

PUBLIC HEARING

CITY COUNCIL

OCTOBER 6, 2025

Commerce City
Land Development Code Update



Contents

- Project Overview
- Summary of Public Hearing Draft
- Refinements from Last Joint Study Session
- Next Steps on Implementation
- Public Hearing

Purpose of the LDC

- Protect health, safety, and welfare
- Provide clear rules for land use & development
- Support quality of life, environment, and economy
- Implement the Comprehensive Plan

Comprehensive Plan v. LDC



The “Menu”

- Shows the possibilities
- Less information on ingredients and timing
- Lots of pictures
- Does not get into the details



The “Recipe”

- How to make menu items
- Ingredients needed for a meal (standards)
- How long to cook (procedures to follow for approval)
- Some pictures but they are more technical in nature
- Detail-oriented

What does an LDC provide?

Land Development Code (LDC)

A single source for all (or most) land development regulations, including:

- ✓ Zoning / Land use
- ✓ Subdivision of land
- ✓ Building and site design
- ✓ Review bodies and procedures
 - ✓ Nonconformities
 - ✓ Enforcement
 - ✓ Definitions

What does an LDC not provide?

■ Property Tax Policy

It will not raise or lower the City's property tax rate or assess a tax on a particular property. This is part of the City's annual budget.

■ Capital Improvements Program

It does not set policy for the extension or improvement of public infrastructure. This is in the Capital Improvement and Preservation Plan.

■ Building Code

It does not regulate how structures are built to ensure their future structural soundness and safety. This is in the Building Code.

■ Construction Standards

It does not specify how thick subbase, base, and paved surfaces should be, how curb and gutter is built, etc. This is in the Engineering Construction Standards & Specifications.

Project Goals

MODERNIZE

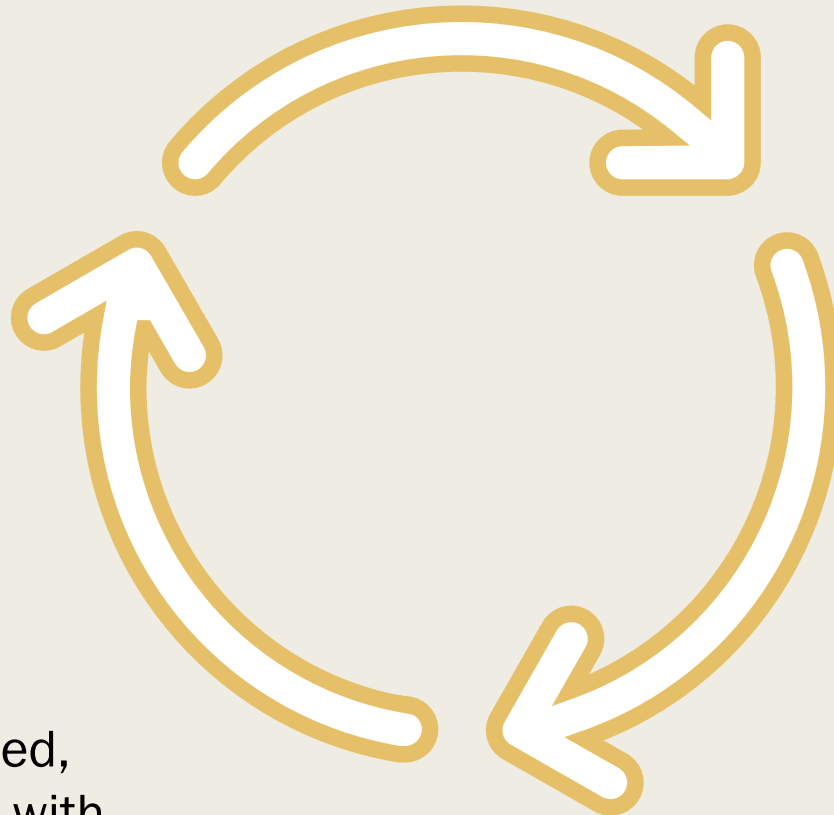
The development code

IMPLEMENT

Existing plans, including the policies and objectives

ORGANIZE

Regulations into a simplified, logical code – procedures with procedures and standards with standards



TAILOR

Development standards to achieve quality, resilient outcomes

STREAMLINE

Review procedures to be more clear, illustrated, less time-intensive

CREATE

A more user-friendly development code including more graphics and tables

LDC Organization

- Article I: General Provisions
- Article II: Zoning Districts and Development Standards
- Article III: Use Standards
- Article IV: Design Standards
- Article V: Subdivision Standards
- Article VI: Review Bodies
- Article VII: Review Procedures
- Article VIII: Development Fees
- Article IX: Nonconformities
- Article X: Enforcement and Violations
- Article XI: Word Usage

How to Use the LDC

- Check your zoning district (Zoning Map)
- Find permitted uses (use tables: P, L, C, --)
 - *P = Permitted*
 - *L = Limited*
 - *C = Conditional*
 - *-- = Prohibited*
- Review building forms allowed
- Follow review procedures for changes

Article 1: General Provisions

Key Changes from Existing LDC

- Primarily remains the same as the existing LDC
- Wording and grammar clean up
- Adds Severability provisions

Article 2: Zoning Districts and Development Standards

Key Changes from Existing LDC

- Bases Zoning Districts off Adopted Comp Plan Character Areas
- Presents new approach to Zoning Districts:
 - Land Use Matrix (permitted uses by district)
 - Development standards by zoning district
 - Building types permitted within each zoning district

Use Regulations

Existing

1. By Right

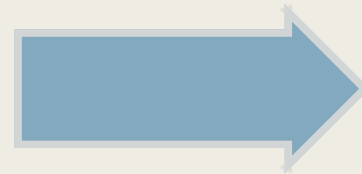
- Some uses must follow provided standards (confuse with Use by Permit)
- No review required

2. Use by Permit

- Standards not provided for all uses
- Require BOA approval
- Not tied to land

3. Conditional Use

- Standards not provided for all uses
- Require City Council Action
- Not tied to land



In Draft

1. By Right

- No standards, these are permitted

2. Limited Uses

- Standards provided for all uses
- Require administrative approval
- Make tied to land

3. Conditional Use

- Standards provided for all uses
- Require City Council Action
- Make tied to land

Use Table

Table 21-2200.1-1, Residential District Use Table						
Use Category	Specific Use	R-E	R-1	R-2	R-3	MHP Standards
Residential Uses⁽¹⁾						
Household Living	<u>Multi-Unit</u>	--	--	--	P	--
	<u>Dwelling, Two-Unit</u>	--	--	P	P	--
	<u>Dwelling, Single-Unit</u>	P	P	P	P	--
	<u>Live-Work</u>	--	--	--	P	--
	<u>Mobile or Manufactured Home</u>	--	--	--	--	P
Group Living	<u>Assisted Living Facility</u>	--	--	P	P	--
	<u>Boarding, Lodging, or Rooming House</u>	--	--	P	P	--
	<u>Group Home, Type A</u>	L	L	L	L	L Sec. 21-3200.C.1
	<u>Group Home, Type B</u>	C	C	C	C	C Sec. 21-3210.D.1
	<u>Nursing Home</u>	--	--	P	P	--
Public, Institutional, and Civic Uses						
<u>Community Service</u>	All Community Service Uses	--	L	L	L	-- Sec. 21-3200.D.1
<u>Day Care</u>	All Day Care	L	L	L	L	L Sec. 21-3200.D.2
<u>Educational Facilities</u>	All Educational Facilities Other than Listed	L	L	L	L	L Sec. 21-3200.D.4
<u>Government Facilities</u>	All Government Facilities	--	--	--	--	--
<u>Marijuana Use</u>	All Marijuana Uses	--	--	--	--	--
<u>Medical Facilities</u>	<u>Hospital</u>	--	--	--	--	--
	All Medical Facilities Other than Listed	--	--	--	--	--
<u>Parks and Open Areas</u>	<u>Dog Park, Public</u>	L	L	L	L	L Sec. 21-3200.D.3
	All Park and Open Areas Other than Listed	P	P	P	P	P
<u>Passenger Terminals</u>	All Passenger Terminal Uses	--	--	--	--	--
<u>Places of Worship</u>	All Places of Worship	L	L	L	L	L Sec. 21-3200.D.1
<u>Social Service Establishments</u>	All Social Service Establishment Uses Other than Listed	--	--	--	--	--

- **Residential** (e.g., single-unit, multi-unit, mobile home)
- **Mixed Use & Commercial** (e.g., neighborhood, regional, corridor)
- **Industrial** (e.g., innovation, medium, heavy, airport)
- **Special Purpose & Overlays** (e.g., PUD, Public, Open Space, Floodplain, Agriculture)

Development Options

- Purpose
 - *Guide neighborhood character*
 - *Link zoning to the Comprehensive Plan*
- Applicable Zoning District
- Open or Amenity Space (Min.)

Table 21-2200.2-1, Residential Development Options			
Development Option	Intent Statement	Applicable Zoning District	Open or Amenity Space (Min.)
Central Neighborhoods ¹	Honor Commerce City's historic roots and established development patterns while promoting context-sensitive, higher-density housing options that complement existing neighborhoods.	R-1, R-2, R-3, MHP	10%
Neighborhood Village ¹	Utilize greenfield development and <u>infill/redevelopment</u> to create walkable, well-connected neighborhoods that support the Neighborhood Village concept—featuring a mix of housing types, <u>quality of open space/parks</u> , and an interconnected <u>street grid</u> .	R-1, R-2, R-3, MU-1	20%
Northern Neighborhoods ¹	Recognizes the existing suburban-style development patterns in the northern areas, characterized by curvilinear streets, <u>single-unit homes</u> , and a mix of townhomes and apartments/ <u>condominiums</u> .	R-E, R-1, R-2, R-3	10%
Table Notes:			
1. <u>Court developments</u> are permitted within this development option. Refer to Subsec. 21-2200.2A, Central Neighborhoods , Subsec. 21-2200.2B, Neighborhood Village , and Article IV, Design Standards , for additional standards.			

Zone Districts

- Permitted building types per zoning district
- Cross references to specific standards

Subsec. 21-2200.2A Central Neighborhoods

- General.** Honor Commerce City's historic roots and established [development](#) patterns while promoting context-sensitive, higher-density housing options that complement existing neighborhoods.
- Zoning Districts.** The applicable zoning districts can be found in [Table 21-2200.2-1, Residential Development Options](#). Additional standards for each zoning district can be found in [Subsec. 21-2200.3, Zoning Districts](#).
- Building Forms.** Table 21-2200.2A-1, *Building Forms by Zoning District*, shows the building forms that are permitted in each district within the Central Neighborhood development option. Standards for each [building](#) type can be found in [Subsec. 21-2200.4, Building Forms](#).

Figure 21-2200.2A-1, Central Neighborhoods



Table 21-2200.2A-1, Building Forms by Zoning District

Key: ● = Permitted | -- = Prohibited


Building Types		R-1	R-2	R-3	MHP	Specific Standards
	Single-Unit Dwelling, Alley-Loaded¹	●	●	●	--	Subsec. 21-2200.4A
	Single-Unit Dwelling	●	●	●	--	Subsec. 21-2200.4B
	Two-Unit Dwelling, Duplex Side-by-Side¹	--	●	●	--	Subsec. 21-2200.4C

Table Notes:

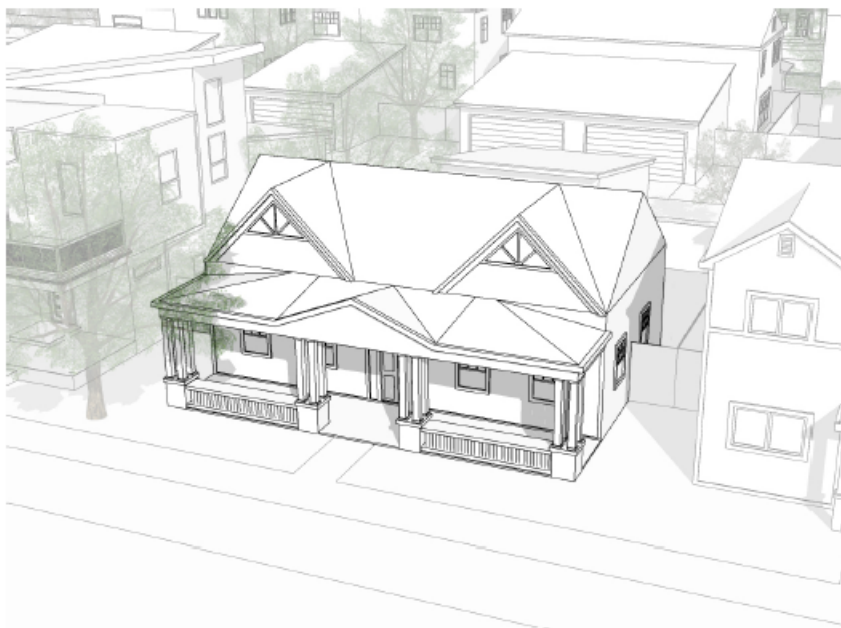
1. Building form is permitted within Court developments, which are further defined and regulated in [Subsec. 21-2200.2, Development Options](#), and [Article IV, Design Standards](#).

Building Forms

Subsec. 21-2200.4 Building Forms

Subsec. 21-2200.4A Single-Unit Detached, Alley-Loaded

Single-Unit Detached, Alley-Loaded



- A. **Generally.** This Subsection provides design standards for the Single-Unit Detached, Alley-Loaded building type. The illustration of a Single-Unit Detached, Alley-Loaded building type identifies common design features. Next is a description of the building type followed by a table providing the design standards.
- B. **Description.** This building type is a small-scale, freestanding dwelling. The primary entrance is defined by a porch, stoop, or recessed entry. An attached garage with a pitched roof may be present on the front elevation in some contexts but is secondary to the principal building. Table 21-2200.4A-1, Single-Unit Detached, Alley-Loaded Building Type, illustrates this building type and establishes the dimensional standards.

Table 21-2200.4A-1, Single-Unit Detached, Alley-Loaded



Lot

A	Lot Width (min.)	30'
B	Lot Area (min.)	2,500 SF

Setbacks and Building Coverage

C	Building Coverage (max.)	60%
D	Front Setback (min.)	15'
E	Side Setback (min.)	5'
F	Corner Setback (min.)	10'
G	Rear Setback (min.) ^[1]	10'

Building Height

H	Building Height (max.)	35'
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Access and Parking

Vehicle Access	From <u>Alley</u>
Parking Setback (min.)	Front, <u>Street</u> : 20' Alley: 5'
Parking and Garage ^[1] Location	Rear See Table 21-4310-1, <u>Off-Street Parking Requirements</u> .

Street Level Design^[2]

Primary Street-Facing Attached Garage Door Width (max per unit) No more than 50% of the front facade of the ground floor living area for a two car garage and not more than 60% for a three or more car garage.

Pedestrian Access	Entrance shall be covered and contain at least one of the following: <ul style="list-style-type: none"> • Awning, • Portico, • Overhang, • Minimum one foot recess or projection, • Arcade, • Raised corniced parapet above the door, • Peaked roof form, or • Arch.
--------------------------	--

Table Notes:

[1] An attached garage located at the rear of the principal structure may use the accessory structure rear setback, provided it meets all other accessory structure height and bulk standards. Refer to Sec. 21-3220, Accessory Uses and Structures, for related standards.

[2] Refer to Division 4.2, Building Design Standards, for additional related standards.

Article 3: Use Standards

Use Categories

Table 21-3130-5, Outdoor Recreation Use Category		
Characteristics: Generally commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities in an outdoor setting.		
Primary Uses	Accessory Uses	Uses Not Included
<ul style="list-style-type: none"> Amphitheater Amusement or Water Park Campground Without Short-Term Accommodations Circus or Carnival Grounds Country Club Drive-In Theater Fairgrounds or Rodeo Grounds Farm Products Sales (open-air) Golf Course, Driving Range, or Mini-Golf Course Outdoor Activity such as Archery Range, Batting Cage, Gun Club with Outdoor Range, Swimming Pool, Tennis or Pickleball Courts, or Riding Academy Paintball Facility Race Track, Animal Race Track, Vehicle Recreational Vehicle (RV) Park Stadium Swimming Pool Zoo or Botanical Garden Other uses meeting the characteristics of the Outdoor Recreation Use Category 	<ul style="list-style-type: none"> Accessory Parking Canopy (Sec. 21-3220.D.2) Animal Enclosures and Pens (Sec. 21-3220.D.5) Associated Office and Storage Associated Retail Sales Related to the Primary Use Boat Launch Classrooms Concession Dock or Pier Donation Bin Dumpster or Trash Container (Sec. 21-3220.D.4) Flea Market Food Preparation and Dining Area Minor Utilities Night Watchman's Quarters (Sec. 21-3220.D.7) Solar Panel Array, Small (Sec. 21-3220.D.11) Storage Shed Swimming Pool Wind Turbine, Small (Sec. 21-3220.D.12) 	<ul style="list-style-type: none"> Indoor Recreation Uses (see Indoor Recreation) Parks and Open Area Uses (see Parks and Open Areas)

- Provides characteristics for each Use Category
- Lists most possible primary uses
- Associates accessory uses with primary uses
- Lists primary uses that may seem like they belong in that category but belong in another
- Allows Director to interpret similar uses into the Category
- Shortens the Use Table
- Helps to ensure similar uses are treated similarly and different uses differently

Use Categories

Table 21-2210.1-1, Mixed Use and Commercial District Use Table						
Use Category	Specific Use	C-1	C-2	MU-C	MU-1	C-C
Educational Facilities	Nursing or Medical School not Associated with a Hospital	--	C	P	P	P
	University or College	--	C	P	P	P
	All Educational Facilities Other than Listed	L	L	L	L	L
Government Facilities	All Government Facilities	P	P	P	P	P
Medical Facilities	Hospital	--	C	--	--	C
	All Medical Facilities Other than Listed	P	P	P	P	P--
Parks and Open Areas	Dog Park, Public	L	L	L	L	L
	All Park and Open Areas Other than Listed	P	P	P	P	P
Passenger Terminals	All Passenger Terminal Uses	--	--	--	--	--
Places of Worship	All Places of Worship	L	L	L	L	L
Social Service Establishments	All Social Service Establishment Uses Other than Listed	--	--	--	--	--
Utilities, Major	Electric Substation and Gas Regulator Station	C	C	C	C	C
	All Major Utilities	C	C	C	C	C
Utilities, Minor	Small Wind Energy Conversion System (Windmill)	L	L	L	L	L
	All Minor Utilities Other than Listed	P	P	P	P	P
Commercial Uses						
Commercial, Drive-Through	All Commercial Drive-Through Uses	L	L	L	L	L
Marijuana Use	Marijuana Store	--	L	--	--	--
	All Marijuana Uses Other than Listed	--	--	--	--	--
Office Uses	Bail Bond Office	--	L	--	--	--
	Natural Medicine Healing Center	L	L	L	L	L
	All Office Uses Other than Listed	P	P	L	L	L
Overnight Accommodations	Bed and Breakfast	P	--	--	--	--
	All Overnight Accommodation Uses Other than Listed	P	P	P	P	P
Parking, Commercial	All Commercial Parking Uses	--	--	C	C	C
Recreation, Indoor	Indoor Gun Clubs	--	L	L	L	L
	All Indoor Recreation Uses	P	P	P	P	P
	All Outdoor Recreation Uses	P	P	--	--	--

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Use Standards

- Limited
- Conditional
- Accessory
- Temporary
- Wireless Telecommunications
- New and Unlisted Uses
- Performance Standards

Temporary Use	Specific Standards	Duration ⁽¹⁾	Nonresidential and Mixed Use Zoning Districts									
			MU-1	C-2	C-C	I-A	I-1	I-2	I-3	R-F	Public	
Auction	N/A	7 days / 4	--	--	--	--	TP	TP	TP	--	--	
Batch Plant	(G)(1)	6 months / 1	--	--	--	--	TP	TP	TP	--	TP	
Car Wash Fundraiser	N/A	3 days / 4	TP	TP	TP	TP	TP	TP	TP	TP	TP	
Charitable Collection Device	N/A	60 days / 2	--	TP	TP	TP	TP	TP	TP	TP	--	
Farmers' Market	(G)(2)	52 days ⁽²⁾ / 2	--	--	--	--	TP	TP	TP	TP	TP	
Mobile Office Structure or Construction Trailer	(G)(3)	6 months ⁽³⁾ / 2	TP	TP	TP	TP	TP	TP	TP	TP	TP	
Mobile Storage Container	(G)(4)	30 days / 2	--	TP	TP	TP	TP	TP	TP	TP	TP	
Organized Event	(G)(5)	14 days / 1	TP	TP	TP	TP	TP	TP	TP	TP	TP	
Outdoor Sales Event	(G)(6)	14 days / 3	TP	TP	TP	TP	TP	TP	TP	TP	TP	
Outdoor Seasonal Holiday Sale	(G)(7)	2 months / 3	TP	TP	TP	TP	TP	TP	TP	TP	TP	
Outdoor Seasonal Sale	N/A	6 months / 1	TP	TP	TP	TP	TP	TP	TP	--	--	
Real Estate Office (Temporary)	(G)(8)	1 year / 1	TP	TP	TP	TP	TP	TP	TP	TP	TP	
Roadside Produce Stand	(G)(9)	3 months / 2	--	TP	TP	--	--	--	--	--	--	

Table Notes:
 (1) Period may be extended one time for an additional 30-day period upon approval of written request submitted to the Community Development Director 7 days prior to the permit expiration.
 (2) The permit shall be valid for the summer season and entitle the permit holder to conduct the market in either of the following manners: one day per week, or monthly (up to three consecutive days at the same site, provided that no other farmers' market has been conducted by the permit holder at that site during the preceding 30 day period).
 (3) The permit shall be valid until a Certificate of Occupancy is approved. The permit may be extended for one additional 6-month period, for good cause shown, upon approval of a written request, submitted to the Community Development Director 30 days prior to the expiration of the permit.

Key Changes:

- Enhanced standards for dumpsters
- Clarification that a Temporary Use Permit is required for temporary uses
- Put temporary use provisions into table
- Cleaning up of Wireless Telecommunications
- Added more guidance for Director for New and Unlisted Uses
- Added Age-Restricted Retail

Article 4: Design Standards

Big Picture Changes from Existing LDC

- New Purpose Statements for Several Divisions
- Consolidation for What Types of Development Activity Trigger Compliance with Which Divisions
- New Building Materials Standards
- New Nonresidential and Mixed Use Building Standards
- Modernization of Parking Ratios









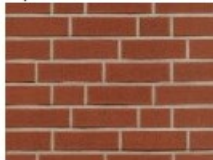
Article 4: Design Standards

Big Picture Changes from Existing LDC (continued)

- Tractor-Trailer Parking and Staging Requirements
- Addition of Foundation Plantings
- Tree Preservation Credit
- Perimeter Parking and Street Bufferyards
- Sustainability Index
- Amenity Space

New Building Materials Standards

- Permitted Building Materials
 - *Masonry, Metal, Siding, Stucco, Glass*
- Permitted Roofing Materials
 - *Asphalt, Concrete, Metal, Solar, Vinyl Membrane*
- Prohibited Building Materials
 - *EIFS and Concrete Block Structures (Single-Unit)*
 - *Primary material may not be corrugated or sheet aluminum, unfinished or unarticulated concrete, and CMU (except Industrial buildings)*
 - *Secondary materials may consist of above, but may not cover more than 10 percent of the surface area.*

Table 21-4200-1, Permitted Building Materials			
1 Masonry	Photo Example		
1a) Modular Brick	1a)	1b)	1c)
1b) Modular Stone			
1c) Architectural cast or precast concrete (detailed)			
1d) Architectural reinforced concrete (glass fiber, fiber)	1d)	1e)	1f)
1e) Cement board siding			
1f) Terra cotta			
1g) Cast stone	1g)	1h)	1i)
1h) Architectural concrete masonry unit			
1i) Prefabricated brick			

New Nonresidential and Mixed Use Building Standards

- Standards in an easy-to-read table
- Dimensional standards for:
 - *Building placement and orientation*
 - *Mass variation (height variation, offset in wall plans, stepbacks, building corners, roof variation, accent lines, variations in materials and/or color, and awnings & canopies)*
 - *Street facing wall articulation*
 - *Roof forms*

Table 21-4220-2, Varied Massing Techniques

Height Variation

Vertical variation is a change in the height of at least one floor for a portion of the building.



- A change in height shall count as a massing variation technique when it extends back a minimum of 50 percent of the depth of the building.
- The change in height shall extend a minimum of 10 percent of the depth of the building, and in no case greater than a one-story height variation.

Increased Setbacks

A substantial offset in wall planes that extends the full height of the building and expresses a building module.



Dimensions

- Minimum offset: Four feet
- Minimum width: Eight feet

Upper Level Front Stepback

An upper-level stepback adds visual interest and reduces the mass of a larger building.



- Minimum stepback of 15 feet

Tractor-Trailer Parking and Staging Requirements

- Prevent Driver Fatigue and Improve Safety
- Apply to Industrial Uses in DIA Gateway, Innovation, Northern Business, Fusion, and 270 Industrial Districts
- Short-Term Parking Spaces Required (1 per 2 loading spaces)
- 12' x 80' Space
- Added Minor Landscaping



Addition of Foundation Plantings

- Adds to the Pervious Surface of a Site
- Allows for sculptures, monuments and other public art installations
- Agriculture, Residential Estate, Mobile Home Park and Planned Unit Development: Fewer to No Requirements
- Must be fire resistant species



Tree Preservation Credit

- **Tree Credits** – Mature, healthy trees (8"+) may count toward required plantings.
- **Credit Ratio** – 1 preserved tree = 2 new trees (max 50% of total).
- **Requirements** – Must be protected, documented, and certified by an arborist.
- **Replacement** – Lost trees within 2 years must be replanted.

Sustainability Index

- Promotes Energy Efficiency and Resource Conservation
- Exemptions
- Points Required Based on Project Size
- Example: Multifamily
 - 3 to 10 Units: 4 Points
 - 11 to 89: 6 Points
 - 90 to 199: 8 Points
 - 200 or more: 10 Points
- Points Examples: Location in M-1 district = .75 points; Green roof = 3-4 points

Table 21-4460-1, Multi-Unit Development Sustainability Points System	
Sustainability Practice	Points Earned
Component 1: Location of Development	
Development in the MU-1 District	.75
Development within 2,860 feet (1/2 mile) of an existing or planned public transit stop	.75
Development on an ASTM Phase II local voluntary clean-up site	.75
Development in the habitat of a species listed as threatened or endangered by the Federal government	-1.00
Component 2: Risk Reduction	
Install a back-up generation source such as a battery storage wall or solar or geothermal unit to include established operating procedures for how the project will handle loss of off-site or grid power, transition to a backup source of power, and transition back to normal operations	2.00
Elevate the ground story finished floor and all significant electrical and mechanical equipment a minimum of 3 feet above highest adjacent grade	1.00, plus 0.50 per ft. above 3 ft.
Construct an impact-resistant (hail, tree damage) roof	0.50
Install impact (hurricane or wind) resistant windows	0.50
Install operable storm shutters	0.50















Open or Amenity Space

- Linked to Article II, *Zoning Districts and Dev. Standards*
- Expands on suburban-style open space to include a variety of amenities for estate, suburban, and urbanized character
- Menu of: Enhanced Parking Lot Landscaping, Enhanced Foundation Plantings, Enhanced Stormwater Management, Natural Area, Greenway, Community Garden, Park, Plaza, Square, Courtyard, Green, Recreation Area, School Site, and Community Center or Public Facility

Development Option	Intent Statement	Applicable Zoning District	Open Space (Min.)
Central Neighborhoods¹	Honor Commerce City's historic roots and established development patterns while promoting context-sensitive, higher-density housing options that complement existing neighborhoods.	R-1, R-2, R-3, MHP	10%
Neighborhood Village¹	Utilize greenfield development and infill/redevelopment to create walkable, well-connected neighborhoods that support the Neighborhood Village concept—featuring a mix of housing types, quality of open space/parks, and an interconnected street grid.	R-1, R-2, R-3, MU-1	20%
Northern Neighborhoods¹	Recognizes the existing suburban-style development patterns in the northern areas, characterized by curvilinear streets, single-unit homes, and a mix of townhomes and apartments/condominiums.	R-E, R-1, R-2, R-3	10%

Table Notes:

Category	Visual Example	Multiplier	Character and Location Standards
Site Improvements [1]			
Enhanced Parking Lot Landscaping		0.4	Paragraph G.1.
Enhanced Foundation Plantings		0.4	Paragraph G.2.
Enhanced Stormwater Management		1.2	Paragraph G.3.
Common Open Spaces [2]			
Natural Area		0.75	Areas established for the protection of natural attributes of local, regional, and statewide significance, which may be used in a sustainable manner for scientific research, education, aesthetic enjoyment, and appropriate use not detrimental to the primary purpose (other than wetlands as provided above). These areas are resource rather than user-based, but may provide some passive recreational activities such as hiking, nature study, and picnicking. Natural Areas may include riparian buffers, floodplains, or natural wetlands visible from walkways provided in and through the wetland.
Greenway		1.0	A series of connected natural areas (including areas protected by state or federal law) such as ravines, creeks, streams, woodlands, floodplains, or protected tree canopy that connect buildings or gathering spaces with trail systems, or that buffer the site from streets or neighboring areas.
Community Garden		1.0	A site operated and maintained by a homeowner's association or other private entity or the public to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for personal use, consumption, donation or off-site sale of items grown on the site. Greenhouse that meets the standards of this LDC are allowed.

Category	Visual Example	Multiplier	Character and Location Standards
Park		1.4	An open space area improved with playground equipment, other active open space improvements, or dog park facilities. These may be surrounded by street frontages and building frontages, but this is not required.
Civic Spaces			
Plaza		1.1	An open area with seating that is adjacent to, or part of, a building. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands. A plaza requires a minimum length and width of 10 feet and a minimum total area of 300 square feet.
Square		1.4	An area improved with a combination of lawn, landscaping and seating areas, and that are accessible to the public or the project's tenants or customers. A square shall be a minimum of 10,000 SF.
Courtyard		1.0	A contiguous open area, open to the public, that may be paved or landscaped and that is at least partially enclosed by the walls of an adjacent building.
Green		1.0	A common open space available for unstructured recreation, its landscaping consisting of grassy areas, trees, shrubs, and other landscaping.
Recreation Area		1.2	A hard surfaced recreation areas such as a tennis or pickleball court.
School Site		0.75	An open space, playground, or facility utilized by the school during school hours, but otherwise open for public use.
Community Center or Public Facility		1.8	A building and grounds used as a place of meeting, recreation, or social activity.

Article 5: Subdivision Standards

Big Picture Changes from Existing LDC

- Clarification of Purposes and Applicability of Article
- Clarification of Minor and Major Subdivision
- Generally, Require Interconnected Grid Street Network in Denser Districts and Curvilinear in Less Dense
- Standards for Trails
- Standards for Private Facilities
- Input from City Engineer's Office on Technical Matters

Subdivision Standards

- Applies to dividing or combining property
- Exemptions: State law related to inheritance, foreclosures, easement dedication, and others
- Pertains to:
 - *Streets and circulation*
 - *Sidewalks and Trails*
 - *Blocks and Lots*
 - *Open and Amenity Space Dedication*
 - *Utilities and Easements*
 - *Stormwater Management*

Figure 21-5230-1, Pedestrian and Bicycle Connections

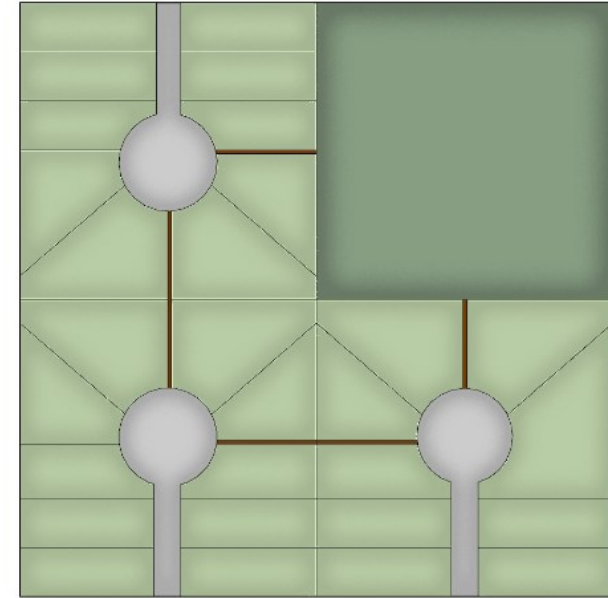


Figure 21-5230-2, Cul-de-Sac Measurement



Figure Notes:

A = Near side of the intersecting street ROW | B = Farthest point of the cul-de-sac

Contents

Review Bodies

- Powers and Duties
- Bodies:
 - City Council, PC, BOA, DRT, Community Dev Director, Building Official, Floodplain Adm., City Engineer

Review Procedures

- Common Review Procedures
- LDC and Zoning Map Amendments and Land Use Decisions
- Variances and Appeals of Administrative Decisions
- Permits
- Platting and Site Plan Decisions

Nonconformities

- Structures
- Uses
- Lots
- Site Elements
- Conversions

Enforcement and Violations

- Right of Entry to Inspect
- Permit Denial
- Permit Revocation
- Stop Work Order
- Penalties and Other Remedies

Word Usage

-Rules of Construction

- Measurements

- Definitions

Article VI: Review Bodies

- City Council
- Planning Commission
- Board of Adjustment
- Development Review Team
- Community Development Director
- Building Official
- Floodplain Administrator
- City Engineer

Article VII: Review Procedures

Approach

- **Consolidates** Elements that Many or Most Review Procedures Share
- Less Chance for **Duplication or Inconsistencies**
- Establish **Clear Criteria** for Decision-Makers
- Meets Goal of Providing More **Administrative** Decision-making
- **Clarifies** Roles, Procedures, and Cross-related Elements
- **Preliminary Plats** go to **City Council** and **Final Plats** are **administratively approvable** if they comply with the Preliminary Plat

Division 7.1, Common Review Procedures

- Preliminary Plat and Overall Development Plan
- Table that summarizes applications and establishes procedures covered in Article.
 - Application w/ reference
 - Shows if a Pre-App or Neighborhood Meeting is needed
 - Establishes who makes recommendation and who takes final action
 - Indicates if a public hearing is required
 - Shows the type of public notice that is needed
 - Shows expiration time if no action is taken
 - Cross-references related standards (for example, CUP points to CUP standards)

Table 21-71100-1, Development Review Summary

• = Meeting Required '–' = Not Applicable

P = Published Notice Required M = Mailed Notice Required

S = Signs Notice Required

CDD = Community Development Director PC = Planning Commission CC = City Council

BOA = Board of Adjustment DRT = Development Review Team

[] = Public Hearing Required

Application	Pre-Application & Neighborhood Meeting Required	Review Responsibilities		Public Notice ¹	Expiration ³	Cross-Reference
		Recommendation	Final Action			
LDC AND ZONING MAP AMENDMENTS AND LAND USE DECISIONS: Require final decisions that establish or change the way the use, design, or development of land will occur on a site-specific, City-wide, or intermediate scale. Elected and appointed development review bodies make final decisions based on general considerations of fostering and preserving the public health, safety, and general welfare. Such final decisions are characterized by the exercise of broad discretion.						
Annexation 21-7200	•	1st: CDD, DRT 2nd: [PC]	[CC]	M P S	--	--
Comprehensive Plan Amendment 21-7210	•	1st: CDD, DRT 2nd: [PC]	[CC]	M P S	--	--
Zoning Map Amendment ¹ 21-7220	•	1st: CDD, DRT 2nd: [PC]	[CC]	M ¹ P S ¹	--	--
LDC Text Amendment ¹ 21-7230	--	1st: CDD, DRT 2nd: [PC]	[CC]	P	--	--
Planned Unit Development Zone Document 21-7240	•	1st: CDD, DRT 2nd: [PC]	[CC]	M ¹ P S ¹	--	--
Conditional Use Permit 21-7240	•	1st: CDD, DRT 2nd: [PC]	[CC]	M P S	180 days	Sec. 21-3210
Oil and Gas Permit 21-7260	•	1st: CDD, DRT 2nd: [PC]	[CC]	M ² P S	3 Years; Refer to Sec. 21-7260.H	Sec. 21-3210

Article VIII: Development Fee Provisions

- **Sec. 8.1, Development Fee Provisions**
 - General Provisions
 - Methods of Satisfaction
 - Development Fee Accounts
 - General Land Dedication Requirement
 - Appeals
 - Types of Development Fees
 - School Fees
 - Public Parks and Recreation Fee
 - Road Impact Fee
 - Drainage Fee
 - Fire and Emergency Services Fees
 - Oil and Gas Impact Fee
 - General Government Fees
 - Public Works Fees

Article IX: Nonconformities

Major



Minor



- **Sec. 9.1, General Provisions**
- **Sec. 9.2, Types of Nonconformities**
 - Structures
 - Uses
 - Lots
 - Site Elements
- **Sec. 9.3, Conversion of Nonconformities**
 - Criteria for Approval
 - Determination of Major and Minor Nonconforming Uses and Structures
 - Decision Criteria for Minor Nonconforming Conditional Use Permits
 - Conditions

Article X: Enforcement and Violations

- **Sec. 10.1, Enforcement, Violations, and Remedies**
 - Right of Entry to Inspect
 - Permit Denial
 - Permit Revocation
 - Stop Work Order
 - Penalties and Other Remedies

Article XI: Word Usage

- **Division 11.1, Rules of Construction, Measurements, and Allowances**
 - Meaning of “shall” versus “may”
 - “And” versus “or”
 - Delegation of authority “The Community Development Director shall...”
 - Rounding of numbers
- **Division 11.2, Definitions**

Summary of Big Picture Benefits

- Predictable rules for property owners
- Stronger neighborhoods
- Economic vitality
- Sustainable growth
- Clear and fair processes

How should Motor Courts Be Addressed?

- Allow motor courts (homes around a shared drive without shared open space) with added standards reflecting Council and Commission feedback.



Motor Court Homes Updates

- **Max Driveway Width:** 20 ft
- **Max Number:** Cannot be more than 30% of the proposed housing within a project.
- **Driveway Length:** Max 150 ft from nearest public street edge
- **Building Orientation:** Front doors must face the street
- **Driveway Maintenance:** Shared driveways must be privately maintained with clear maintenance and repair provisions
 - Must be dedicated to an HOA or metro district
- **Unit Limit:** Max 4 structures (**3 for cul-de-sac configuration**)

Other Key Additions Per Study Session Feedback

- Min. 125% of the base open/amenity space requirements for subdivisions with motor court homes
- 25% of open/amenity space must be within 800 feet of motor court property line
- Min. 20-ft driveway from shared accessway to each unit and no parking in the shared drive.

How should Build-to-Rent Standards Be Addressed?

- Treat build-to-rent housing like a traditional neighborhood
- Explore design flexibility for build-to-rent housing after LDC adoption so that City Council and Planning Commission can discuss in greater detail.



Vinyl Siding and Preliminary Plat

- On Monday, August 18, **City Council voted to move forward with the ban on vinyl siding for new construction.**
- That same evening, they also voted to **make the preliminary plat process effective immediately** under the existing code.
- The **adoption of these standards will proceed concurrently with the overall adoption of the Land Development Code.**

Next Steps on Implementation

1. Adopt the Land Development Code and **make the code effective upon the first legislative or applicant-driven rezoning.**
2. After adoption, **return to City Council and Planning Commission with a more detailed implementation strategy** on future legislative rezoning efforts.

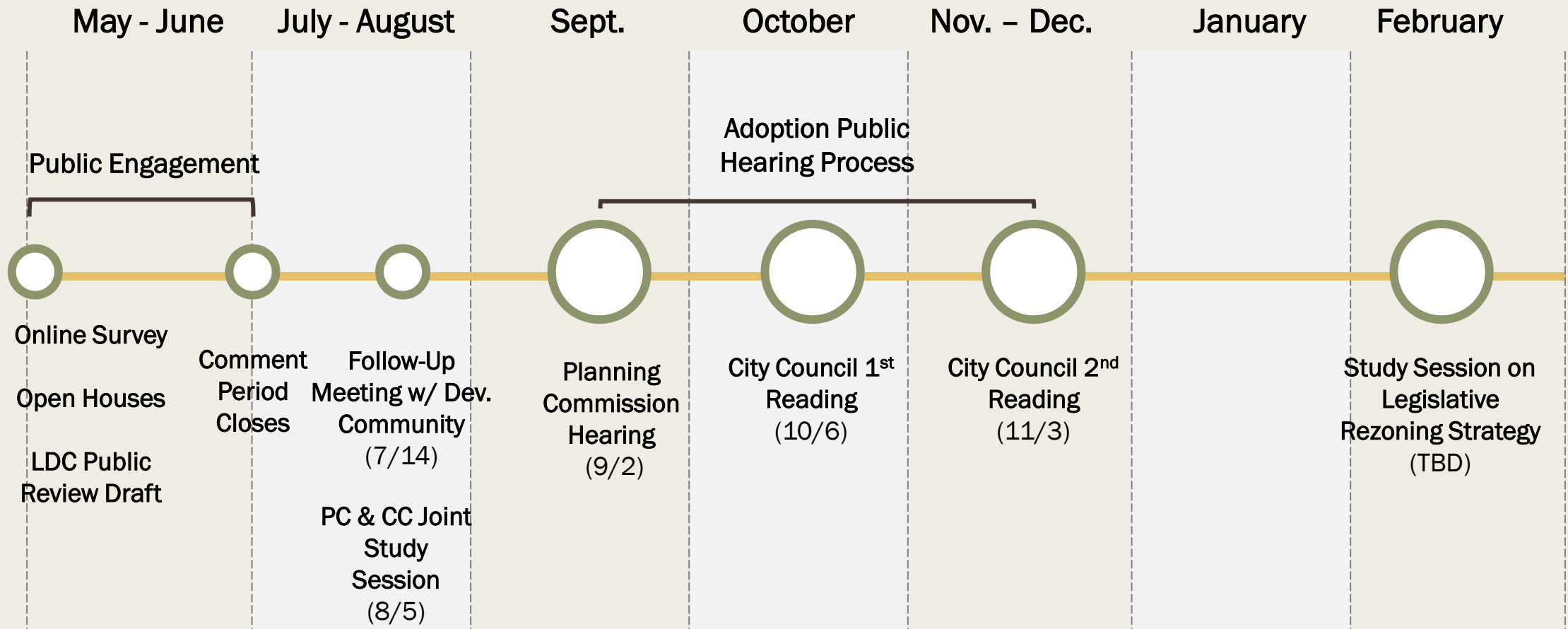
Key Considerations for Implementation

- **Prepare the necessary infrastructure to accept and process future applications.** This includes administrative tasks such as updating permitting software, creating fees for new application types, and developing a development review guidebook.
- **Ensure a legally sound transition period and process,** including clear treatment of pending applications.
- **Conduct additional community engagement on legislative rezoning** efforts that will help advance city goals.

Next Steps

2025

2026



PUBLIC HEARING

CITY COUNCIL

OCTOBER 6, 2025

Commerce City
Land Development Code Update

