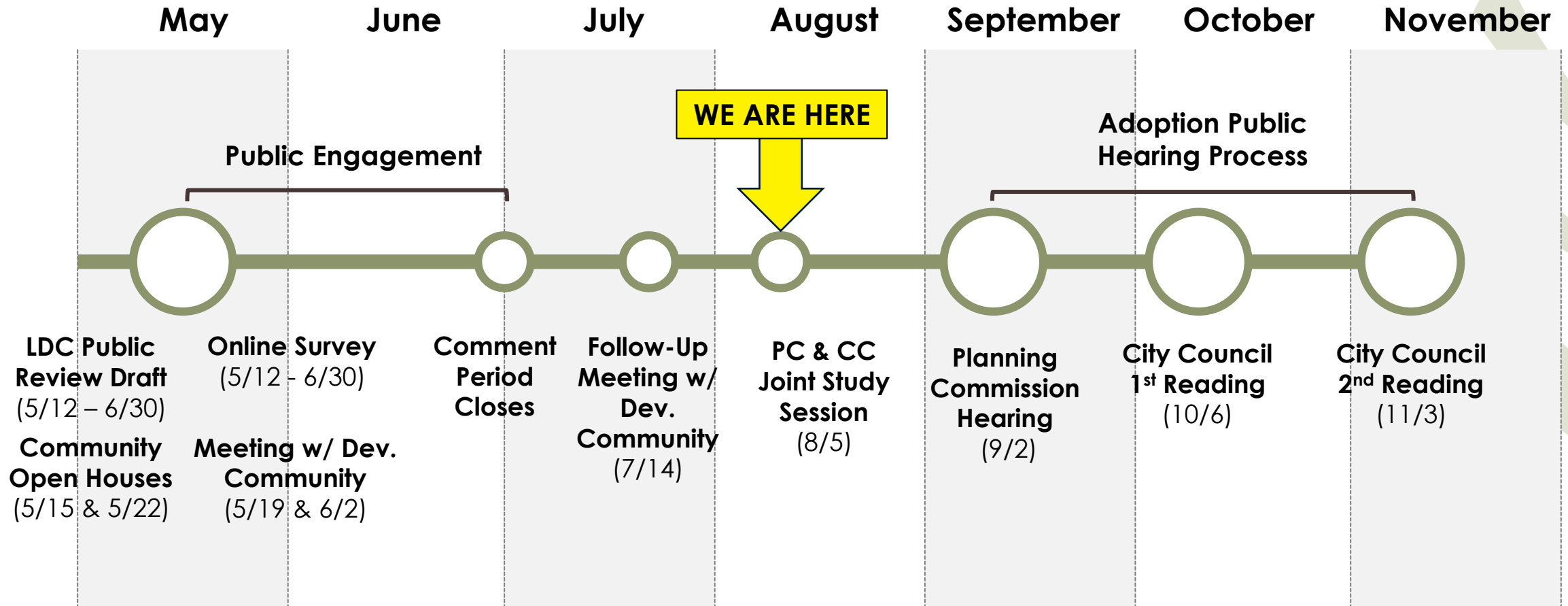# Purpose

Review anticipated refinements for the LDC adoption hearing draft, and overall adoption strategy

Agenda

1. Project Timeline
2. Key Updates
   1. Zoning District and Building Forms
   2. Use Regulations
   3. Design Standards
3. Adoption Strategy & Next Steps

Commerce
CITY

Project Timeline

May | June | July | August | September | October | November

Public Engagement

WE ARE HERE

Adoption Public Hearing Process

LDC Public Review Draft (5/12 – 6/30)

Community Open Houses (5/15 & 5/22)

Online Survey (5/12 - 6/30)

Meeting w/ Dev. Community (5/19 & 6/2)

Comment Period Closes

Follow-Up Meeting w/ Dev. Community (7/14)

PC & CC Joint Study Session (8/5)

Planning Commission Hearing (9/2)

City Council 1st Reading (10/6)

City Council 2nd Reading (11/3)

Commerce
CITY

Community Engagement by the Numbers

- **2 in-person open houses** (Eagle Pointe and Buffalo Ridge Rec Centers)
- **3 pop-up events** a community events (e.g., Music at the Park)
- **2 developer-focused meetings**
- **Online Survey**
- **150+ comments** on the Public Review Draft
- **Approximately 190 points of interaction**

Commerce
CITY

ZONING DISTRICT AND BUILDING FORMS

Commerce
CITY

Zoning District

Key Updates

- **General clean up** to fix broken and inaccurate cross references

- **Zoning District Established Table** – Revised to focus only on how former zoning districts translate to new lineup of zoning district

- **Residential Building Forms in MXD-Use Districts** – Allow apartment, rowhomes, and townhomes

Commerce CITY

Building Forms

Accommodating Different Housing Types

- **New Standards for Motor Court Development**
- **Build-to-Rent**

Commerce
CITY

Motor Court Homes Background

- **What is a Motor Court:** A cluster of homes around a shared driveway.

- **Feedback Received:** Include standards to allow motor court homes (current draft does not allow them)

- **Key Considerations**
  - **Utilities and maintenance** – Sewer and water lines routed beneath shared driveway, which makes future maintenance and repair challenging
  - **Urban Design** – Homes orient away from the street
  - **Affordability** – Helps provide alternative housing options that are lower in price

Commerce
CITY

Green Court Homes

Motor Court Homes Recommendation

- **Allow with Standards to Address Design and Maintenance:**
  - **Max Driveway Width:** 20 ft
  - **Max Number:** Cannot be more than 50% 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 (4 single-unit or 4 duplex structures with total of 8 units)

Commerce CITY

How should Motor Courts Be Addressed?

1. **Allow only green courts** (homes clustered around a shared drive with an adjacent shared open space).

2. **Allow motor courts** (homes clustered around a shared drive with no adjacent shared open space).

3. **Address this topic after adoption** at a later date.

Commerce
CITY

Build-to-Rent Background

- **What is Build-to-Rent:** A residential development built specifically for rental housing (think apartments but lower-scale homes)

- **Feedback Received:** Allow but should resemble traditional neighborhoods

- **Key Considerations**
  - **Design** – Rental model often results in different layouts, such as decoupled parking and visible head-in parking.
  - **Affordability** – Provides alternative housing options by expanding rental options

Commerce
CITY

Build-to-Rent Recommendation

- **Regulate like traditional neighborhoods**
  - Must meet most city regulations like the development was being platted and developed like a traditional neighborhood
  - Must demonstrate compliance with building form standards, public streets, sidewalks, block widths, etc.
  - Allow for some flexibility that makes this product unique. This may include:
    - Some head-in parking
    - Parking minimums in line with apartment standards

Commerce
CITY

How should Build-to-Rent Standards Be Addressed?

1. Incorporate Build-To-Rent standards **with added flexibility for parking.**

2. Incorporate Build-To-Rent standards **without the added flexibility for parking.**

3. **Address this topic after adoption** at a later date.

Commerce
CITY

USE REGULATIONS

Commerce
CITY

Use Regulations

Conditional and Limited Use Regulation Updates

- **Data Centers** are classified as a conditional use and will be subject to further council discussion in the future if they are ever brought in as a limited use

- **Fuels Sales regulation** – add an exception for grocery stores to the current regulation that prohibits more than two fuel stations from being located within 660 feet of an arterial/arterial intersection

Commerce
CITY

DESIGN STANDARDS

Commerce
CITY

Building Design Standards

Building Materials

- Prohibited building materials are better defined to specify that we are referring to panelized plywood and other similar materials that lack durable finishes, architectural trim, or design articulation. Supporting images and examples are also included.

- An exception has been added to allow the CD director to approve high-quality applications of otherwise restricted materials if they are finished to a high standard and contribute to the overall design of the building.

Court Development

- Refinements have been made to add more clarity and flexibility in site design (e.g., minimum width of common open space, intent statement to clarify that it refers to a cluster of homes around a common green space).

Housing Variation

- Façade duplication standards have been reverted back to the existing standard to simplify the process.

Commerce
CITY

Building Materials - Vinyl

Input from Last Study Session

- Concerned about the durability and overall quality of vinyl siding

- Looking for more input from HBA and cost implications of banning vinyl siding

Home Builders Association Feedback

- Allow flexibility for builders to be able to put up the siding of their choice that is based on market demand rather than a mandate that could increase home prices

- Additional pros and cons noted for vinyl siding:

  - **Pros:** Lower maintenance; less up-front costs; and easier to install/replace than wood/cement siding or stucco.

  - **Cons:** Not as durable as wood/cement siding or stucco; fades over time and generally cannot be re-painted; and can warp/melt under certain conditions
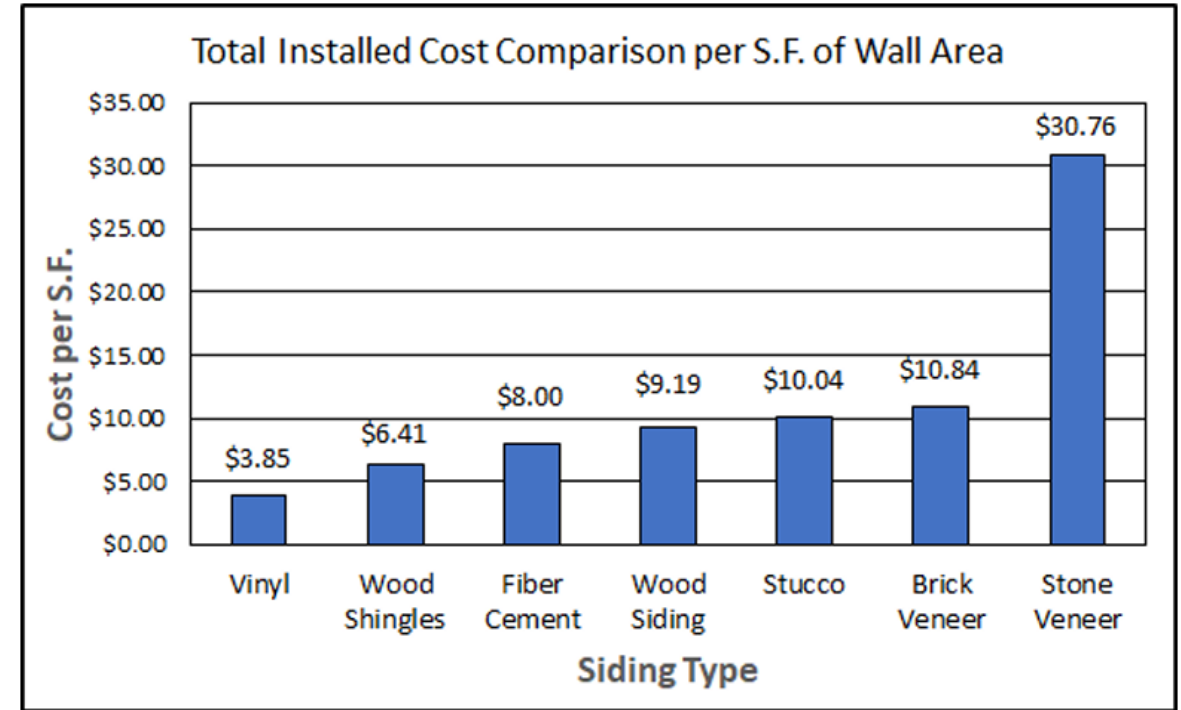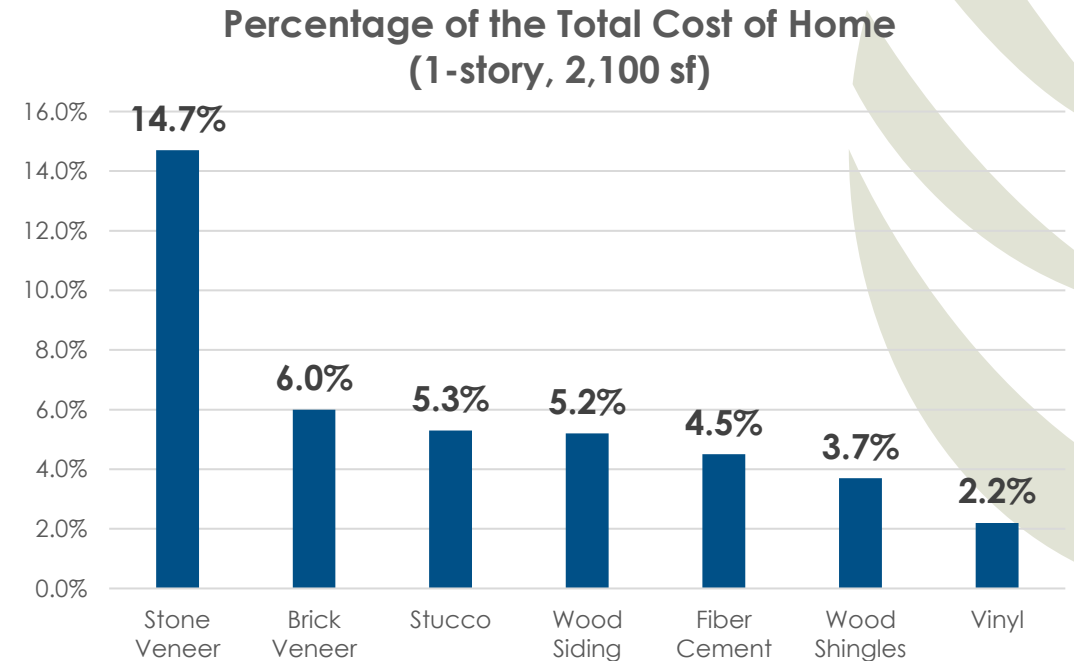

Figure #4 – Total Installed Cost Comparison – per S.F. of Wall Area

Source: The Brick Industry Association, 2023

Commerce CITY

Building Materials – Vinyl (Cont.)

Additional Background

- Various grades/thickness of vinyl siding in the industry (0.038", 0.040", 0.044", 0.046", 0.048", and 0.055")

- Oakwood who's used vinyl siding typically builds with .044" and .046

- While greater thickness is associated with enhanced durability, the quality and maintenance of the siding is also dependent on other factors like installation.

Percentage of the Total Cost of Home
(1-story, 2,100 sf)

Stone Veneer	14.7%
Brick Veneer	6.0%
Stucco	5.3%
Wood Siding	5.2%
Fiber Cement	4.5%
Wood Shingles	3.7%
Vinyl	2.2%

Source: The Brick Industry Association, 2023

Commerce CITY

Key Question

- What are the key issues from City Council and Planning Commission's perspective?

Commerce
CITY

Site Design Standards

Parking

- Multi-Unit Residential - Removed 25% requirement to have off-street parking to be in a garage – changed to just 25% to be covered whether that is covered parking or enclosed garages

- Removed bike parking requirement for duplex

Commerce
CITY

Site Design Standards

Landscaping

- Tree requirements tailored for each residential building form and lowered to enhance feasibility.

- Specify that drip irrigation should be used for foundation planting.

- Replace the tree canopy percentage requirement with maximum spacing to ensure adequate shade throughout the site.

- Incorporate other targeted tactical refinements to provide clearer standards and improve design feasibility (e.g., tree requirements on steep slopes).

Open/Amenity Space

- Remove applicable zone districts to allow for more flexibility.

- Recalibrate multipliers to reward more costly improvements (e.g., community centers).

Commerce
CITY

Building Form

Refinements to Form and Bulk Standards

- Incorporate 20' setbacks for higher intensity building forms such as apartments, mixed-use, and office buildings along arterials/collectors

- Remove window requirements for residential buildings and reduce the overall window requirement for industrial buildings.

- Establish a 10' front setback for alley-loaded residential products and reduce the current rear setback of 10' to discourage parking in the alley

Commerce
CITY

ADOPTION STRATEGY

Key Steps to Implementing the new LDC

- **Step 1:** Adopt the new rules
- **Step 2:** Make the new rules effective by applying them to properties. Accomplished through:
  - Legislative Rezoning
  - Applicant-Driven Rezonings
- **Step 3:** Monitor and evaluate its effectiveness, and incorporate tactical amendments for maintenance and to address future needs

Purchase
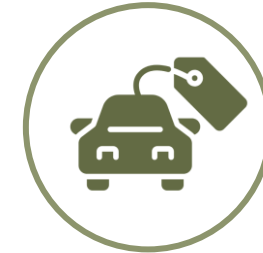
Register

Maintain

Commerce
CITY

Key Considerations for Step 2

- **Step 2:** Make the new rules effective by applying them to properties. This is accomplished through legislative rezoning and applicant-driven rezonings.

- **Key Considerations**
  - **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.

Commerce CITY

Adoption Strategy – Staff Recommendation

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.

Commerce CITY

Implementation Overview

Key Topics for Future Discussion (Q1 2026)

- **Short-Term**
  - Potential repeal and replace select LDC provisions (e.g., new preliminary plat process) ahead of full legislative rezoning to advance city goals
  - Develop strategies around existing PUDs to encourage new development under the new code

- **Mid-Term**
  - Phase legislative rezoning for base districts to better address unique issues
  - Update engineering manual to better align with new LDC standards

- **Long-Term**
  - Tactical amendments for maintenance and implementation of city goals

Key Milestones

- **Q4 2025:** Code Adoption
- **Q1 2026:** Legislative Rezoning Strategy for CC/PC Discussion
- **Q2 & Q3:** Community Engagement and CC/PC Study Session(s)
- **Q3 and Q4:** Legislative Rezoning and update engineering manual
- **After Q4 2026:** Technical Adjustments

Commerce CITY

Next Steps

May	June	July	August	September	October	November

Public Engagement

WE ARE HERE

Adoption Public Hearing Process

LDC Public Review Draft (5/12 – 6/30)

Community Open Houses (5/15 & 5/22)

Online Survey (5/12 - 6/30)

Meeting w/ Dev. Community (5/19 & 6/2)

Comment Period Closes

Follow-Up Meeting w/ Dev. Community (7/14)

PC & CC Joint Study Session (8/5)

Planning Commission Hearing (9/2)

City Council 1st Reading (10/6)

City Council 2nd Reading (11/3)

Commerce CITY