



Legislation Text

File #: Ord 2194, **Version:** 1

AN ORDINANCE AMENDING SECTIONS 21-5200 AND 21-5254 OF THE LAND DEVELOPMENT CODE RELATING TO OUTDOOR STORAGE STANDARDS INCLUDING STANDARDS FOR MATERIAL PILES

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.

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.

The amendments proposed in Ordinance 2194 will update the Land Use Table to add “Material Piles - Over 8 feet in height” as a conditional use in the I-2 and I-3 zone districts to allow uses use as

mulch producers or asphalt recyclers with an appropriate level of oversight for any negative impacts the piles may cause to surrounding properties and to the public realm. This ordinance also amends various aspects of the supplemental regulations for outdoor storage, including clarifying a surface material for storage yards, simplifying the stacking and screening standards, and clarifying the exceptions to the typical 8-foot stacking limit. Such exceptions include material piles over 8 feet in height, bundled lumber, pallets, shipping containers, and construction crane sections, and allows stacking of those excepted materials higher than 20 feet (the current maximum) upon approval of a conditional use permit. Overall, these amendments will allow greater flexibility for outdoor storage users and make the standards more clear.

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.

Staff Responsible (Department Head): Caitlin Long, Planner

Staff Member Presenting: Chris Cramer, Director of Community Development

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation:

Approval

Suggested Motion:

I move to approve Ordinance 2194