



STAFF REPORT

Planning Commission

Ordinance #2073

PC Date:	November 4, 2015	Staff Contact:	Steve Timms
CC Date:	December 21, 2015		
Location:	City-Wide		
Applicant:	The City of Commerce City		
Address:	7887 E. 60 th Avenue Commerce City, CO 80022		

Case Summary

Request:	The Commerce City staff is requesting an amendment to the Land Development Code (LDC) as it relates to adding regulations regarding shared driveways.
Project Description:	<p>The Land Development Code (LDC) was adopted by City Council in January of 2009 and went into effect on March 1, 2009. The adoption of the LDC was a comprehensive update to the Commerce City Zoning Ordinance, which included a wide variety of topics related to development, land use, and procedures for development. The updated version has been a tremendous help to staff and applicants as development occurs in the City.</p> <p>In the summer of 2015, City Council directed staff to create some regulations as it relates to shared driveways for residential properties. Staff researched existing lots within the community, sought other city examples, and tested proposed standards with car and truck simulations. On September 28, 2015, staff brought these proposed regulations (Sec. 21-7205) to City Council for their consideration and discussion. They were in favor of the proposed regulations.</p> <p>Since its original adoption, the LDC has been and will continue to be a “living document” that is amended and updated on a consistent basis so that the information in the document stays relevant and reflective of the needs of the Commerce City community.</p>
Staff Recommendation:	Approval

Land Development Code History

Since its adoption in 2009, several amendments have been made to the LDC in an effort to maintain a “living document”. As a growing community, Commerce City’s needs are constantly evolving and monitoring development regulations helps to ensure that the regulations are relevant and reflect the community’s values. Therefore, future amendments and updates should be expected. Since 2009, staff has brought a set of yearly “housekeeping” items for their review and recommendation. In addition, there have been several specific topics that have been brought forward for approval, such as oil and gas, marijuana, and flood plain updates. The regulations regarding shared driveways fall within this latter category.

Background and Request

Request:

The request in Ordinance #2073 is to approve the proposed LDC amendments (Sec. 21-7205) as they relate primarily to shared driveways for residential structures.

Relationship to the Comprehensive Plan:

Following the City Council’s unanimous adoption of the Land Development Code (LDC) in 2009, City Council unanimously approved an updated version of the Comprehensive Plan in May of 2010. The revised Comprehensive Plan identifies provisions for regular amendments and updates to the City’s LDC. Therefore, the general concept of regular LDC amendments is supported by the Comprehensive Plan and the specific amendments are compliant with the Comprehensive Plan.

Background and Proposed Changes:

Prior to the adoption of the LDC in 2009, the City had no standards or regulations as they related to shared driveways for single-family residential structures. With the adoption of the LDC, a shared access agreement/easement was now required. No other standards were required. In 2015, Council raised the concern of not having any standards for single-family residential shared driveways and subsequently directly staff to draft some regulations for adoption.

With this direction, staff researched existing single-family lots with shared driveways within the community, sought other city examples, and tested proposed standards with car and truck simulations. On September 28, 2015, staff brought these proposed regulations to City Council for their consideration and discussion. They were in favor of the proposed regulations.

Based on the discussion from that session, staff is proposing the following changes to the code (Sec. 21-7205). They are as follows and can be found on an attached exhibit: NOTE: No changes are being proposed as it relates to the shared access agreement/easement standard.

1. **Width of Driveway:** The proposed language sets a minimum width for single-family detached homes with a shared driveway. This minimum width is 20’-24’ and should be roughly shared on both sides. Currently there is no minimum. In addition, City Council also asked for a minimum for multi-family residential developments. This width has been proposed to be 24’.
2. **Concept/Site Plan:** A Concept/site plan showing the layout for both houses that utilize a shared driveway will now be required at the time of building permit submittal. This plan will

help to ensure that both lots have been studied and planned comprehensively for optimal layout and circulation.

3. **Setbacks Between Garages:** One of the key elements of these proposed changes involve the distance between garage doors and to ensure that there is ample space for proper vehicular movements into and out of garages. This standard sets a minimum setback between garages of 30 to 34 feet and is based on the width of the overall driveway. The wider the driveway, the wider the required separation between garages. In addition, there is a minimum five foot setback of the garage from the driveway aisle to assist with vehicular turns into and out of the garage.
4. **Rear Additional Driveway:** The proposed code requires a minimum of 2 feet of additional driveway length found along the rear of the driveway to help vehicles when backing out of a garage.
5. **Driveway Tapering:** The proposed changes allow for the potential to taper the shared driveway as it turns into the garage for easier movement of vehicles.
6. **Minimum Driveway Depth:** For non-shared driveway homes, in order to ensure that there is adequate parking and maneuverability space, the code update requires a minimum garage setback of 15 feet for side-loaded garages.

Summary Analysis:

These updates are a direct result of City Council direction to staff. Staff believes that these proposed regulations will help to minimize and avoid future complications that may arise as it relates to construction of single-family homes with shared driveways. Staff worked hard to develop regulations that would help ensure proper movement of vehicles in and out of garages, minimize conflicts and turning movements, and still preserve the ability of a builder/developer to construct on a residential lot.

The Development Review Team (DRT) Recommendation

Based on the information provided above, the Development Review Team recommends that the Planning Commission forward the requested amendments to the LDC to the City Council with a favorable recommendation.

The Development Review Team's Recommended Motion

To recommend approval:

I move that the Planning Commission recommend that City Council approve Ordinance #2073, an ordinance amending the Commerce City Land Development Code.

Alternative Motions

To recommend approval subject to condition(s):

I move that the Planning Commission recommend that City Council approve Ordinance #2073, an ordinance amending the Commerce City Land Development Code subject to the following conditions:

Insert Condition(s)

To recommend denial:

I move that the Planning Commission recommend that City Council deny Ordinance #2073, an ordinance amending the Commerce City Land Development Code because it fails to meet the following criteria:

List the criteria not met

I further move that, based upon this finding, the Planning Commission recommend that the City Council deny Ordinance #2073.

To recommend continuance:

I move that the Planning Commission **continue** Ordinance #2073 to a future Planning Commission agenda.