



Legislation Text

File #: Ord 2158, **Version:** 1

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE, INCLUDING REQUIREMENTS FOR FLOODPLAIN DEVELOPMENT PERMITS, MINOR MODIFICATIONS TO PUD ZONE DOCUMENTS, REVOCATION OF LAND USE APPROVALS, CHILD CARE FACILITIES, BULK STANDARDS FOR ACCESSORY USES AND STRUCTURES, DRIVEWAY WIDTHS, ELECTRIC VEHICLE PARKING SPACES, ADMINISTRATIVE VARIANCES, SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT, DEVELOPMENT STANDARDS FOR SINGLE-FAMILY DWELLING GARAGES, UTILITY UNDERGROUNDING EXCEPTIONS, FENCING AND WALL STANDARDS, AND RELATED DEFINITIONS.

Summary and Background Information:

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. 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 were topic specific (floodplain, marijuana, and telecommunications) while others have been general minor amendments which work to advance the goals and desires of the community. This year, there are 35 proposed minor amendments to the LDC in five general categories: additions to the Land Use Table; new definitions; updating various fencing standards; updating various design standards; and clarifying certain processes. For legal clarity, some of these will be adopted as separate ordinances, including the entire Land Use Table category.

The proposed general minor amendments for 2018 in Ordinance 2158 can be characterized into four categories: definitions; design standards; fencing; and process clarification. The new and amended definitions add terms to the code that do not currently exist, and update others to better differentiate

them from other uses or to align with state or industry regulations. The design standard amendments pertain to the physical appearance of development, including simplifying screening requirements for mechanical equipment, updating standards for driveway widths, and reducing the burden of undergrounding electrical utilities for single-family homeowners, among others. The fencing amendments address widespread community concern with setbacks and height for side and rear yards along public rights-of-way, preventing dumping on vacant properties, and simplifying the approval process for gate setback reductions. The process clarification amendments are intended to ensure consistency throughout the code and simplify how certain processes are handled, such as revocation of approvals.

Study sessions were held with Planning Commission on February 6, 2018 and with City Council on June 11, 2018 to discuss the proposed amendments and provide feedback. Comments were incorporated into the proposed amendments, and on November 7, 2018 Planning Commission voted 5 to 0 to recommend approval to City Council. The complete final language for the proposed amendments is within the council packet.

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. 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, City Council should expect to see additional amendments in the future in order to ensure that the LDC is meeting the needs of the community

Staff Responsible (Department Head): Chris Cramer, Director of Community Development

Staff Member Presenting: Caitlin Long, City Planner

Financial Impact: N/A

Funding Source: N/A

Planning Commission Recommendation:

Approval

Suggested Motion:

I move to approved Ordinance No. 2158