

# CITY COUNCIL COMMUNICATION



**MEETING DATE:** February 06, 2018      **ITEM NUMBER:** <ITEM\_OUTLINE>

**SECOND READING:** N/A

**TYPE OF ITEM:** Study Session

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**SUBJECT/AGENDA TITLE:** Land Development Code Update - Development Standards

**EXECUTIVE SUMMARY:** Attached to this communication is a working draft of the development standards chapter. The development standards chapter covers a number of topics/sections, which are listed below.

Sections that include the most updates are the residential, mixed use and nonresidential design standards, plus a new residential compatibility (transition) standards section. Some of the sections will have limited updates as these sections were either updated recently, such as the landscaping and open space, off-street parking and loading, and outdoor lighting sections, or are sections that don't require substantive amendments. Some sections, such as quality of life benchmarks/adequate public facilities, will require further study and additional policy direction. These may be discussed with Council at a later date. Other sections like the protection of rivers/streams/wetlands/riparian areas and the habitat and species protection sections will be informed by other planning efforts that are planned or currently underway like the Open Space and Trails Master Plan, the St. Vrain Blueprint, the Resilient St. Vrain project, and the Wildlife Management Plan. These sections will benefit from the additional information more detailed studies can provide and will be addressed separately.

The Planning and Zoning Commission discussed the development standards chapter on January 24<sup>th</sup> and provided input on topics related to residential, mixed use and nonresidential design standards, residential compatibility standards, open space and landscaping, street/subdivision design and connectivity – specifically cul-de-sacs and alleys, and outdoor lighting. More detail regarding the Commission's discussion is provided below.

In addition to the development standards chapter and previously reviewed zoning districts, use regulations and sign standards chapters, the following code sections will also be updated where needed:

- Development procedures
- Subdivision and improvement standards
- General provisions
- Nonconformities
- Enforcement and penalties

Staff anticipates bringing these drafts to the Council in the next several months.



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<b>COUNCIL OPTIONS:</b> Receive update and provide direction if needed
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<b>RECOMMENDED OPTIONS:</b> NA
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<b>FISCAL IMPACT &amp; FUND SOURCE FOR RECOMMENDED ACTION:</b> NA
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**BACKGROUND AND ISSUE ANALYSIS:** The development standards chapter, which is 15.05 of the Land Development Code, covers a number of topics/sections including:

- Protection of rivers/streams/wetlands/riparian areas
- Habitat and species protection
- Landscaping and open space
- Streets and vehicle access and circulation
- Pedestrian and bicycle access and connectivity
- Underdrains
- Off-street parking and loading
- Fences and walls
- Residential design standards
- Mixed-use and nonresidential design standards
- Outdoor service, storage, equipment, loading and display
- Outdoor lighting
- Quality of life benchmarks/adequate public facilities standards
- Wireless telecommunication facilities
- Mobile homes
- Residential compatibility (transition) standards

The code updates are proposing amendments to several of these sections. Some of the sections will have limited updates as these sections were either updated recently or do not require substantive amendments at this time. Other sections may need to be updated, but require additional study and/or policy direction; these are outside the scope of the current update. The proposed approach to each section is described in detail below.

### **Overview of Proposed Amendments and Discussion Topics**

The update consolidates and updates standards to take into consideration best practices, current trends and community goals while simplifying the standards as much as possible.

#### **15.05.020 - Protection of rivers/streams/wetlands/riparian areas – page 3 and 15.05030 - Habitat and species protection – page 6**

The project team has received public feedback about the importance of sections 15.05.020 and 15.05.030. There is a desire by the community to update these sections; however, as mentioned above, no substantive changes are proposed to these sections pending the Open Space and Trails Master Plan and Wildlife Management Plan updates, plus ongoing work on Resilient St. Vrain and St. Vrain Blueprint plan.

## **15.05.040 - Landscaping and open space – page 10**

The open space and landscape sections were consolidated and updated in 2011. Many of the changes at that time were reorganization to make the section more user-friendly. Substantive changes being proposed or considered to this section include:

- Replacing required open space percentages with existing and updated pocket park, gathering space, and buffer standards. Current open space requirements range from 10 to 30 percent depending on the type of development. Areas such as pocket parks, gathering spaces, buffers, greenways and pedestrian trails, storm water detention, etc. often comprise much of the open space requirement, but having a set percentage can also result in remnant and inefficient open areas landscaped and irrigated just to meet the standard. In addition to simplifying this section of the code for both applicants and staff, replacing open space percentages could potentially also help address:
  - housing affordability and development costs by reducing land costs;
  - reduced maintenance costs for property owners and associations;
  - water conservation; and
  - allowing for more urban style mixed use development
- Simplification of the buffer requirements/table taking into consideration options for reduced buffers and urban streetscapes particularly in mixed use districts.

Examples of different open space and streetscape areas and amenities are included below:



Pocket park example



Gather space example



Urban streetscape example with amenities



Greenway and pedestrian trail example

At the January 24<sup>th</sup> meeting the Planning and Zoning Commission discussed these topics and generally agreed with the concept of moving away from strict open space percentages and using existing and updated pocket park, gathering space, buffers, etc. standards instead. This approach would help address useable open space, gathering spaces and amenities depending on the type of development without being constrained by open space percentages. The Commission also indicated support for simplifying the landscape buffer requirements particularly related to creating more urban streetscape with the expansion of the number of mixed use districts.

#### **15.05.050 - Streets and vehicle access and circulation – page 27**

Changes proposed to this section are mostly minor except for a few policy questions related to cul-de-sacs and alleys, and the elimination of loop lanes, which have never been used. Proposed changes and policy questions included in this section are:

- Cul-de-sacs: Connectivity within and between neighborhoods is important; in some cases cul-de-sac streets can have a negative impact on connectivity. An option would be to limit the use of cul-de-sacs and allow them only with demonstration from the applicant that a connecting street is not possible.
- Alleys: The density bonus for providing alleys is proposed to be removed since it has never been used. Other incentives, such as reduced building setbacks or open space offsets to encourage the use of alleys may be more effective. Alternatively, alleys could be required for certain types of developments such as mixed use projects.



Residential subdivision cul-de-sac example



Downtown Longmont alleys

The Planning and Zoning Commission discussed whether the use of cul-de-sacs should be limited and whether alleys should be required for certain types of developments, such as mixed use developments, or should other incentives be considered to encourage alleys

The Commission suggested reducing the length of cul-de-sacs and requiring pedestrian connections at the ends of cul-de-sacs rather than restricting the use of cul-de-sacs. The Commission also suggested that additional incentives to encourage the use of alleys should be explored.

#### **15.05.060 - Pedestrian and bicycle access and connectivity – page 34**

Changes proposed to this section are mostly minor updates and graphics updates. The section will also reference enhanced multi-use corridors.

#### **15.05.070 – Underdrains – page 38**

No changes are proposed to this section pending an update to the Design Standards and Construction Specifications in 2018/2019.

#### **15.05.080 - Off-street parking and loading – page 41**

The off-street parking section was updated in 2014. Changes included removing parking minimums for most non-residential uses, while retaining parking maximums. Changes proposed with this update are relatively minor housekeeping amendments to help clarify standards and update graphics.

#### **15.05.090 - Reserved – Oil and gas regulations may be moved here from use regulations – page 51**

**15.05.100 - Fences and walls – page 51**

Changes proposed to this section are minor and included for clarification in the administration of fence permits and subdivisions.

**15.05.110 - Residential design standards – page 55**

The residential design standards are being proposed to be expanded substantially to offer more examples of how to comply with the architectural design and variation standards, including garage placement and orientation, architectural design quality and compatibility, variation in architectural elevations and models and materials. Multifamily design standards were given a distinct subsection and expanded to raise the bar for quality design. A placeholder for a design review board, if desired, has been included in this section as well as the mixed-use and nonresidential design and residential compatibility sections. Additional graphics will be added to this section once input has been received.

Examples of recent residential developments:



4<sup>th</sup> and Terry Brownstones townhomes



Attached residential quality building materials



Detached residential architecture elevation variation

The Planning and Zoning Commission suggested that some of the standards might be too subjective (eg: exterior colors) or restrictive (eg: window openings and architectural styles) and that the standards should allow flexibility for quality and creative design. Other suggestions included considering incentives to encourage the types of design we want in our community, and allowing flexibility in residential design variety for affordable housing projects. Several Commissioners also expressed potential concern with a design review board or committee depending on how a board or committee is structured and the powers and duties (advisory vs decision making) a board is given.

#### **15.05.120 - Mixed-use and nonresidential design standards – page 61**

The current nonresidential design standards are proposed to be expanded in this subsection to include standards from the current Central Business District (CBD) and current mixed-use zoning district; in some cases, existing standards are being proposed to be carried forward as-is and in other cases revised to be reconciled with similar standards that should apply more broadly. Generally, the standards address site layout, building massing and articulation and materials, and architectural features such as windows, roofs and entrances. Specific proposals in this section include:

- Revising the current mixed-use district design standards to apply more broadly to all mixed-use buildings.
- Simplifying the standards to eliminate the requirements for building types and adoption of a regulating plan.
- Revising the separate standards for retail sales, office, financial, restaurant and hotel establishments to be applied more broadly as effective design standards for all mixed-use and nonresidential buildings in the city.

The nonresidential design standards currently apply to industrial uses, which can be problematic for certain types of industrial buildings and uses. As an alternative to a broad applicability, separate (and less stringent) standards could be created for industrial uses depending on the use and/or location. In addition, a placeholder for a design review board, if desired, has been included in this section.

Examples of mixed use and nonresidential developments constructed under design standards:



Roosevelt Park Apartments mixed use building



Longs Peak Hospital nonresidential building



Roosevelt Place mixed use building



St. Vrain Community Hub nonresidential building

The Planning and Zoning Commission, similar to its discussion regarding residential design, suggested that the mixed use and nonresidential design standards be flexible enough to not restrict creative design, but also provide enough detail to foster quality design. Another suggestion, related to the open space discussion, is to better define the requirements for pedestrian gathering spaces and amenities depending on the type of development. The Commission agreed that it would be appropriate to consider alternative standards for industrial uses and buildings depending on the use and location.

**15.05.130 - Outdoor service, storage, equipment, loading and display – page 68**

Changes proposed to this section are minor and are intended for clarification in administration.

#### **15.05.140 - Outdoor lighting – page 69**

The outdoor lighting section was updated in 2014. Changes proposed with this update are relatively minor and are intended to address instances where lower level lighting fixtures, such as residential carriage lights and residential or commercial patio lighting, can be exempt from light shielding requirements. Also proposed are recommended lighting temperature/color levels for residential and other areas.

The Commission suggested that the exemption for carriage lights take into consideration lighting levels and types of light fixtures so that lighting doesn't create a nuisance for residential areas.

#### **15.05.150 - Quality of life benchmarks/adequate public facilities standards – page 72**

No substantive changes are proposed to this section pending possible future policy discussions.

#### **15.05.160 - Operational and performance standards – page 75**

Only minor changes needed for enforceability are proposed to this section.

#### **15.05.170 - Wireless telecommunication facilities – page 78**

Revisions to this section are pending from a telecommunications consultant. This section was updated in 2015 but recent federal legislation and regulations may require additional amendments.

#### **15.05.180 - Mobile homes – page 82**

Revisions to this section are based on prior recommendations from LSP Planning consultants.

#### **15.05.190 - Use of public rights-of-way – page 86**

No substantive changes are proposed to this section.

#### **15.05.200 - Residential compatibility (transition) standards – page 86**

These are new standards to ensure compatible transitions between districts and uses. This is a section that has been of special interest to the community. As currently proposed, these standards would apply to attached residential, nonresidential, and mixed-use development areas adjacent to lots used for *or* zoned for less intensive residential uses in most residential districts.

The standards in this section, including building orientation and design, building height, location of parking areas, buffering and screening, outdoor lighting and use and operation, are not the only standards that serve to protect neighborhoods in the updated LDC. For example, the zoning map itself will ensure that appropriate transitions are being applied between more intense development and less intense residential development. The use regulations also require physical separation (250 feet or more depending on use) between residential and more intensive types of uses (examples include vehicle repair, bars/nightclubs, funeral facilities, marijuana retail, etc.). As another example, the building design standards, discussed in earlier sections, also help to

protect neighborhoods by setting the bar higher for development quality and aesthetics. There are several discussion items related to building height transition and uses in the draft. In addition, a placeholder for a design review board, if desired, has been included in this section. At the January 24<sup>th</sup> Planning & Zoning Commission meeting, several questions were presented for the Commission's consideration, including:

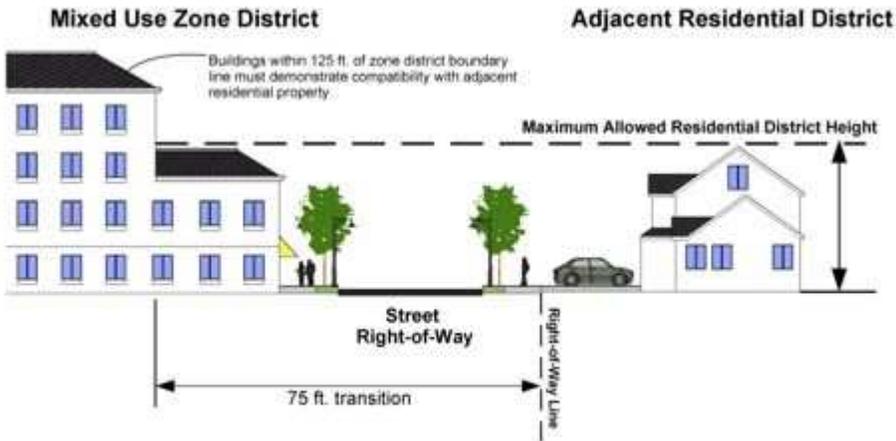
- Are there other standards or revisions that should be considered in terms of residential and neighborhood protection in this or other sections?
- What are appropriate transition heights for buildings in areas adjacent to less intensive uses?
- Should these standards be applicable in areas that are currently undeveloped, but zoned for a less intensive use (i.e. if a mixed-use development is proposed adjacent to an undeveloped, less intense residential zone, should the mixed-use development still be required to comply with the transition standards or should these only apply in instances where development is proposed adjacent to an already developed property?)

The Commission agreed that there should be a transition in building height from less intensive residential areas to adjacent more intensive uses, but what that specific standard should be will require additional discussion. Ideas discussed included using a specific distance or percentage of the more intensive use's lot where the building height would not exceed the allowed height of the adjacent residential district. The Commission suggested considering incentives to encourage greater transitions between uses. The Commission also felt that the compatibility standards should also be applied in areas that are currently undeveloped but planned for future lower intensity residential uses.

Examples of how height transition could be addressed is provided below.



**Figure 17.5.7: Example of Height Transition in Mixed Use District Abutting a Residential District**



**Figure 17.5.8: Example of Height Transition in Mixed Use District Separated by Right-of-Way**

Lot depths vary depending on location. Near downtown, lots along Kimbark Street with an alley are typically 125 feet deep and without an alley are typically 135 feet deep. Lots along Terry Street are typically 185 feet deep. In other areas of town, lot depths near residential areas can vary substantially, from approximately 100 feet to 500 feet or more.

Currently, the only zoning district that includes a building height transition standard is the MU (mixed use district) transition area, with a 35 foot height limit for the first 100 feet closest to a low or medium density residential area and a 45 foot height limit for the next 100 feet of a lot.

The topic of appropriate building heights near less intensive residential areas will receive substantial neighborhood interest. The Historic Eastside Neighborhood has recommended that lots adjacent to their residential district should be limited to two stories rather than allowing a setup in building height after a certain distance on a lot from the residential district.

Options for consideration on this topic include:

1. Limit building heights on entire lots adjacent to lower intensity residential areas to the same allowed height of the adjacent residential district. This standard could be applied only to shallower lots (up to x feet deep).
2. Limit building heights on a portion of lots adjacent to lower intensity residential areas to the same allowed height of the adjacent residential district. The building height could step up in height outside of the portion subject to the residential district height – see example graphics above.
3. Do not have a building height transition between more intensive residential, mixed use and nonresidential districts and less intensive residential districts.

### Next Steps

After Council’s review, the draft will be revised taking into consideration input from the Council and Planning and Zoning Commission, the public, and staff; a revised version will be included with the complete code update draft.

**ATTACHMENTS:** Development standards chapter working draft  
Public comments