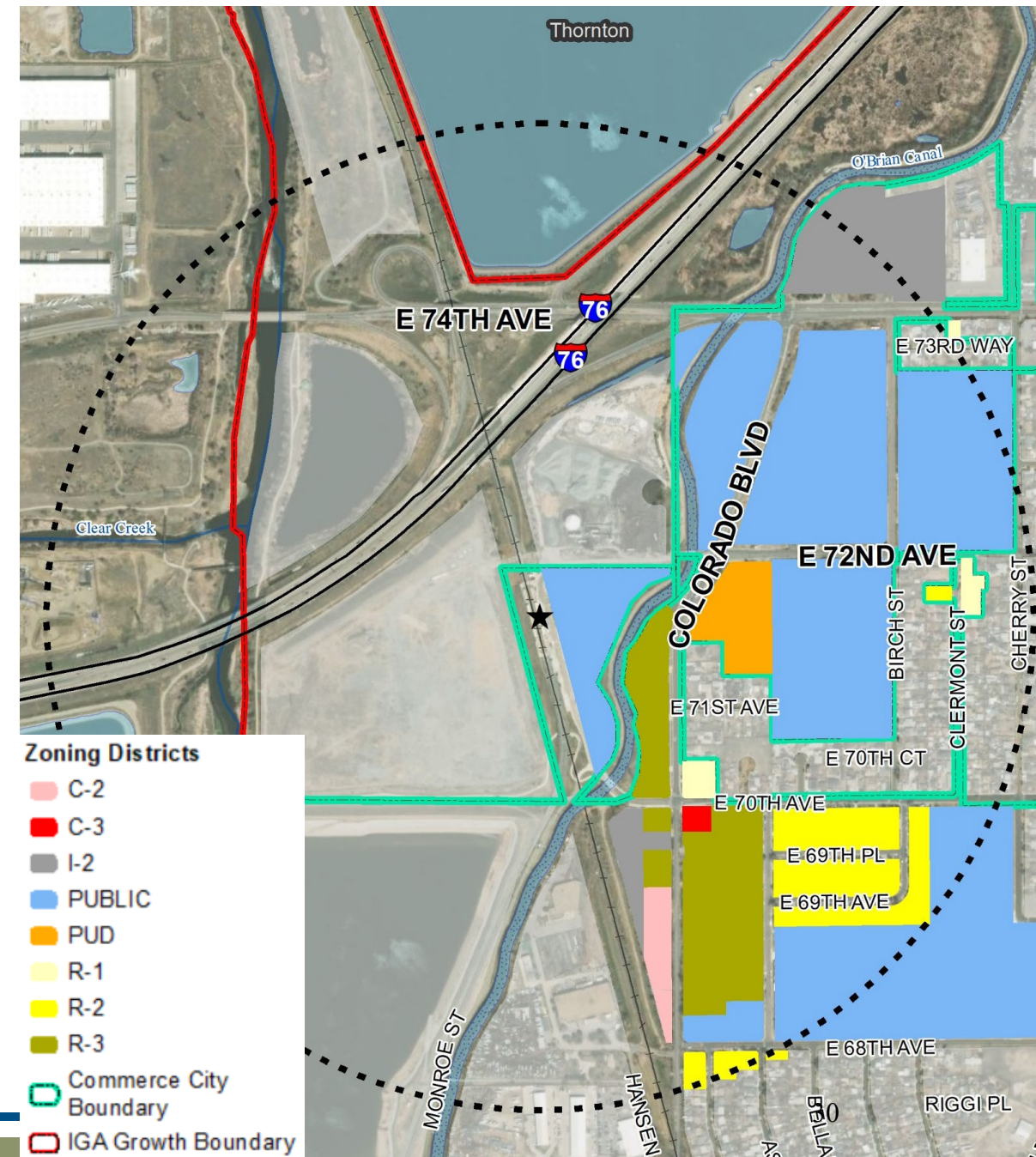
- **Maximum turf grass requirement of 50%** within required landscape areas for most developments
- **Partial or entirely synthetic material turf grass prohibited**, except for public or private recreation fields.

Nonfunction and Artificial Turf Prohibition *(HB 24-005) **Proposed Adjustments***

- **Ban non-functional turf** in non-residential, and common interest community property, and on street rights-of-way.
- **Prohibit invasive plant species** as defined by the state.

Transit Oriented Communities (HB-1313) State Requirements

- Requires a **housing goal** and **zoning districts** in place to support it near transit stations
- Must also **identify affordability** and **displacement mitigation strategies**
- We have one transit station at **72nd Avenue and Colorado**
- Staff is currently assessing housing goal and coordinating with Adams County
- **Next Steps:** Staff will schedule a follow-up study session in the coming months to discuss this law in greater detail



Next Steps for LDC

- **April:** Website launched
- **May:** Public Review Draft available
- **May – July:** Public Engagement
 - **June:** Public Open House w/ Planning Commission
 - **June – July:** Joint Planning Commission and City Council Study Sessions
- **August:** Public Hearing Planning Commission
- **September:** Public Hearing City Council