

# PLANNING AND ZONING COMMISSION COMMUNICATION

## City of Longmont, Colorado

**Project Title:** Land Development Code and Official Zoning Map Update  
**Meeting Date:** April 25, 2018  
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### Project Overview

The Envision Longmont Multimodal and Comprehensive Plan was adopted in 2016. This plan contains a Policy Framework organized around six guiding principles aimed at making Longmont more sustainable and resilient from now and into the future. The Plan also contains a Growth Framework, which provides guidance on how and where Longmont should grow. The Action Plan contained in Envision Longmont also identifies several, specific projects aimed at implementing the new plan; one of the items identified was an update to the City's Land Development Code (LDC). Changes proposed for the LDC support Envision Longmont, as well as other important City plans, like the Sustainability Plan and the Downtown Master Plan.

The LDC is Title 15 the Municipal Code and regulates items related to the physical development of the City including annexing, zoning, subdividing and developing property, appropriate uses for specific properties, building placement and height, building design, parking, lighting, and landscaping, among other items.

The City initiated this update in 2016 and has worked with a project team to update the LDC with input from the public, interested parties, the Planning and Zoning Commission, and City Council. Staff and Clarion Associates (code consultant) began meeting with interested parties in late 2016. Since then, staff has met with individuals and groups to gather feedback and provide updates on the code update process. The Planning and Zoning Commission (P/Z) has met twelve times and City Council has met seven times to receive updates and review and provide input on draft documents regarding the code update.

The consolidated draft of the LDC has been posted on the City website:  
<http://bit.ly/developmentcodeupdate>.

This draft takes into consideration input received from Council, P/Z, the public and other interested parties. The website also includes links to individual chapters on the code update topics page. Since the consolidated draft was posted staff has made some recommended changes as noted in the attached redline version. The more substantive changes are highlighted in blue under each of the chapters.

Early in the process, goals for the LDC update were established; these include:

- Implementing Envision Longmont and other city plans and policies, including the Sustainability Plan and the Downtown Master Plan
- Creating opportunities for innovative and high-quality development
- Ensuring consistency with current land use trends
- Creating a user friendly format
- Allowing flexibility while developing a predictable process
- Protecting stable neighborhoods

### **Primary Focus Areas for LDC Update**

The scope of work for the LDC update was drafted in 2016; the main focus was to implement the recently adopted Envision Longmont plan. Early in the process Clarion Associates conducted an assessment of the code and identified that the following areas should be included as part of the code update:

- Update the lineup of zoning districts to be consistent with the Envision Growth Framework
- Revise the use regulations to be consistent with the newly identified districts
- Address opportunities to improve housing affordability
- Improve development standards to promote quality site and building design consistent with current planning trends
- Update the sign code based on recent case law and to allow more flexibility
- Make the code more user friendly through organization, tables and graphics

### **Overview of Amendments**

Changes are being proposed for all sections of the LDC. Each of these sections has been shared with the community and reviewed with the PZ and Council as they have been drafted; this consolidated draft reflects the input received from PZ, Council, staff and the community at large. The following is a brief description and summary of the most substantive changes to each of the draft chapters.

#### Chapter 15.01 - General Provisions

This chapter provides an overview and administration of the LDC. Revisions include:

- Updated purpose and intent section to be consistent with Envision Longmont
- Moved modifications for infill and redevelopment to chapter 15.02, under administrative modifications
- Included language to create an administrative manual to address application submittal requirements – the goal is to create more intuitive and user-friendly documents for applicants

## Chapter 15.02 - Development Procedures

This chapter address the procedures and criteria associated with major, minor, and administrative development applications required under the LDC. Revisions include:

- Added a table and flowcharts to further clarify procedures and decision making authority (see example at right)
- Changed the review of appeals of administrative decisions and nonconforming uses from the Board of Adjustment (BOA) to the Planning and Zoning Commission (PZ)
- Changed preliminary planned unit developments (PUDs) to overall PUDs – the goal is to allow for a review of overall PUD plans without the level of detail currently required for preliminary PUDs, which will save applicants review time and cost.
- Added short term rentals as an administrative application
- Allowed more flexibility in administration of site plan waivers
- Included modifications for infill and redevelopment to administrative modifications **and revised consistent with current practice in the existing code** (see above)
- Provided clarifications for the section regarding public and common/private improvements

Figure 2.1: Major Development Applications

1	Pre-Application Conference	Required	Submittal and Internal Review	
2	Neighborhood Meetings	Required		
3	Submission of Application & Completeness Determination	Review by director		
4	DRC Review and Report	Review by DRC		
5	Submission of Revised Application	Review by director		
6	P/Z Action or Recommendation	Review and decision or recommendation by P/Z		Hearings and Decision-Making
7	Council Action	Review and decision by city council		

## Chapter 15.03 - Zoning Districts

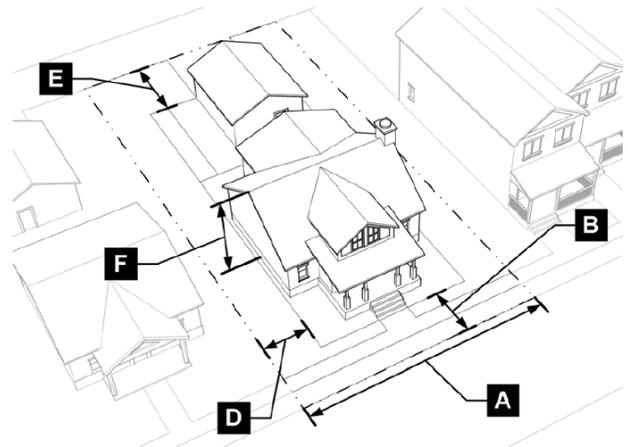
This chapter addresses all of the proposed zoning districts and dimensional standards, including lot dimensions and areas, setbacks, building height, etc.; specific revisions include:

- Substantially revised the lineup of zoning districts to correspond to the Envision Longmont land use categories
- Including additional mixed-use zoning districts to accommodate the demand for this type of development and to provide another important tool in implementing the Envision Longmont Growth Framework.
- Updated dimensional standards within districts to provide more flexibility for creative and innovative development, while protecting existing stable neighborhoods
- Added easy to read tables and labeled graphics (example below) to provide information on dimensional standards such as lot size, building setbacks, and building height
- **Added the alley incentives for reduced lot area and width to the dimensional standards tables for easier reference**

- Revised the dimensional standards tables to remove stories in residential districts and feet in mixed use and nonresidential districts to allow more flexibility in terms of building design (for example a 2-1/2 story residential design could be built within the 35 foot height limit)
- Added a section regarding residential density to reference the density ranges in the Envision Longmont land use categories and allowed exceptions
- Clarified the exceptions/allowances to height requirements, such as developments near transit centers and vertical mixed use developments within a major center or along a major corridor that would be eligible for additional building height

#### R-MN District Dimensional Standards

Table 3.4: R-MN District Dimensional Standards	
<b>Lot Standards (Minimum)</b>	
Lot area - detached dwelling	4,000 sq ft <sup>73</sup>
Lot area - detached - alley garage access	3,500 sq ft
Lot area - attached dwellings [see note 2]	None <sup>74</sup>
<b>A</b> Lot width - detached dwelling	40 feet <sup>75</sup>
Lots width - detached dwelling - alley garage access	35 feet
Lot width - attached dwelling	20 feet
<b>Setbacks (Minimum)</b>	
<b>B</b> Front yard, dwelling unit	15 feet <sup>76</sup>
<b>C</b> Front yard, dwelling unit - alley garage access	10 feet
<b>D</b> Front yard, front-facing garage	20 feet
<b>E</b> Side yard	5 feet <sup>77</sup>
Side yard, interior common wall	None <sup>78</sup>
<b>F</b> Rear yard, without alley	15 feet <sup>79</sup>
Rear yard, abutting an alley	6 feet <sup>80</sup>
<b>Building Standards (Maximum)</b>	
<b>F</b> Building height	35 feet



#### Chapter 15.04 - Use Regulations

This chapter addresses principal, accessory and temporary uses that are allowed within each of the zoning districts. This chapter also includes specific use standards or restrictions. Revisions to Chapter 15.04 include:

- Revised the table of allowed uses substantially in terms of organization and consolidation of uses the revised table is organized around the following use categories:
  - Residential uses
  - Public Institutional, and Civic Uses
  - Commercial Uses
  - Industrial Uses
  - Public and Semi-Public Utility Uses
  - Accessory Uses and Structures
- Developed or modified the additional, use-specific standards for certain uses within the table to address items such as locational criteria, required screening, and the overall area within a zoning district that a specific use should be limited to, among other things
- Added secondary uses consistent with recommendations from Envision Longmont

- Added short term rental standards consistent with Council direction
- Added back all of the affordable housing standards in one location as suggested by P/Z
- Allowed drive-through uses in the MU-N district as conditional uses

### Chapter 15.05 – Development Standards

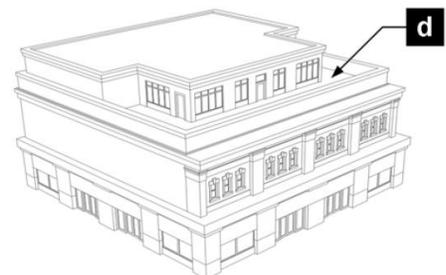
This chapter provides standards for development to addresses the several areas. Many sections within this chapter were updated substantially, some have minor changes recommended. Other sections are not being updated at this time, but will be included as future updates (see discussion above). Specific revisions to this chapter include:

- Removed required open space percentages, while retaining landscaping requirements for specific areas including: pocket parks, plazas and courtyards, buffers, parking lots, streetscapes, individual lots, etc.
- Added an exception to the pocket park standards for residential developments near existing or planned public neighborhood parks
- Reorganized the off-street parking and loading section and expanded the parking table to correspond with table of allowed uses in Chapter 15.04
- Moving the oil and gas operations and facilities section from the use regulations in Chapter 15.04 (no changes other than section references are proposed)
- Expanded the residential design standards to include more specific attached residential standards
- Consolidated the nonresidential and mixed use design standards
- Updated the graphics for design standards (see examples below)
- Included standards regarding lighting temperatures (warm vs bright light) for outdoor lighting
- Added an exemption for unshielded low level lighting, such as coach lights and patio light strings
- Provided revisions to standards for mobile homes consistent with 2016 recommendations from mobile home consultant
- Added residential compatibility standards to address transitions between more intensive zoning districts and less intensive residential zoning districts

Figure 5.8: Building Transparency

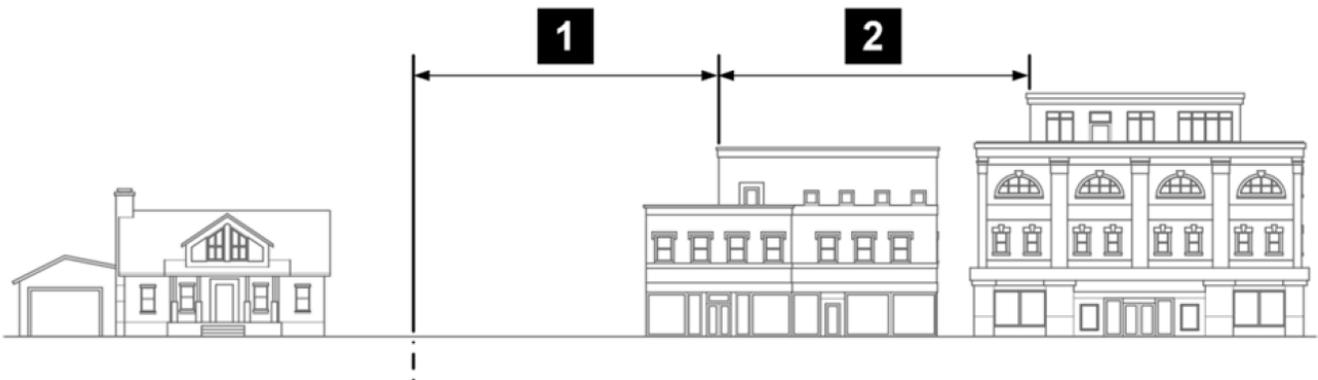


Figure 5.7: Upper Story Floor Area Standard



There has been substantial discussions with the community, especially the Downtown Development Authority (DDA) and the Historic Eastside Neighborhood (HENA), concerning the residential compatibility standards, especially building height transitions. The DDA Board suggested the revised code not include height transitions. Members of HENA pushed for increased height transitions that would apply to an entire property adjacent to residential areas. Others in the community, including members of the Downtown Residential Advisory Group (which includes business owners and residents from HENA and the Historic Westside neighborhood), suggested a compromise, which is what is currently included in the draft code. The graphic below represents the height transition that would be applied for buildings constructed adjacent to less intensive residential zoning districts. In this graphic, number 1 represents the first 75' of a property adjacent to the less intensive residential district and number 2 represents the next 50' of that property.

**Figure 5.9: Building Setbacks in Transition Areas**



### Chapter 15.06 – Signs

This chapter addresses standards related to signs on buildings and private and public property. Revision were made to eliminate content based types and standards consistent with recent court rulings and include:

- Provided more flexibility in terms of number, placement and size of signs
- Developed incentives for creative signs
- Eliminated master sign plans with additional flexibility and incentives
- Updated the downtown sign design standards to remove content based regulations

### Chapter 15.07 – Subdivision and Improvement Standards

This chapter addresses standards related to the subdivision of land and public improvements. Substantive revisions include:

- Consolidated and simplified the cluster lot subdivision standards that would apply to the N-AG and R-RU districts
- Allowed greater flexibility in terms of street frontage requirements to allow more flexibility in development design and access provided there is adequate emergency and utility access and easements consistent with City standards

- Simplified the property/homeowners association section
- Move the special improvement district to a more appropriate chapter of the municipal code

#### Chapter 15.08 – Nonconformities

This chapter address uses, structures and other site features that do not comply with the zoning districts, use regulations or other standards of the LDC. Revisions to this section include:

- Added language to address uses and structures in prior PUDs converted to base zoning districts to facilitate any modifications that may be necessary as part of the conversion
- Added a section to address nonconforming site features, such as landscaping, lighting and parking

#### Chapter 15.09 – Enforcement and Penalties

This chapter addresses enforcement of the provisions of the LDC and associated penalties for noncompliance. This section was revised to improve enforcement and penalties provisions consistent with code enforcement and legal recommendations.

#### Chapter 15.10 - Definitions

This chapter includes definitions for the various uses listed in the use regulations as well as other terms used in the LDC. This chapter has been reorganized and definitions added based on revisions made to other sections of the code.

### **Official Zoning Map**

The proposed line up of zoning districts generally corresponds to the Envision Longmont land use categories. Because land use categories changed with Envision Longmont, there are substantial changes to the lineup of zoning districts within the LDC draft.

This lineup of districts will accommodate the demand for more mixed-use development and provide a tool to assist in implementing the Envision Longmont Growth Framework. With the new lineup of zoning districts also provides an opportunity to simplify and streamline the number of districts in the code.

The project team developed an on-line mapping tool, in addition to hard copy maps, that have been shared with the community and other project stakeholders to gather feedback about the proposed changes to specific zoning districts within the City.

### **Zoning District Consolidation, Renaming and Conversion**

There are currently 29 existing zoning districts including:

- 8 residential districts
- 3 commercial districts
- 4 industrial districts

- 1 mixed use district
- 4 planned unit development (PUD) districts
- 1 public district
- 1 agricultural district
- 7 overlay districts (including PUD overlays)

The update proposes to reduce the number of districts to 17 and includes:

- 5 residential districts
- 5 mixed use districts
- 1 industrial/employment district
- 1 planned unit development (PUD) district
- 1 public district
- 1 agricultural district
- 3 overlay districts

Most of the changes proposed can generally be categorized as consolidation, renaming and conversion of districts or removing obsolete districts. Eight existing residential districts are changing to five residential districts. Seven existing commercial and industrial districts and one mixed use district are changing to five mixed use districts and one primary employment district. A complete description and comparison of existing and proposed districts is included as Attachment 3 to this communication.

### **Overlay Districts**

Four overlay districts in the current code are proposed to be removed. These overlay districts are either being addressed through base zoning districts (medical and PUD overlays) or through development standards (scenic entry and floodway/floodway fringe overlays).

### **Planned Unit Development (PUD) Conversion**

Four planned unit development (PUD) districts exist within the current code. To simplify the code and reduce the overall number of districts, many PUDs will be converted to base zoning districts. The conversions will be made based on the types of dwellings or other uses within each PUD. In some cases, like the Prospect neighborhood, there are enough unique standards that the PUD district will be retained; these are shown on the draft map.

### **Community Input**

In addition to the substantial public outreach conducted as part of the Envision Longmont plan update and adoption, the project team has worked to inform the community about various aspects of the code update. The team has gathered input and shared information with the following groups:

- Longmont Economic Development Partnership (LEDP)

- Longmont Area Chamber of Commerce
- Local Business Advisory Committee
- Startup Longmont and TinkerMill
- Downtown Development Authority (DDA)
- Downtown Residential Advisory Group
- Visit Longmont
- Neighborhood Group Leaders Association (NGLA)
- Longmont Association of Realtors
- neXt Young Professionals
- Rotary Club
- Historic Eastside Neighborhood Association (HENA)
- Sustainable Resilient Longmont (SRL)
- Stand With Our St. Vrain Creek
- Local developers and consultants
- Local businesses
- Sign contractors
- Local landlords
- Neighborhood groups, property owners, and homeowner associations (HOAs)
- City Development Review Committee (DRC) including staff from Planning and Development Services, Public Works and Natural Resources (including Sustainability), Longmont Power and Communications, Community Services and Affordable Housing, and Public Safety
- Community at large

The project team provided information about the code updates on the City's website and through social media (Facebook, Nextdoor, Twitter, etc.). Information was also provided through several City Line articles, Times-Call and Longmont Observer articles. Staff attended meetings, community events, and did presentations to interested groups, as needed. Staff also received input via several community surveys, as well as specific input on the draft documents. Two community meetings, attended by approximately 50 people, were held on April 11<sup>th</sup> to provide an overview of the process and the consolidated draft, as well as to answer questions and gather additional feedback.

### **Future LDC Updates**

There are several topics that were not part of the original scope and contract for Clarion's work; these have been identified for potential future updates based on Council, staff and community input. Some items are related to current and future City work programs, while others require additional policy direction. The following are anticipated future LDC updates pending City Council policy direction:

#### Rivers, streams, wetlands, riparian areas and species and habitat protection.

Sections 15.05.020 and 15.05.030 of the LDC relate to the protection of rivers, streams, wetlands and riparian areas and to habitat and species protection; these sections have both been identified by the community and staff as needing to potentially be updated. Revisions to these sections will benefit from

community input and recommendations regarding other ongoing or planned work efforts, including the Open Space Master Plan update, which is scheduled for completion in mid-2018, the upcoming Wildlife Management Plan update planned to commence later this year, the St. Vrain Blueprint, and ongoing work with the Resilient St. Vrain project.

#### City public improvements Design Standards and Construction Specifications

The City's Design Standards and Construction Specifications (DSCS), govern improvements in the public realm, including street, storm drainage, water and wastewater, parks and forestry and power and communications improvements. The DSCS were last updated in 2007. An update to these standards is underway with completion anticipated in 2019. As these standards are updated, additional revisions to the LDC will likely be required for consistency in standards and cross-references. In addition, as the City develops enhanced, revised standards for public improvements, there is an opportunity to provide better guidance and update LDC regulations for private development. Examples of potential updates include updates to the landscaping section to address xeriscape and low impact design (LID) standards.

#### Affordable housing

In April of 2017, City Council approved initial revisions related to affordable housing. These revisions allowed affordable housing in additional zoning districts and also modified the process to allow projects containing affordable housing to be approved administratively, rather than requiring a public hearing. Development incentives including density bonuses, height bonuses, parking reductions, and expedited review were also included in these revisions. While these changes are all being proposed to be carried forward with the current LDC update, Council's ongoing discussions regarding affordable housing will likely require additional revisions to the LDC.

#### Building and fire code updates

The City anticipates adopting the 2018 International Building and Fire Codes later this year. Updates to the building and fire codes may warrant additional revisions to the LDC to ensure consistency.

#### Historic preservation codes

The Historic Preservation Commission and other interested parties have reviewed and provided input on potential revisions to the historic preservation code. One of the goals is to incorporate this code into the LDC when the historic preservation procedures and criteria are updated.

#### Wireless telecommunications

The wireless telecommunications sections of the Municipal Code, including the LDC, are currently being reviewed for potential revisions by outside counsel in coordination with the City Attorney's office and Longmont Power and Communications (LPC). Suggested revisions may require additional changes to the LDC.

## Quality of Life Benchmarks/Adequate Public Facilities

Level of service benchmarks, such as transportation and fire and emergency response, have not recently reviewed or updated. Staff is planning to schedule this topic for discussion with Council to determine if amendments are warranted.

### **Next Steps**

The project team is seeking a recommendation from the Planning and Zoning Commission on the draft Land Development Code and draft zoning map. The consolidated draft and map will then be taken to City Council in May. Assuming Council approves an ordinance adopting the revised code and zoning map, the code will take effect on July 1, 2018. A legislative rezoning process will be used to adopt the new zoning map for the City as part of the overall code update. This means the new zoning map would be in effect upon the effective date of the LDC (7/1/18), rather than individual properties having to be rezoned parcel by parcel.

### **Attachments**

1. PZ Resolutions 2018-4A, B
2. Draft land development code with redline changes
3. Draft downtown sign design standards
4. Draft official zoning map