



STAFF REPORT

Planning Commission

ORDINANCE #2078

PC Date:	February 2, 2016	Case Planner:	Steve Timms
CC Date:	March 7, 2016		
Location:	City-Wide		
Applicant:	City of Commerce City		
Address:	7887 East 60 th Avenue, Commerce City, CO 80022		

Case Summary

Request:	Commerce City Staff is requesting a series of minor amendments to the Land Development Code.
Project Description:	<p>The Land Development Code (LDC) (Ordinance #1798) was adopted by City Council in January 2009 and went into effect on March 1, 2009. This 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. Thousands of items are included within the Land Development Code and overall, the updated code has been a tremendous help to staff and applicants when reviewing development proposals.</p> <p>Since that time, there have been annual amendments to this document to reflect changing development trends and community needs. This year, there are 12 proposed amendments to the LDC.</p>

Staff Recommendation:	Approval
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Attachments for Review: *Checked if applicable to case.*

☒ Proposed Language of Amendments, including summary chart.

Background Information

The Land Development Code is a “living document” that acts as a tool to guide future development of a community, protect neighborhoods, focus development, and enhance the environment. As a part of the public review process for the LDC, it was mentioned that the code would be an “on-going work in progress,” and that this document would continually evolve to reflect the needs and desires of the city. To implement this, changes or amendments are implemented periodically.

Since 2010, the Planning Commission and City Council have reviewed and approved a variety of updates to the Land Development Code. Some of these updates are topic specific (floodplain, marijuana, and signs) while others have been general or "housekeeping" in nature, which work to advance the goals and desires of the community. This year, the updates are of the "housekeeping" variety.

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. Currently, there are no limitations or preclusions related to the number of zoning code amendments that the city may adopt.

Request and Analysis

The Comprehensive Plan adopted in 2010 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 as identified below.

Comprehensive Plan

The Development Review Team (DRT) believes that the proposed amendments are supported by the following Comprehensive Plan Goals:

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use and Growth	LU 2b	<u>Land Development Code (LDC) Amendments/Focus Areas:</u> Consider code amendments in Focus Areas that address infill development potential, including: (a) Change dimensional standards to promote contextually-based infill development (e.g. to fit traditional lot sizes and current setbacks, and building massing); (b) Provide flexibility for infill development (e.g. parking requirements, open space set aside, and setbacks). Current standards may not be appropriate for infill in traditional neighborhoods or mixed-use projects.
<u>Analysis:</u>	Many of the amendments that are proposed take into account the unique needs of infill development, and some of the unique situations within Commerce City, such as office-flex, warehouse parking, and changes to the FLUP..	
<u>Section</u>	<u>Goal</u>	<u>Description</u>
Economic Development	ED 3	<u>Recruit New Employment and Commercial Development:</u> Attract and promote new commercial and employment uses to the Historic City that will provide jobs and services for residents and revenues for city operations. The city will reserve undeveloped lands for future commercial and employment activities, as designated on the Future Land Use Plan.
<u>Analysis:</u>	With the addition of new uses to the Land Use Table, the city will increase the number of potential uses that can occur in the city. These additions include the all important office-flex and updating definitions for transportation terminals and catering services..	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Redevelopment and Reinvestment	RR 2e	LDC Assessment/Amendment: Assess effectiveness of parking and other standards for this Plan's goals. Amend as necessary.
<u>Analysis:</u>	Many of the amendments being proposed are intended to encourage additional reinvestment in the city. One example is the amendment to help provide flexibility to parking, in particular in areas near transit, urban cores, and mixed use developments..	

Comprehensive Plan Summary:

The City's adopted Comprehensive Plan is intended to be a guiding document that articulates the City's long-term vision. One of the tools the City uses to implement this vision is the Land Development Code (LDC). The LDC outlines development processes, development regulations, and subdivision regulations. In order to ensure that the LDC continues to meet the needs of the community and reflect the City's long-term vision, the Comprehensive Plan encourages regular amendments to the LDC.

Identifying LDC Amendments:

Potential amendments to the LDC are identified in a variety of ways. Some amendments are identified through the development review process, some are identified through the building permit review process, some are identified through our industry's "best practices", and some are identified by the community. When a potential amendment has been identified, staff adds the item to a list for future consideration. Once there are enough amendments under consideration, staff conducts an internal review process to determine which amendments will be carried forward for consideration by the Planning Commission and the City Council.

Request:

The 12 proposed amendments for 2016 can generally be characterized into four categories: legal clarifications; land use table additions; customer service processes; and modernization. The legal clarification amendments are intended to ensure consistency throughout the code and provide additional language to clarify how certain regulations apply. The additions to the Land Use Table are items which are not currently listed in the Land Use Table but which staff feels are appropriate for Commerce City. Some of these new land uses will also have supplemental regulations regarding their operations, which will be contained in Article V of the LDC. Several amendments are related to improving customer service. These will streamline the review process for certain types of applications, and provide more predictability and consistency in the code for staff as well as applicants. The amendments intended to modernize the code will ensure that the LDC reflects similar regulations to other jurisdictions as well as "best practices" that are becoming more popular in the planning industry.

Table of Proposed Amendments:

The table of proposed amendments is attached to this staff report. In addition, the proposed language is also attached for your review.

Study Sessions:

On January 5, 2016 staff held a study session with Planning Commission to discuss the proposed amendments. During the course of this study session, Planning Commission expressed their support for most of the proposed amendments. The one amendment dealing with transportation terminals in

the I-1 district was not favorably received by Planning Commission and was not advanced to City Council. Therefore, it is not on the list of proposed amendments this year.

On January 25, 2016, staff held a study session with City Council to discuss the proposed amendments, with the feedback from Planning Commission incorporated. City Council expressed their support for the proposed amendments and did not have any changes.

Summary:

Staff has proposed these minor amendments to the Land Development Code based on their ability to implement the City's Comprehensive Plan and positively impact the community. These amendments are intended to better meet the needs of the community by ensuring that the code is clear, consistent, and modern. Therefore, the DRT is recommending that Planning Commission forward a recommendation of approval to City Council for the 2016 minor amendments to the LDC.

Development Review Team Recommendation

Based upon the analysis above, the Development Review Team recommends that the Planning Commission forward the requested amendments to the LDC to the City Council with a recommendation of approval.

Recommended Motion

To recommend approval:

I move that the Planning Commission recommend that City Council approve Ordinance #2078, 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 #2078, 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 #2078, 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 #2078.

To recommend continuance:

I move that the Planning Commission continue the requested Ordinance #2078 to a future Planning Commission agenda.