



To: City Council and Planning Commission

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Subject: Land Development Code Update – City Council and Planning Commission Joint Study Session

Date: August 5th, 2025

Background

The consultant, Kendig Keast Collaborative, provided briefings to City Council on the LDC update project in June of 2024 and January of 2025. Staff presented the proposed land use application review procedures and how the LDC addresses newly-adopted state statutes at a joint Planning Commission/City Council study session in April of 2025. Most recently, on June 9th, staff returned—per requests made at the April study session—to present additional information and received feedback on the following topics identified by the Planning Commission and City Council:

- Zone Districts and Development Standards;
- Use Table and Regulations; and
- Design Standards

Since April, the public review draft of the Land Development Code was posted online from May 19 through June 30 to solicit feedback from the broader community. In addition to the online draft, staff have been conducting public outreach, including two in-person open houses (at Eagle Pointe and Buffalo Ridge Recreation Center), online survey, three pop-up events at community events, and two developer-focused meetings. In total, staff recorded nearly 190 points of interaction during this engagement phase.

As discussed at the last study session, the focus of the upcoming August 5th Joint Study Session will be to review and discuss key refinements being made to the public hearing draft in response to feedback from the Planning Commission, City Council, and the broader public. The study session will also address the overall adoption strategy and effective date of the new code.

Key Refinements

Below is a summary of the key updates that are being made to the public hearing draft, with more detail to follow in the staff presentation:

- **Zone Districts and Development Standards.** The team conducted a general cleanup to fix broken and inaccurate cross-references, simplified the Zoning District Established

Table in Section 21-2100 to focus on how former zoning districts translate to the new lineup, and updated the residential building forms in Mixed-Use Districts to allow for more multi-unit homes including rowhomes, and townhomes. Minor refinements have also been made to certain building forms, such as the apartment building form, to require a greater setback of 20 feet when located along arterial and collector roads.

- **Use Table and Regulations.** Per Council and Planning Commission's feedback, data Centers are now classified as a conditional use and will require further council discussion if considered as a limited use in the future. Additionally, an exception has been added to the Fuel Sales limited use regulation, allowing grocery stores to have more than two fuel stations within 660 feet of an arterial/arterial intersection.
- **Design Standards.** Minor refinements have been made to site and building design standards to address issues of clarity and facilitate easier administration for both staff and the development community. This includes feedback from City Council and the Planning Commission about providing a clearer definition and parameters for prohibited building materials, ensuring that creative, high-quality materials are not unintentionally penalized.

Policy Topics for Discussion

In addition to the tactical changes outlined above, staff have also prepared information on key policy topics for more in-depth discussion. These topics have either arisen from recent engagement with the development community and have not yet been discussed with City Council and the Planning Commission (marked as "engagement"), or the City Council and the Planning Commission have requested further information during the June Study Session (marked as "information"). These include the following:

- **Allowing Motor Court Homes (engagement).** Motor court homes are a cluster of homes organized around a shared driveway, with both vehicle access and the primary entrance facing the shared drive. Private yards are typically located at the rear or side, depending on the layout. Examples of these homes are shown below and are located in the northern part of the city.

The public review draft did not permit this housing type. However, a similar concept—called green court development—was included. Green courts also allow compact, clustered housing but require homes to front onto a shared courtyard or green space (examples provided below).

We've received feedback from several developers requesting that the code also allow motor court homes, in addition to green court developments. The staff presentation outlines the proposed supplemental standards for motor court homes, should City Council and Planning Commission support including this housing type.

Motor Court Home Examples



Example: Reunion (101st and Tower Road)



Example: Buffalo Highlands (96th and Telluride)

Green Court Home Examples



Example: Villages at Buffalo Run East (120th and Nucla)



Example: Central Park (Denver, CO)

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- **Guidance on Build-to-Rent Communities (engagement).** Another unique housing type the development community has asked us to address in the new Land Development Code is build-to-rent communities. These are residential developments designed specifically for rental housing – like apartments but made up of lower-scale homes like single-unit houses or duplexes.

Unlike traditional neighborhoods, build-to-rent developments are not subdivided for individual ownership. While they often resemble traditional neighborhoods in scale and form, there are unique aspects of the design that resemble multi-unit developments. This

includes features such as head-in parking, parking that is decoupled from the dwelling unit, leasing offices, and shared open spaces. The staff presentation includes proposed supplemental standards for build-to-rent communities for Planning Commission and City Council to consider.

- **Vinyl Siding (information).** At the June Study Session, the City Council and Planning Commission expressed concerns about the overall quality and durability of vinyl siding. Staff were directed to engage more with the development community on this topic and to better understand the cost implications of banning vinyl siding. Since then, staff engaged with the Home Builders Association and gathered more information to share. This information will help continue discussions with the Planning Commission and City Council to better understand the critical concerns about vinyl siding. This will enable staff to identify potential solutions, should the City Council and Planning Commission support moving forward with specific measures to address the use of vinyl siding

Adoption Strategy and Next Steps

In addition to sharing feedback from community engagement, staff will also present the proposed adoption strategy for the Land Development Code. The public hearing process is expected to take place from September through early November. While adopting the new Land Development Code is a critical milestone, an equally important discussion is when it becomes effective and how the new rules will apply to properties in Commerce City. The new code will only take effect once properties are rezoned into it – either through a legislative rezoning or applicant-driven rezonings. This allows time for other implementation steps including intake reconfiguration, process set-up, fee adoption, and implementation outreach/engagement/advertising.

Staff will outline the proposed adoption strategy and highlight the key considerations that informed them. Staff will provide a brief overview of future implementation efforts to bring properties under the new code. This work will occur post-adoption, with continued engagement with the City Council and Planning Commission to develop a more detailed implementation strategy. Finally, staff will identify ongoing needs for code maintenance including corrections, adjustments, and resolving issues and policies that could not be addressed in the initial code adoption.

Next Steps

A public hearing draft will be available in mid-August. The public adoption hearing dates include:

- Planning Commission Hearing, 9/2/25
- City Council 1st Reading, 10/6/25
- City Council 2nd Reading, 11/3/25