



MEMORANDUM

To: Chairman Dreiling and Members of Planning Commission

From: Caitlin Hasenbalg Long, City Planner
Matt Hader, Deputy City Attorney

Date: January 29, 2018

Subject: Ordinance #2158, Minor LDC Amendments (2018)

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.

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. As a way to implement this ongoing evolution, changes or amendments will be implemented periodically. Currently, there are no limitations or preclusions related to the number of zoning code amendments that the city may adopt.

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.

The 38 proposed amendments for 2018 can generally be characterized into six categories: Definitions, Design Standards, Fencing, Land Use Table, and Process. Definitions mostly includes adding new land uses to Article XI of the LDC, and updating the threshold for the number of children allowed in a home day care. The Design Standard updates are intended to simplify and clarify standards that come up frequently, such as shed materials, outdoor storage, and screening. It also fixes a discrepancy in minimum garage size and codifies policy directives from Council. Fencing includes several updates to fix discrepancies in the code, and to respond to customer needs. The biggest change in this category is reducing the restrictions for residential side-on-street fences to better align with neighboring jurisdictions. Land Use Table changes include adding several new land use categories that have come up in the last few years, as well as clarifying some of the existing land uses. Finally, Process updates include simplifying and clarifying various processes in Article III to streamline review.

The purpose of this study session is to review the proposed amendments, receive appropriate comments, and ensure that the Planning Commission is comfortable with the proposed concepts and ideas of the amendments. The following table contains a list of the proposed amendments which have been assigned an amendment number, been given a brief description, and the relevant sections of the LDC have been identified. As this is a study session only, **no public meeting or voting will be required Tuesday evening.**

The intent of these revisions is to make minor changes, additions, or deletions to the LDC in order to continue to meet the needs of the community. Therefore, major revisions to the LDC have not been incorporated into this round of updates and will be discussed and examined in detail at a future date. Some upcoming topics include Oil and Gas, Signs, Landscaping, and Commercial-Style Self Storage.

Staff will continue to monitor issues that arise in the future and track those issues in order to make necessary changes in the future. Therefore, Planning Commission should expect to see additional amendments in the future in order to ensure that the LDC is meeting the needs of the community.