



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Agenda - Final Planning Commission

Monday, February 28, 2022

6:30 PM

Council Chamber

Study Session

1. Study Session Topics

- a) [ID# 22-010](#) Potential Modifications to the Unified Land Use Code

Attachments:

- [1. Potential Edits Worksheet](#)
- [2. Staff Presentation](#)
- [3. DRAFT MDP written interpretation](#)

2. Adjournment

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Staff Communication

File #: ID# 22-010, **Version:** 1

Agenda Date: 02/28/22

Subject:
Potential Modifications to the Unified Land Use Code

Prepared By: Mike Sutherland, Deputy Director of Community Development

PURPOSE:

To discuss an array of necessary modifications to clarify specific subsections, remove inconsistencies, make corrections, and modify portions of the Unified Land Use Code (ULUC) to aid in the administration of the code.

PRESENTATIONS:

Staff Presenter(s): Jennifer Q. Henninger, AICP Community Development Director
Mike Sutherland, Deputy Community Development Director

SUMMARY:

As part of the development of the ULUC, staff expected several modifications to the code would be necessary as part of the implementation process. Fine tuning of the code is an ongoing process, and staff, with the help of citizens and applicants, has identified specific changes necessary to administer the code.

PRIOR ACTIONS OR DISCUSSIONS:

- Following a citizen engagement effort titled the “studio series,” planning commission held nine study sessions between March 8, 2021 and August 19, 2021 to discuss aspects of the draft ULUC.
- From June 7, 2021 through July 30, 2021, the draft ULUC was open for public comment on the Envision Littleton website. The draft zoning map was open for public comment through August of 2021.
- Following citizen engagement, study sessions, and open comment drafts, the planning commission adopted Resolution 06-2021 on September 9, 2021 recommending approval of the ULUC with conditions to the city council.

ANALYSIS:

Staff Analysis

Council adopted the ULUC on October 19, 2021, by Ordinance 24-2021 and the ULUC became effective on October 28, 2021. During this initial phase of implementation, cross departmental staff and applicants have had the opportunity to test the ULUC with site-specific applications. Staff meticulously tracked errors, inconsistencies, and ambiguities discovered during implementation. These “needed corrections” were anticipated with implementation and intended to be addressed in at least one code update this year. Additional corrections are anticipated to be discovered in the coming months and subsequent modifications may be needed in 2023 and following years.

For the initial round of clarifications and corrections, staff will consult the Planning Commission in February and March, conduct a study session with Council in April and begin the public hearing process in early summer of 2022.

Council Goal, Objective, and/or Guiding Principle

Updates to the ULUC relate to the following 2021 -2022 council goals and objectives:

Goal 1 and Objective 1: ULUC

A sustained focus on long-term fiscal sustainability of Littleton City government while recognizing the direct connection to the community's land use mix, especially for sales tax revenue needs.

Goal 8: Good Governance

To be responsive, approachable, welcoming, fair, and accountable internally and externally. Facilitate on-going conversation that captures all the considerations involved in ensuring interests are addressed and reflected in city policy initiatives.

- Objective 3: Community Desires
- Objective 4: High Performing Organization

Fiscal Impacts

Not applicable

Alternatives

No alternatives identified

STAFF RECOMMENDATION:

Study sessions are for discussion purposes only. No official decisions are made or actions taken at a study session.

Staff Identified ULUC Fine Tuning

CHAPTER 1

1. 10-1-1.2A Create language to make it easier for one property to revise/replace their specific portion of the PD w/out the consent of 55% of other landowners? Idea: if applicant can't meet the threshold, require public hearing before- PC
 - a. 10-1-1.2.A Planned Overlay District Section D: Termination. ADD #3 Rezoning. Council may terminate a PL-O or any applicable portion thereof by Ordinance through the rezoning process as prescribed in Section 10-9-4 Code and Zoning Amendments
2. 10-1-1.3 LAND USE MATRIX
 - a. Need to add a statement near the beginning as to which land use matrix rules: 10-1-1.3 or the matrixes in each of the individual chapters?
 - b. Household Living Category: the NC zoning district does not permit mixed use buildings such as Littleton Station. We should correct this to make them a conditional use (CS).
 - c. Matrix indicates that Vehicle Sales and Services and Hospitals have special standards, but the Standards column doesn't link to them.
 - i. Correct table "other than listed" for VSS to C instead of CS
 - ii. Change Hospitals to C?
 - d. Recreational use/clubhouse needs to be added to residential neighborhoods to cover community centers, pools, etc.
 - e. Art studios appear to be defined under Office – Studio, Commercial, which is NOT allowed in the DT zoning districts. We should allow art studios in DT: DMS, DTA, DMU not DNR.
3. 10-1-1.6B(C)3: An accessory building shall not be used for ~~habitation~~ household living in any residential district unless approved as and ADU. This section isn't clear - is it ok to improve an accessory building for something like an office or music studio?
4. Subsection 10-1-1.6.B.C.11 – shared utility meter required for accessory structures with their principal structure (not applicable to ADUs) – why is this in the zoning code? Suggest to delete. Electrical permits are not reviewed by planners.
5. Subsec. 10-1-1.7. B.2.a - change "Zoning Certificate" to Building Permit
6. 10-1-1.7.1C 5b ADU standards require a detached garage that is being converted to an ADU to have the garage door removed, even if the unit would be above the garage. This means choosing between your garage and an ADU- can't have both right now. Suggest deleting requirements.
 - a. Figure 10-1-1.7.1 includes an illustration of a detached ADU with a garage - not consistent with the above requirement.
7. Table 10-1-1.7.1 General ADU Standards: what does the last standard in this table mean: "percentage of the rear yard equal to allowable building coverage"
8. Table 10-1-1.7.2 Standards For Detached ADU's limits height to 1.5 stories. If the first story is a garage, then the unit will be very small. Also, as has been noted elsewhere in this document, the definition of a half-story is challenging to interpret.
9. 10-1-1.7C 5 c3 ADU requirement that windows on a detached unit be located at a certain height, which is in conflict with the requirement that the architecture match the main house. Clarify which elevations this applies to?
10. 10-1-1.7C 5c1 "the entrance and windows of the ADU shall face the interior of the lot and/or a public street to the extent practicable." Is there a need to dictate placement of windows and doors? And interior of the lot feels like a hard-to-define term if you have an ADU placed at the middle of the backyard.

11. 10-1-1.7D b1 Detached ADUs – The ADU and principal dwelling shall have ~~the same~~ separate addresses.
12. 10-1-2.2.B classifies WCF in the “major utilities” use category, which is not permitted in most zone districts. In referencing definitions, it looks like it should be classified as “minor utilities” instead, which is allowed in all zone districts.
 - a. Do we need categories for towers vs. stealth facilities (ATS)? One actually is a major, the other a minor.
 - b. Also need to change 10-1-2.2B
13. 10-1-2.2.K.7.f – ATS or small cell facility on private property is limited to maximum height of 35’.
 - a. We need to make sure the definitions for tower and ATS are not mutually exclusive.
 - b. Any ATS above 35 feet goes to CUP
14. Table 10-1-2.4.1
 - a. Under “Measurements and Allowances” - the measurement of height does not match the definition of height in Chapter 12 “Word Usage” + the hyperlink to “height” actually goes to “retail sales”
 - b. Under “Sight Triangle” – revise to require the AASHTO method (city adopted in 2020). Create a direct link if possible.
15. Subsection 10-1-3.7 A Parking and Loading, paragraphs A and B. The requirements in this section differ from those listed in Table 10-1-3.7(1). For example, hospital parking:
 - a. 10-1-3.7A (B) Computations: this section states that uses that have overnight patients can based parking requirement on number of beds, but the Table that follows:
 - b. 10-1-3.7.A.1: this section requires hospitals to calculate parking based on square footage. No footnotes or further explanation on how to determine the applicable section. Overall, 10-1-3.7.A.1 is confusing because it seems to be this stand-alone section with no information on how to use it.
16. 10-1-3.10 Sign Standards – Table 10-1-3.10F Temporary Signs not allowed in the DT zone districts?
 - a. Subsection 10-1-3.10.A – Both D and F are titled “Compliance” and should be combined
 - b. 10-2-5.1B needs to add a hyperlink to temporary signs for DT districts
17. 10-1-3.10.B B. Prohibited signs. Where do we prohibit off-site signs? Is that legal?
18. 10-1-3.10.B Signs Allowed Without a Permit – Add business directory sign as a sign not requiring a permit, provided it meets established size requirements and is located at the entrance to the building. This has been a problem in the past where they were categorized as wall signs and would limit signage elsewhere on the building.
 - a. Needs definition too?
19. Sign Code: No mention of electronic message boards. Include them and establish standards for brightness and interval of time for changing messages. Unless we want to prohibit them?
20. Table 10-1-1.8.1 Permitted Temporary Uses, Frequencies, and Duration
 - a. Remove/Amend Garage/Yard/Estate Sale - Conflicting information listed 10-1-1.6.A.D.
22. Depth of a swimming pool needs to be changed to 24 inches to match IBC.

CHAPTER 2

1. Section 10-2-1.1 (1): reference to Landmark District in this section should be revised to Historic District.
2. Section 10-2-1.1 (1)b: The Purpose statement needs clarification. Perhaps a Downtown Map depicting DT zone districts and other areas mentioned (historic districts, less-dense areas) in this section is needed to identify where the purpose statements are applicable within the DT district.

- Not all the Objectives sections for the DT zone districts include the statement regarding designated historic structures are subject to the historic preservation chapter. Include in all objective sections.
- 10-2-2.1 DT Districts and Uses – 3(b): The term “Historic Preservation Code” is used, but it is not used anywhere else in the ULUC. Change to reference Chapter 8, Historic Preservation.
- Table 10-2-5.1.1 - footnote states that certain marquee signs require HPB approval. Change this to administrative COA.

CHAPTER 3

- Tables 10-3-5.1.1 and 10-3-5.1.3 are inconsistent on the allowance of pole signs. .1 says pole signs are permitted in the CM district, .3 contains no standards for pole signs in the CM district as if they are not permitted.
- Number of max wall signs is 1 per street-facing façade. For a pad site in a shopping center, where access and visibility is from multiple sides of the building, this standard is too restrictive.
- Pylon signs: the calculation for determining max height requires using the height of the building. For shopping centers with multiple buildings/pad sites, a different standard should be developed to address the shopping centers. Also, consider if a multi-tenant sign can be placed on a pad site w/o exceeding the maximum signage allowed for the business on that site.
- Table 10-3-2.2.2 shows two density numbers for NC and CM without giving any guidance of which number applies and when. Need to research if there was a footnote in the draft...are the numbers. Are either of these numbers gross density of a large site for a MDP? Is it gross / net? Was this related to surface / structured parking?

**Table 10-3-2.2.2
Non-Residential and Mixed-Use Lot and Building Standards**

District and Building Type	Density (Dwelling Units / Acre)	Minimum							Common Open Space	Maximum Building Height ^{3,4}
		Lot		Setbacks						
		Area	Width	Front ¹	Interior Side ¹	Corner Lot ¹	Rear ²			
Live-Work										
NC	9	--	--	10' / 20'	8'	8' / 12'	15' / 20'	20%	44'	
CM	10	--	--	5' / 15'	0' / 8'	5' / 10'	10' / 20'	15%	47' / 58'	
Mixed-Use										
NC	24 / 29	--	--	8' / 20'	8'	8' / 12'	15' / 20'	15%	47' / 58'	
CM	50 / 85	--	--	0' / 5'	0' / 8'	0' / 5'	0' / 10'	12%	80' / 91'	
Commercial										

- Specific criteria for MDP’s should be moved to Chapter 9 with MDP procedures.
- Specific criteria for Site Plans should be moved to Chapter 9 with Site Plan procedures.

CHAPTER 4

- 10-4-2.2 NB Lot and Building Standards - Include standards for Dwelling, Single-Family Attached/Duplex/Twin Home in the MFR zoning district
- 10-4-3.2A Cottage Court Community – B2 indicates minimum “parcel” size of 3 acres. Directly below in F1, minimum “site” size is ½ acre and max. Is 3. F2 indicates a single “tract” may be platted. B1 refers back to the land use matrix, which allows CCCs in MFR **and** other districts. F3 and F4 reference Table 10-4-2.2, which seems to indicate CCCs are only allowed in MFR.

3. 10-4-3.2G(H)4 garage design. States that garage doors for SF attached must be set back at least 2 ft from the building façade, but the illustration does not depict this, unless the front porch counts as the façade. Confusing.
4. 10-4-3.2.C Contextual Development: How does the city prove that the 115% comparable height limitation on structures is not an arbitrary limitation? Was the effect of this regulation studied prior to adoption? Also, how does this limit not interfere with the private property rights granted to the land from the base zoning district requirements?
5. Contextual Standards: Front Setback - Subsection b needs to be rewritten:

Something along these lines:

2. Front Setback. The following provisions shall not be interpreted to require either
 - 1) a front setback less than that required by the applicable zoning district; or
 - 2) a front setback greater than 150 percent of that required by the applicable zoning district.
 - A. The front setback of residential development shall be greater than or equal to the average of the front building setbacks existing on the two nearest lots on either side of the property where lots separated by a public street right-of-way are not used in computing the average.
 - B. If any of the two nearest lots are undeveloped, they shall be calculated as the minimum setback of the applicable zoning district.
6. Contextual Standards: Height – it seems only fair that either a or b should apply, not both. If you can't live with "a", you have to supply a bufferyard pursuant to "b". If that is how we do it, we need to coordinate b with the setback provisions of other sections. For example, a multi-unit building type in the MFR district requires a 10-foot setback on the south and east sides. The bufferyard with a fence is only 7.5 feet (seems small for large trees in proximity to a foundation wall). We should make it the greater of 7.5 feet or 150 percent of the required side setback.

CHAPTER 5

1. Table 10-5-5.1.1 - When there is an "X" it's unclear if those should be "P" or "--". There is not an X symbol mentioned before the table in legend.

CHAPTER 6

1. Review Undergrounding language here – might need to be incorporated into other areas of the code to apply to more than just the Subdivision processes.
2. 10-6-1.2.B.5 - does not mention the Director as a decision maker for subdivisions
3. Propose to strike Section 10-6-2.4.B. Deed Restrictions.

CHAPTER 8

1. Tweak admin vs board level COAs following discussion with HPB on the "chart" mentioned in HP code, as needed.
2. Main Street Historic District and Louthan Heights district are described. But individual landmarks are not. Why? I think we need to look at whether any designated property needs to be set forth in the code, if the zoning map is already depicting them.
3. Replace Main Street Historic District Grant Fund with new name for the Downtown Historic District.

CHAPTER 9

1. 10-9-1.4 - HPB has the ability to prepare design guidelines, but PC approves them. This is a hold-over from the old code, which never really worked, since PC has no hp training. Allow HPB to approve, and maybe CC ratification or something?
2. Public Notice section and Development Review Summary only speak of notice associated with public hearings and not CDD decisions
3. 10-9-3.4 Common Decision Criteria – What is the criteria? Subsection B. states Table 10-9-3.9.1 denotes which procedures have common decision criteria but it is less than clear if denoted at all.
4. Section 10-9-3.5 Public Notice does not address required notice for neighborhood meetings held prior to application submittal. The section on neighborhood meetings links to this section to determine what's required, but only public hearing notification is addressed.
5. Expired Approvals and Extensions: not clear when the approval process begins – is it the date of staff/PC or CC approval, or the date of recordation? Section 10-9-3.8.
6. Abbreviated site plan approvals never expire per Table 10-9-3.9.1. There should probably be an expiration for these approvals if no building permit has been applied for.
7. Add Development Review Process (general timeline on web) as Section 10-9-3.11
8. COA's and designations: notification requirements – 700 ft radius and newspaper notice is required. This may be overkill for COAs and individual landmark designations.
9. Definition of Waiver – and add criteria for decision.
10. Add section to discuss Amendment to the Future Land Use and Character Map.
11. Section 10-9-5.6 Zoning Certificate – they are good for 180 days. There is no provision to state that the certificate becomes null and void should the code change as it relates to the topic of the zoning certificate.
12. MDP's can include multiple buildings and phases, similar to the old PD's. Clarify how Site Plans are approved with an MDP in place? The code seems to suggest that at least the first phase of development can include both the MDP and a Site Plan. If only one phase, seems like this works. If more than one phase, then maybe not.
13. How does an applicant show proof that more than 55% of landowners w/in a PD approve of that applicant's application for a Master Development Plan?
14. Master Development Plans may be referred to PC "at the discretion of the director" We need to add guidance or guidelines / triggers of when this process can be done administratively vs. Through a public hearing.
15. It is unclear what application type an applicant would use for an administrative amendment to a PD. A Minor Site Plan, as written in the code, can serve as this application type, but the criteria relates to a site plan, not a PD plan amendment. Need clarification in the code that this is the correct application for an administrative PD, or a new application type is needed to address admin pd amendments.
16. The term - "plans approved prior to the effective date of this code" is used in sections 10-9-5.2 Major Plan Amendment and 10-9-5.3 Minor Plan Amendment. These amendment processes are only applicable to The problem is that this section assumes that all existing developments within the city have one of these prior approved plans. For those developments that do not, the path for proposed development is unclear. What is

the application process to amend these developments with no previously approved plan? Code needs to address this.

17. Section 10-9-5.4 Site Plan: Full Site Plan and Abbreviated Site Plan: One can easily think of projects that are outside the bounds of an abbreviated site plan, but don't meet the threshold for a full site plan. Re-write so that any project that doesn't meet Abbreviated Site Plan automatically goes to Full Site plan.
18. Section 10-9-5.4(B)3 states: A site plan is Not required for signs, unless they are part of a new building or development requiring Site Plan approval. I don't think we intended to begin approving signs on site plans site plans.
19. Would be helpful to have a section in Article 10-9-5 Site Plan and Use Permits that addresses types of site modifications that do not require any type of site plan, such as an accessory structure that does not meet the threshold for a building permit, if this is true (not sure based on code as written).
20. 10-9-6.3 Access Permits – we need to revise the section so that it only applies to additional access points for SFD lots, beyond the one they are allowed.
21. 10-9-5.7 B.1.a Development with two or more of the following uses in multiple buildings: residential (single-family attached or multi-family) ~~residential~~, commercial retail and service, office, entertainment, recreation, and public or institutional uses;
 - a. Do we really need provision “a”? If “a” goes away, it frees small-scale mixed use.
22. 10-9-5.7 B.1.d 2 add “gross” to square footage.
23. 10-9-5.7 C – these criteria could be additional to the site plan criteria for the Detailed MDP process under consideration.
24. Clarify whether the code allows a Master Development Plan to amend only a portion of an existing PD.
25. Clarify who needs to sign an application to amend a portion of a PL-O or a Master Development Plan. Everyone within the PL-O/Master Dev Plan, or does notice of the application suffice? Once a MDP is in place, then modifying it would not require other property owners to sign? Clarify process for amending a site plan within an MDP.
26. Section 10-9-5.4.B.3. - add “Exterior renovations not increasing the building’s square footage or increasing building height”
27. Section 10-9-5.4 Site Plan: the criteria for an Abbreviated Site Plan Includes several criteria that needs to be evaluated. For example,
 - a. no abbreviated site plan can require a variance. This means applicants pay \$10,000 for the full site plan if a variance is needed, plus the cost of the variance application. It's hard to justify the necessity of the full site plan if the variance is being addressed in another application. Suggest eliminating this criterion.
 - b. “The proposed construction or improvement is for an existing structure.” MK and AM had different ideas on how to apply this criterion in L.V. project. Needs re-wording.
 - c. Why can't an abbreviated site plan include changes to parking? This is arbitrary.
28. Section 10-9-9.1 Administrative Adjustment - the Limitations and Decision Criteria do not appear to be aligned. It appears that more types of requests should be added under the Limitations section to facilitate the types of “Adjustments in the PL-O District” contemplated by the decision criteria.
29. 10-9-3.9 All administrative decisions are appealed to the Board of Adjustment. We need to revise the code to delineate what decisions go to BOA, PC, BBoA, and HPB.

30. 10-9-3.9 Master Development Plan public notice requirements do not distinguish between administrative decision and public hearing.
31. 10-9-9.2 D 1 – Allows appeals to be filed within 30 days. We need to change this to a very short timeframe. We can't hold everything up for 30 days!
32. 10-9-2.7 speaks to previously approved development plans and subdivisions and that they are still in effect. There is no mention of landmark designations and COAs. Probably need to include hp stuff here.
33. Consider adopting a provision for the Director to make use of policy memos to clarify sections of code, as needed.
34. The administration chapter discusses what to do if the text and a table are conflicting. But it doesn't address a situation where two sections of code conflict. This would be super helpful.

CHAPTER 12

1. Definition of Waiver – and add criteria for decision.
2. Overnight Accommodations means a commercial use category with uses with bedroom and bathroom units arranged for short-term stays of less than 30 days for rent or lease. Uses in this category include, but are not limited to, hotels, motels, and short-term rentals. This definition also includes other uses that the Director or their designee interprets to be functionally similar to a land use in this use category.
 - a. Does this mean that a unit rented on a short-term basis, not using the term STR, can exist in commercial zone districts without having the owner-occupied requirement? Also, the definition mentions hotels and motels. As written, someone might be able to claim their proposed STR is actually a hotel.
3. The definition of height does not match the diagrams for height shown in Table 10-1-2.4.1 under "Measurements and Allowances"
4. Story, Half means a story under a gable, hip, or gambrel roof, plates of which are not more than three feet above the floor of such story and which does not exceed one-half the floor area of the floor immediately below it.
5. Definition for "Mixed Use Building" includes the term "use types" This term is not defined. "use" is better than "use types."
6. The term "building coverage" is defined in the code. However, code also uses the term "lot coverage" which is not defined. I think that it can all make sense if each instance of the term "lot coverage" is replaced with "building coverage."
7. Animated and moving signs are mentioned in section 10-1-3. There is no definition for them. Would be good to have definitions for them.
8. Code doesn't distinguish between a land survey and a historic building or historic district survey. Clarify in applicable code sections and provide definitions for each.

ZONING MAP

1. Zoning Map – 1950 W Littleton Boulevard is shown as MFR. Current commercial office building would be non-conforming. Suggest changing the map to NC to match adjacent zoning.

2. Row of historic houses on Prince Street between Berry and Powers was formerly zoned CA and is now DNR. Many of these homes have commercial uses that are not permitted in DNR. Given visible location and comments we heard from property owners during ULUC, consider a zone district that allows ongoing use for commercial uses for these houses. Also, allowing commercial uses in these historic homes provides an opportunity for the public to experience a historic structure, for example, if a café were to be located in one of them.
3. Add historic districts and floodplain as items to be included on the zoning map. Clarification in code would be helpful.
4. 700 W. Mineral Avenue : Change from IP to BC at property owner's request. Missed comment in the open zoning map phase of ULUC adoption.



Potential Modifications and Fine Tuning to the Unified Land Use Code

February 28, 2022

Jennifer Q. Henninger, ACIP
Director of Community Development

Categories of Fixes

Typo

Typographical errors that have no impact on policy (not presented to PC)

Consistency

There are inconsistencies on numbers and/or word choice in between sections of Title 10

Conflict

Parts of Title 10 conflict with IBC or other city codes

Clarification

Concepts needing clarification of how you apply, review and decide upon certain development processes

- Removal of a PL-O

- Master Development Plan Process

- Cottage Court Community

Knowns and Unknowns

- List of fixes is a working list
- Staff anticipates discovery of more issues
- Quick fixes vs. fixes needing research and outreach
- EnCode capabilities
- Work will continue through 2023 and beyond

Immediate Priorities for 2022 PC Study Sessions

February 28 and March 7

- Clarification of Master Development Plan Process
- Chapter 9-fine tuning

March 21

- Clarification of how a PL-O designation can be removed
- Chapters 1-3 fine tuning

April 11 and 25

- Clarification of where and how a cottage court community can be developed
- Chapters 4-8 and 10-12 fine tuning

May 9 and 23

- Finalize fine tunings and clarifications
- Review proposed redlines of ULUC
- Prepare for PC hearing on recommendation for CC adoption of ULUC modifications

June

- PC Public hearing on recommended ULUC modifications

Moderate Priority ULUC Items Timeline

- Staff will review moderate priority fixes Fall of 2022
- Staff will bring moderate priority fixes to PC for series of study sessions starting September 2022
- Bring to CC attention in February 2023
- Staff work on revised language and bring redlines to PC study session in March and April 2023
- Bring content redlines to CC in May 2023
- First and second reading in June/July 2023 on moderate priority fixes

Master Development Plan Decision Criteria

1. **Layout.** The subject property is laid out in an efficient manner relative to the natural and built environments and designed to achieve the aims of a compact, highly walkable environment;
2. **Building Form and Massing.** The placement, arrangement, size, and relationships of buildings relative to streets, pedestrian and civic spaces, and one another create an urban environment;
3. **Quality Design.** The design of buildings and hardscape and landscape areas help to establish visual interest, aesthetic appeal, and a unique identity for the development including human-scale amenities, integration of civic spaces for public interaction, and protection from the environmental elements;
4. **Walkability.** The connections within and between buildings, civic spaces, parking areas, transit stations and stops, and to surrounding development; the presence of amenities and other pedestrian improvements; and the proximity of origins and destinations both internal and external to the development are such that walking and bicycling are safe and viable modes of transportation;
5. **Undeveloped Space.** Together with the developed areas, the undeveloped spaces devoted to natural resource preservation, buffering of uses, and for passive and active use are connected and continuous throughout the development;

Master Development Plan Decision Criteria (continued)

6. Complete Streets and Parking. The streets are designed for multiple purposes, including vehicular movement, on-street parking, and safe use of pedestrians and bicyclists, and the parking is well-distributed and designed to preserve an urban streetscape;

7. Effect on Natural Environment. The development will not create any significant adverse impacts on stormwater management facilities or the natural environment including water, air, vegetation, and other environmental features;

8. Nuisance Mitigation. The design is not likely to result in nuisances including, but not limited to, noise, dust, light, or vibrations;

9. Phasing. The development is phased in a manner that assures an adequate mixture of residential and non-residential land uses, as applicable, and allows for transition from the early phases to completion, relating to the intensity of uses and parking; and

10. Crime Prevention. Development design is consistent with Subsection 10-1-3.2.B, CPTED (Crime Prevention Through Environmental Design).

Master Development Plan **DRAFT** Written Interpretation – Title 10

Is the land where your proposed project in a PL-O Overlay District (one with prior approved Planned Development)? Do you want to develop according to the underlying zone district? 10-1-1.2

Track 1: Master Development Plan

1. Elect to develop under the new underlying zoning district, 10-1-1.2.A Planned Overlay District (subsection D.1.c.), by "terminating" the PD. Termination in this context is accomplished through notification to the City and the submittal and approval by Planning Commission of a Master Development Plan.
2. Submit a Master Development Plan 10-9-5.7.B.2. that conceptually illustrates the nature and character of development.
3. Conformance to the General Design principles in *10-3-3.2B(D)-Mixed-Use Development Layout and Design*, shall be depicted in a Master Development Plan.
4. Conduct Neighborhood Meetings 10-9-3.6.C (Guidelines for these meetings to follow)
 - a. Meeting Requirements:
 - i. One meeting before application submittal and one before second submission
 - ii. 10-9-3.6 Public Meetings and Hearings (subsection C.2.b. discusses the procedure)
 - iii. Because neighborhood meetings are informational in nature, only need to provide mailed written notice 10 days prior to neighborhood meeting
5. MDP Approval Process Track 10-9-5.7C&D
 - b. Administrative review and recommendation to PC
 - c. Planning Commission 10-9-3.5
 - i. Requires Public Notice –
 1. Posted Public Notice sign - Applicant
 2. Publication of Public Hearing Notice by City Staff - 10 days prior to Public Hearing
 3. Mailing of Public Hearing Notice by City Staff – 15 days prior to public hearing
6. Submit Site Plan – within 2 years of MDP approval [Section 10-9-5.4]
 - d. Will be processed and a determination made administratively

Track 2 – Master Development Plan with Site Plan detail:

1. Submit Master Development Plan that shows phasing WITH a detailed Site Plan of one phase. Applicable Sections of Code 10-9-5.4-Site Plan and 10-9.5.7 Master Development Plan AND 10-3-3.2B CMU Building and Site Design
2. Conduct Neighborhood Meetings 10-9-3.6.C (Guidelines for these meetings to follow)

e. Meeting Requirements:

- i. One meeting before application submittal and one before second submission
- ii. 10-9-3.6 Public Meetings and Hearings (subsection C.2.b. discusses the procedure)
- iii. 10-9-5.7C&D Approval Process
 1. Administrative review and recommendation to PC
 2. Planning commission decision 10-9-3.5
 - a. Requires Public Notice –
 - i. Posted Public Notice sign 10 days prior - Applicant
 - ii. Publication of Public Hearing Notice by City Staff - 10 days prior to Public Hearing
 - iii. Mailing of Public Hearing Notice by City Staff – 10 days prior to public hearing

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