



Agenda Memorandum

Agenda Item – 5.A.

City Council Study Session
March 18, 2024



Strategic Priority 1: Preparedness and Resilience

Build a system of intentional support for residents, businesses and the environment that mitigates risks and proactively seeks out ways to ensure the community not only endures, but thrives.



Strategic Priority 3: Shared Sense of Community

Foster equitable opportunities that help residents feel at home and connected in their community and empowered to live their best lives.

Subject: Unified Development Code and Housing

Prepared By: Lindsey Kimball, Community Services Director
John McConnell, Interim Planning Manager
Andrew Spurgin, Principal Planner

Summary Statement:

This report is for City Council information only and requires no action by City Council.

- City Council has expressed an interest in refining the City’s development requirements associated with residential development.
- The 2040 Comprehensive Plan elevated the importance of housing with new concepts to support attainability on a citywide scale such as greater diversity in housing typologies and more flexibility with site planning in residential designations.
- The Unified Development Code (UDC) is intended to provide regulations to implement the Comprehensive Plan for all types of development including residential, commercial, and mixed-use. Applicable findings of the Redevelopment and Adaptive Reuse Toolkit will be incorporated into the UDC.
- Upcoming related items of interest include an April 8, 2024 presentation to City Council on the Housing Needs Assessment (HNA) and the Strategic Plan retreat on April 13, 2024, both of

which are anticipated to include discussions about future housing policy.

- Future housing policy may also be impacted by potential state legislation, whose final form is expected with conclusion of the Legislative Session in May.
- This agenda memo identifies a timeline to facilitate further discussions on future housing policy for Westminster to ensure City Council has sufficient opportunities to fully vet the different considerations that impact housing policy.

Background Information:

The purpose of this informational memo is to review internal and external considerations for new or revised housing policies and regulations and to establish a general timeline for upcoming opportunities for additional discussion on housing policies and associated regulations in Westminster.

The City has made significant progress over the last several years through the Westminster Municipal Code (W.M.C.) to support further provision of housing for residents of Westminster. This work included enactment of provisions to support condominium development and fair adjudication of construction defect claims in light of lack of protections from the state in the area of construction defects litigation, sunseting of the residential service commitment competition in 2018, and continued use of the Planned Unit Development (PUD) zoning system to require inclusion of affordable/income-restricted units with larger master planned developments, such as was done with Bradburn Village and, more recently, with approval of the Uplands, where a minimum of 300 of the allowed 2,350 units will be for residents earning no more than 80 percent of area median income.

The 2040 Comprehensive Plan, adopted by City Council on March 27, 2023, elevated the importance of housing by creating a whole chapter on housing and neighborhoods and introducing new concepts to support greater housing attainability on a citywide scale such as Accessory Dwelling Units (ADU) and opportunities for greater diversity in housing typologies, including smaller format homes and options for senior housing. Greater flexibility with residential site design is further provided by new provisions to remove minimum lot sizes in most residential areas and including an allowance for density based on the context of surrounding development. Four goals and 20 policies related to housing are included in Attachment 1.

Building upon adoption of the Comprehensive Plan, the UDC was introduced to City Council on December 11, 2023, see Attachment 2. The UDC is intended to provide regulations to implement the Comprehensive Plan and replace the existing patchwork of eight different regulatory documents used for land development. City Council comments during the December 11, 2023 Study Session focused on a desire to support further ADU development.

The Comprehensive Plan and recently completed Redevelopment and Adaptive Reuse Toolkit provide instructive guidance on the formation of updated regulations for commercial and industrial development. However, for residential development, Staff recommends additional discussions with City Council on housing policy before advancing the UDC much further.

On February 26, 2024, City Council established positions on pending state legislation that addresses housing. Staff cannot fully evaluate the impact of these proposed bills until the final provisions are known. It is possible that such an evaluation may not occur until after conclusion of the Legislative

Session on May 8, 2024.

The following timeline is proposed to facilitate a manageable process for City Council to further develop future housing policy for Westminster:

1. A presentation to City Council on the recently completed HNA is planned for April 8, 2024, which includes both a data-based review of the City's housing needs as well as an introduction of various options to advance fulfillment of the City's varied housing needs.
2. The Strategic Plan retreat planned for April 13, 2024 may result in potential action items related to housing initiatives.
3. After the State Legislature adjourns, Staff will return to City Council with an opportunity to further discuss the UDC and the extent to which the scope of work may need modification for alignment with new or revised housing policies resulting from the HNA and the potential impact of any new state laws, see Attachment 3.

Potential state legislation will continue to be tracked and additional touch points with City Council may be scheduled if further policy direction is needed. While the UDC and any associated state legislation may provide regulatory structure for additional housing in Westminster, these do not ensure construction. Further development of housing policies and initiatives are critical to an overall housing strategy.

The City's Strategic Plan priorities of Preparedness and Resilience and Shared Sense of Community are met by providing a framework to support housing attainment, ensuring residents can thrive within the greater community.

Respectfully submitted,



Mark A. Freitag
City Manager

Attachments:

Attachment 1: Comprehensive Plan Housing & Neighborhoods Policies

Attachment 2: December 11, 2023 UDC Presentation

Attachment 3: Policy Inputs for the UDC

7.2 GOALS & POLICIES

The following goals and policies provide direction for all aspects of physical planning. Goals are defined as desired ideals and a value to be sought. Policies articulate a course of action that guides governmental decision making to meet the goal. To further define how policies can be implemented in the short- and long-term, specific strategies can be found in the Implementation Action Plan. They are not inclusive of all actions and options.

NEIGHBORHOOD IDENTITY



Goal HN-1 Ensure new residential neighborhoods, redevelopment, and infill areas support the neighborhood unit concept with multimodal transportation options and access to meet the everyday educational, recreational, civic, employment, and service needs of its residents.

- 1.1 Design new neighborhoods with an easily accessible focal point, such as a park or civic space that provides a unique identity and opportunities for community gathering.
- 1.2 Focus residential development greater than 5 units per gross acre in areas within walking distance of neighborhood services and shopping, employment, parks or open space, and multimodal transportation options—including transit. Typically, this distance should be no more than a quarter mile, or five-minute walk along safe, direct pedestrian paths, and streets.
- 1.3 For lower density residential areas, focus neighborhood design that allows fulfillment of residents' daily needs within a 20-minute walk from each home (also see Ch. 3, Land Use & Development, Goal 3, Policy 3).
- 1.4 Plan for impacts of changing technologies in the areas of transportation, shopping, and employment.

Goal HN-2 Enhance and maintain the character of the city's existing residential neighborhoods, balancing the need to accommodate infill development.

- 2.1 To ensure compatibility between different scales of development provide a transition in building height and massing where higher intensity development is located adjacent to low-scale development.
- 2.2 Support enhancement programs and efforts to strengthen existing or aging residential neighborhoods throughout the city.



- 2.3 Support flexibility in building design and type to allow neighborhoods to continue meeting the needs of the community such as senior housing, intergenerational families, and special needs housing.
- 2.4 Support the organization of Home Owners Associations (HOA) and Neighborhood Associations to advocate for the needs and improvements of existing neighborhoods.

HOUSING DIVERSITY



Goal HN-3 Provide opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles, and age groups within the city.

- 3.1 Continue to provide a variety of neighborhood types with a diversity of housing choices.
- 3.2 Blend “missing middle” housing types within other types of development to ensure neighborhoods that are resilient over time to demographic changes.
- 3.3 Support diverse housing opportunities to serve a range of household sizes, compositions, and needs.
- 3.4 Strive to preserve and maintain existing affordable rental and ownership housing.
- 3.5 Maintain and improve the affordable housing options throughout the city, as detailed in the Affordable and Workforce Housing Strategic Plan.
- 3.6 Pair supportive community and neighborhood resources with affordable housing.

Goal HN-4 Continue Westminster’s tradition as a caring community by ensuring housing options for seniors and residents with special needs.

- 4.1 Support housing options that meet the accessibility and functional needs of households with seniors and residents with special needs.
- 4.2 Expand housing options for the aging population to facilitate aging in place such as ADUs and intergenerational households and housing products for downsizing households.
- 4.3 Support a continuum of care from independent living to assisted living to transitional facilities.
- 4.4 Locate senior housing within residential areas to provide proximity to generations to support seniors and at locations with close proximity to senior services, medical facilities, and public facilities such as libraries.

RENTAL HOUSING INSPECTIONS

The objective of the program is to eliminate deteriorating conditions resulting in blight and to improve the level of safety, stability and appearance of neighborhoods, as well as promote an increased pride in Westminster. Rental properties are systematically inspected if:

- They are six-years-old or older
- They contain four or more units
- Four or more rental dwellings within any townhome or condominium community owned by a single owner

Individual townhomes and condominiums (up to three units under a single ownership within any townhome or condominium community), duplexes, and single-family units are inspected on a complaint-only basis, or can be inspected on a proactive basis.

Attachment 2
12/11/23 UDC Presentation



WESTMINSTER
COLORADO

Agenda Memorandum

Agenda Item – 3.D.

City Council Study Session
December 11, 2023



Strategic Priority 1: Preparedness and Resilience

Build a system of intentional support for residents, businesses and the environment that mitigates risks and proactively seeks out ways to ensure the community not only endures, but thrives.



Strategic Priority 3: Shared Sense of Community

Foster equitable opportunities that help residents feel at home and connected in their community and empowered to live their best lives.



Strategic Priority 4: Quality of Life

Ensure that Westminster offers a diverse range of amenities and activities for residents, businesses and visitors that honor the city's history and support the arts, parks, recreation, open spaces, and libraries.



Strategic Priority 5: Robust Infrastructure

Provide safe and equitable access to core services and amenities by safeguarding, maintaining and improving the city's water, wastewater, stormwater, mobility and roadway systems.

Subject: Presentation of the Unified Development Code

Prepared By: John McConnell, AICP; Interim Planning Manager
Andrew Spurgin, AICP; Principal Planner

Recommended City Council Action:

Receive a presentation regarding the proposed Unified Development Code and offer feedback to Staff.

Summary Statement:

- Title XI of the Westminster Municipal Code (the Code) titled “Land Development and Growth Procedures” was adopted in 1997 after a nine-year process to review and revise the Code.
- Since 1997, the Code has been amended numerous times for specific purposes identified by City Council, but there has not been a comprehensive review of the entire Code since 1997.

- In addition to the Code, land development in Westminster is governed by separately adopted landscape regulations and six different design standards/guidelines documents. Projects with multiple land uses thus navigate multiple documents, which have not been consistently updated with the larger Code.
- The purpose of the proposed Unified Development Code (UDC) is to unify provisions within the Code, the landscape regulations, and the six different design standards/guidelines documents into a single document for land development.
- A draft UDC, prepared in 2021, is now not the recommended approach as that draft did not align with the changes to the City's vision statement and the draft was unnecessarily lengthy, complicated, and too difficult to apply to the limited remaining land inventory within Westminster.
- With the adoption of the 2040 Comprehensive Plan (2040 Plan) on March 27, 2023, the UDC project has been reset to ensure consistency with City Council's intent with the 2040 Plan, and a more precise approach is proposed to ensure ease of use and tailoring to the remaining land inventory.
- Strategic Plan Focused Objectives, specifically the Adaptive Reuse Toolkit and Housing Needs Assessment, will inform strategies to incorporate into the UDC.

Background Information:

The existing Code was adopted on August 11, 1997, representing the culmination of work that began in 1988 to balance concerns both from residents and the development community over the City's procedures, standards, and organization of regulatory provisions. Since that time, the Code has been amended in response to City Council priorities, including changes to public hearing notification requirements, sign regulations, and the recently enacted Concept Plan Review (CPR) process. There has not been a comprehensive review of the larger organization and structure of the Code since 1997, and it is appropriate that an update reflect more recent planning considerations for land development such as water conservation, multi-modal mobility, and changing preferences and technologies that affect commercial and residential development patterns. Additionally, the City is now substantially built out and warrants a modified approach to development regulations that focuses on the remaining vacant, developable properties and the unique challenges related to infill development and redevelopment.

Prior UDC Work

The UDC is informed by the goals, policies, and strategies of the 2040 Plan, Transportation and Mobility Plan, Sustainability Plan, and the forthcoming Parks, Recreation, and Libraries (PRL) Vision Plan. The UDC functions as Phase Two to the Growth Management program. Prior to Phase One, a pattern was emerging with proposed residential development achieving a declining share of points assigned for different design features. The former service competition resulted in fewer points every year while the number of residential service commitments allotted was not being utilized, effectively creating an unnecessary system of slowing residential projects featuring lower design quality.

The Phase One changes resulted in certain mandatory minimum standards for residential development design and established a new requirement where only City Council can approve exceptions. Providing an avenue where only City Council can approve exceptions increased transparency from past practices where a Planned Unit Development (PUD) may have modified development standards through notes in a Preliminary Development Plan (PDP) or Official Development Plan (ODP). Staff is also aware, however, that in some cases the exception process has caused frustration for developers about the necessity of this step in lieu of a modernized set of development standards. Recent introduction of the CPR process has helped Staff, developers, residents, and City Council better understand project benefits and/or impacts at an early stage.

After extensive community engagement in 2018 and 2019, an initial 543-page draft UDC was released in 2021, with the review by Staff focusing on procedures and administrative provisions since the 2040 Plan had not been finalized. Review of the draft UDC resulted in a concern that it was overly complicated and, hence, not an improvement in that regard over the current regulatory system. Also, the design concepts were not aligned with changes to the City's vision statement. A revised draft that stitched together additional sections of the Code grew to 710 pages. When City Council chose not to approve an earlier version of the 2040 Plan in 2021, it was decided that further work on the UDC should be paused until City Council established new policy direction for the physical growth of the City through a revised 2040 Plan.

Current UDC Work

Based on discussions with City Council in 2022, the 2040 Plan shifted in focus to support further employment development with emphasis on opportunities for research and development and life sciences, supporting diversity in housing formats with an emphasis on home ownership opportunities, and reducing citywide water demand. As an implementation component of the 2040 Plan, the UDC will continue to respond to these three overarching themes.

Although the project scope unifies the Code landscape regulations and the six different design standards/guidelines documents into a single document for land development regulation, Staff proposes a more precise approach than the prior 710-page draft shown in 2021. The scope of work includes zoning, site planning, architectural design, and associated procedures. Key topics introduced with the 2040 Plan that will be incorporated into the UDC include zoning more closely aligned with comprehensive plan designations; strategies to support home ownership through smaller format single-family products, townhomes, and accessory dwelling units; standards for office and industrial development that are lacking in current standards; and standards for the public realm to support the City's continued high quality of life.

To keep the UDC focused and manageable for the City's limited remaining land inventory, the UDC will leave in place other development-related regulations including the City's building codes, construction engineering standards, and development-related topics incorporated elsewhere in the Code such as alcohol sales, short-term rentals, and animal management. Regulation of wildlife on private property, including but not limited to prairie dogs, is not included in the scope.

Next Steps

An outline of the UDC is provided, see Attachment 1. The intent is to coordinate zoning districts and

uses that align with the 2040 Plan, consolidate standards for building and site development, ensure that procedural provisions are transparent and organized chronologically, and that appropriate administrative provisions are in place such as definitions and the authority to interpret and apply UDC provisions to specific situations in the future. The existing Code provision that requires new development to conform with the Comprehensive Plan will remain, which is critical due to the water supply planning work associated with the land uses and densities of the Comprehensive Plan. Only City Council may approve amendments to the Comprehensive Plan.

Prior feedback provided by residents, development stakeholders, and interdepartmental Staff has been retained, and these interest groups will be used to define upcoming participation in the UDC. The UDC will be further informed by current and upcoming Strategic Plan Focused Objectives identified by City Council including the Redevelopment and Adaptive Re-Use Toolkit; the Housing Needs Assessment; and the PRL Vision Plan. The UDC is not a Focused Objective identified in the current adopted Strategic Plan, therefore Staff will prioritize the Adaptive Re-Use Toolkit, Housing Needs Assessment, and PRL Vision Plan and continue preparation of the UDC once these Focused Objectives are more advanced. Broad public review is expected in mid-2024, including additional City Council briefings, with an eye toward completing the UDC in early 2025.

The primary benefits and/or impacts of the UDC will be in the few locations where new development occurs. Less than five percent of the City's land area is vacant developable land and, once sites with active development applications are removed, there remains only about 2.8 percent of the City's land area, as shown in Attachment 2. It is within this 2.8 percent, roughly 612 acres, where the UDC will primarily be applicable. The UDC may also be applied where redevelopment occurs and where major changes to an existing developed property occur, such as construction of a new building on a portion of a site currently used for parking. Most residential communities in Westminster are master planned through individual PUD districts, and there is no intent to amend the zoning within existing neighborhoods. The UDC would also not apply to Downtown Westminster and Westminster Station since those are regulated by Specific Plans that have separate zoning and design standards from the more general citywide standards that will be in the UDC. Dormant projects that are vested through PDPs may also be subject to the regulations in place with PDP approval. The limited applicability of the UDC further speaks to the need for a tailored approach that is more focused than the sweeping 710-page overhaul proposed in the earlier 2021 draft.

The City's Strategic Plan priority of Preparedness and Resilience is met by providing a framework to support quality development with an updated set of regulations in support of the 2040 Plan. The priority of Shared Sense of Community is met by fostering neighborhood designs that facilitate opportunities for home ownership and continued focus on the public realm. The priority of Quality of Life is met by integrating amenities and community institutions into an intentional pattern of development. The priority of Robust Infrastructure is met by ensuring new development supports delivery of the City's core services and planning to respect the city's water, wastewater, mobility, and roadway systems.

Respectfully submitted,

Mark A Freitag

Mark A. Freitag
City Manager

Attachments:

Attachment 1: UDC Outline

Attachment 2: Map of Vacant Developable Land
Presentation of the Unified Development Code

Chapter 11-1 General Provisions

- 11-1-1 Purpose
- 11-1-2 Title, Effective Date, and Archived Regulations
- 11-1-3 Authority
- 11-1-4 Applicability
 - (A) Generally
 - (B) Compliance Required
 - (C) City Exemption
 - (D) Effect of Comprehensive Plan
- 11-1-5 Legal Provisions
 - (A) Minimum Standards
 - (B) Consistency with Other City Requirements
 - (C) Relationship to Other State, Federal and Local Provisions
 - (D) Private Restrictions
 - (E) Severability
- 11-1-6 Transitional Provisions
 - (A) Intent and Applicability
 - (B) Existing Development Approvals
 - (C) Applications in Progress
 - (D) No Applications Submitted
 - (E) Lapsing
 - (F) Violations under Prior Code

Chapter 11-2 Zoning Districts and Official Zoning Map

- 11-2-1 Generally
 - (A) Applicability
 - (B) Permitted and Special Uses
 - (C) Dimensional Standards and Density
- 11-2-2 Zoning Districts Established
 - (A) Generally
 - (B) Districts to Regulate Development and Implement the Comprehensive Plan
- 11-2-3 Zoning Map
 - (A) Official Zoning Map Adopted
 - (B) Force and Effect
 - (C) Status of the Zoning Map
 - (D) Interpreting the Zoning Map
- 11-2-4 Dimensional Standards and Adjustments Applicable to All Zoning Districts
 - (A) Density
 - (B) Height Exceptions
 - (C) Landscaping Adjustments
 - (D) Setback Exceptions
 - (E) Setback Averaging
 - (F) Sight Distance Triangle

Chapter 11-3 Residential Zoning Districts

- 11-3-1 Residential Districts Established
- 11-3-2 Purposes
- 11-3-3 Standards Applicable to All Residential Zoning Districts
 - Summary Dimensional Table for Staff Review
- 11-3-4 Residential Estate (RE)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
 - (D) District Specific Standards
- 11-3-5 Suburban Residential (SR)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
- 11-3-6 Mixed Residential (MR)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
- 11-3-7 Mixed Medium Residential (MM)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
- 11-3-8 Mixed High Residential (MH)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards

Chapter 11-4 Mixed-Use and Commercial Districts

- 11-4-1 Mixed Use and Commercial Districts Established
- 11-4-2 Standards Applicable to All Mixed-Use and Commercial Districts
 - (A) Civic Space
- Dimensional Summary for Staff Review
- 11-4-3 Neighborhood Office (NO)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
- 11-4-4 Neighborhood Commercial (NC)
 - (A) Purpose
 - (B) Permitted Uses

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SUBJECT TO CHANGE

- (C) Development and Dimensional Standards
- 11-4-5 Mixed Center (MC)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
- 11-4-6 Town Center (TC)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standard
- 11-4-7 Commercial Services (CS)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards

Chapter 11-5 Employment Districts

- 11-5-1 Standards Applicable to All Employment Zone Districts
Summary Dimensional Table for Staff Review
- 11-5-2 Business Park (BP)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
- 11-5-3 Office Park (OP)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards
- 11-5-4 Industrial Park (IP)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards

Chapter 11-6 Public and Open Space Districts

- 11-6-1 Open District (O1)
 - (A) Purpose
 - (B) Permitted Uses
 - (C) Development and Dimensional Standards

Chapter 11-7 Special Use Districts

- 11-7-1 Downtown Westminster
- 11-7-2 Westminster Station
- 11-7-3 Church Ranch
- 11-7-4 Brookhill
- 11-7-5 North I-25

Chapter 11-8 Overlay Zoning Districts

Chapter 11-9 Planned Unit Development (PUD)

- 11-9-1 Purpose
- 11-9-2 Applicability
- 11-9-3 Uses
 - (A) Permitted Uses
 - (B) Prohibited Uses
- 11-9-4 Regulations for PUD District

Chapter 11-10 Use Regulations

- 11-10-1 Use Table
 - (A) Use Table
- 11-10-2 Use Regulations Applicability and Spacing
 - (A) Applicability
 - (B) Spacing Requirements
- 11-10-3 Adult Businesses
 - (A) Findings of Fact
 - (B) Purpose
 - (C) Applicability
 - (D) Separation Distances
 - (E) Building Occupancy
- 11-10-4 Automotive-Oriented and Convenience Buildings
 - (A) Purpose
 - (B) Applicability
 - (C) Separation from Residential Zoning Districts
 - (D) Criteria for Review of Special Use Authorization
 - (E) Automobile Rental, Sales and Leasing
 - (F) Automobile/Vehicle Repair, Minor or Major
 - (G) Car Wash/Vehicle Washing
 - (H) Convenience Markets (With or Without Fuel Sales)
 - (I) Drive-Through Uses
 - (J) Gas Stations (Service Stations)
- 11-10-5 Dumpsters and Trash Storage
 - (A) Purpose
 - (B) Applicability
 - (C) Location
 - (D) Screening
 - (E) Sight Distance Triangle
 - (F) Parking
- 11-10-6 Medical Facilities
 - (A) Purpose
 - (B) Patient Entrances

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SUBJECT TO CHANGE

- (I) Mixed Use Development
- 11-12-4 Building Design Standards
- (A) Applicability
- (B) Location and Orientation
- (C) Street Frontage
- (D) Building Typologies

- (D) Public Street Connectivity
- 11-14-6 Pedestrian Circulation
- (A) Sidewalks Required
- (B) On-Site Pedestrian Connections
- 11-14-7 Bicycle Circulation
- (A) Required Bicycle Access
- (B) Bike Lanes Required

Chapter 11-13 Landscaping and Buffering

- 11-13-1 Applicability
 - (A) New Development
 - (B) Infill and Redevelopment
 - (C) Existing ODP or Other Approval
 - (D) Proportionate Compliance Adjustment
- 11-13-2 Required Landscaping
 - (A) Streetscape
 - (B) Alley
 - (C) Parking Lot
 - (D) Buffering Requirements
 - (E) Common Area and Entrance Landscape
 - (F) Single Family Detached Residential
 - (G) Stormwater Infrastructure
- 11-13-3 Existing Vegetation and Preservation
 - (A) Protected Trees
 - (B) Credit for Existing Trees
 - (C) Surety
 - (D) Mitigation
- 11-13-4 Design
 - (A) General
 - (B) Planting Design
 - (C) Hydrozones
 - (D) Irrigation
- 11-13-5 Construction and Maintenance
 - (A) Construction
 - (B) Maintenance
 - (C) Landscape and Private Improvements Agreement

Chapter 11-15 Parking and Loading

- 11-15-1 Purpose
- 11-15-2 Applicability
 - (A) Off-Street Parking Required
 - (B) Prior Requirements
- 11-15-3 Calculation of Required Off-Street Vehicle Parking
 - (A) Required Parking
 - (B) Calculation of Required Parking
 - (C) Minimum Off-Street Parking
 - (D) Accessible Parking Spaces
 - (E) Maximum Number of Parking Spaces
- 11-15-4 Parking Credits and Adjustments
 - (A) Parking Reductions
 - (B) Reduction Allowed by Administrative Adjustment
 - (C) Alternative Parking Plans
- 11-15-5 Bicycle Parking
 - (A) Bicycle Parking Requirements, Location and Design
- 11-15-6 Vehicle Parking Location and Design
 - (A) Location
 - (B) Nonconformities
 - (C) Construction and Maintenance Standards
 - (D) Parking Structures with Active Uses
 - (E) Electric Vehicle Charging

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SUBJECT TO CHANGE

Chapter 11-14 Mobility and Connectivity

- 11-14-1 Purpose
- 11-14-2 Applicability
- 11-14-3 Multimodal Transportation System
- 11-14-4 Developer Responsibility
 - (A) On-Site Circulation
 - (B) Off-Site Circulation
- 11-14-5 Streets, Alleys, and Vehicular Circulation
 - (A) Compliance with City Standards
 - (B) Layout and Design
 - (C) Circulation Plan

Chapter 11-16 Public Improvements

- 11-16-1 Purpose
- 11-16-2 Applicability
- 11-16-3 General Provisions
- 11-16-4 Public Roadways, Easements, and Lands for Public Improvements
- 11-16-5 Dedication of Property for Public Purposes
- 11-16-6 Undergrounding of Electric and Communication Lines
- 11-16-7 Public and Private Improvement Agreements and Surety Requirements

Gray = Carryover Existing W.M.C. provisions

11-16-8	Design and Construction of Improvements	(E)	Complete Applications with Changed Status
11-16-9	Local Improvement Districts	(F)	Public Notice and Public Hearing Requirements
11-16-10	Procedures for the Establishment and Recovery of Participation Costs	(G)	Recommendation and Decision
Chapter 11-17 Natural Resources and Environmentally Sensitive Areas		(H)	Post-Decision Actions
11-17-1	Purpose	(I)	Extension and Lapsing of Approvals
11-17-2	Applicability	11-19-4	Administrative Decision, No Public Hearing Required
11-17-3	General Requirements	(A)	Administrative Adjustment
11-17-4	Wildfire Standards	(B)	Alternative Compliance
11-17-5	Wildlife Habitat Protection	(C)	Administrative Permit
11-17-6	Natural Resources	(D)	Code Interpretation
11-17-7	Floodplain Regulations	(E)	Conditional Use Review
Chapter 11-18 Historic Preservation		(F)	Final Plat
11-18-1	Declaration of Policy and Purpose	(G)	Minor Official Development Plan Amendment
11-18-2	Definitions	(H)	Minor Subdivision
11-18-3	Historic Landmark Board Created; Powers and Duties	(I)	Official Development Plan – Administrative Approval
11-18-4	Criteria for Designation	(J)	Plat Correction
11-18-5	Procedures for Nomination of Historic Landmarks and Districts	11-19-5	Planning Commission, City Council Decision, or Board of Zoning Appeals Decision - Public Hearing May be Required
11-18-6	Revocation of Designation	(A)	Annexation
11-18-7	Special Duties and Obligation of Owners of Historic Properties	(B)	Appeal of an Administrative Determination
11-18-8	Certificate of Historic Appropriateness	(C)	Comprehensive Plan Adoption
(A)	Action of Board Upon Denial of Certificate of Historic Appropriateness	(D)	Comprehensive Plan Amendment
11-18-9	Relocation of a Historic Landmark	(E)	Major Official Development Plan Approval or Amendment
11-18-10	Demolition of a Historic Landmark	(F)	Permit or Approval Revocation
11-18-11	Exemptions	(G)	Preliminary Development Plan
(A)	Hardship	(H)	Rezoning
(B)	Unsafe or Dangerous Conditions	(I)	Right-of-Way and Easement Vacation
11-18-12	City Council Review of Designation, Alteration, Removal, and Demolition	(J)	Special Use Authorization
11-18-13	Enforcement and Penalties	(K)	UDC Text Amendment
Chapter 11-19 Administration and Procedures		(L)	Variance
11-19-1	Decision-Making Authority	(M)	Vested Property Right
11-19-2	Summary Table of Review and Decision-Making Bodies	Chapter 11-20 Nonconformities	
11-19-3	Commonly Applicable Procedures	11-20-1	Purpose
(A)	Pre-Application Meeting	11-20-2	Applicability
(B)	Application Outreach Meetings	11-20-3	Nonconforming Uses
(C)	Application Submittal and Fees	11-20-4	Nonconforming Structures
(D)	Application Review	11-20-5	Nonconforming Lots
		11-20-6	Nonconforming Site Improvements
		11-20-7	Abandonment and Destruction

DRAFT
SUBJECT TO CHANGE

Gray = Carryover Existing W.M.C. provisions

11-20-8	Substantial Conformance Improvement Plan	Chapter 11-22	Measurements and Definitions
Chapter 11-21	Violations and Enforcement	11-22-1	General Rules of Interpretation
11-21-1	General Provisions	11-22-2	Measurements
11-21-2	Violations	(A)	Site Measurements
11-21-3	Penalties	(B)	Structure Measurements
11-21-4	Enforcement Procedures	11-22-3	Definitions

**DRAFT
SUBJECT TO CHANGE**

ATTACHMENT 2

**Vacant Land Status
and
2040 Comp Plan**

**Vacant Developable
Land**

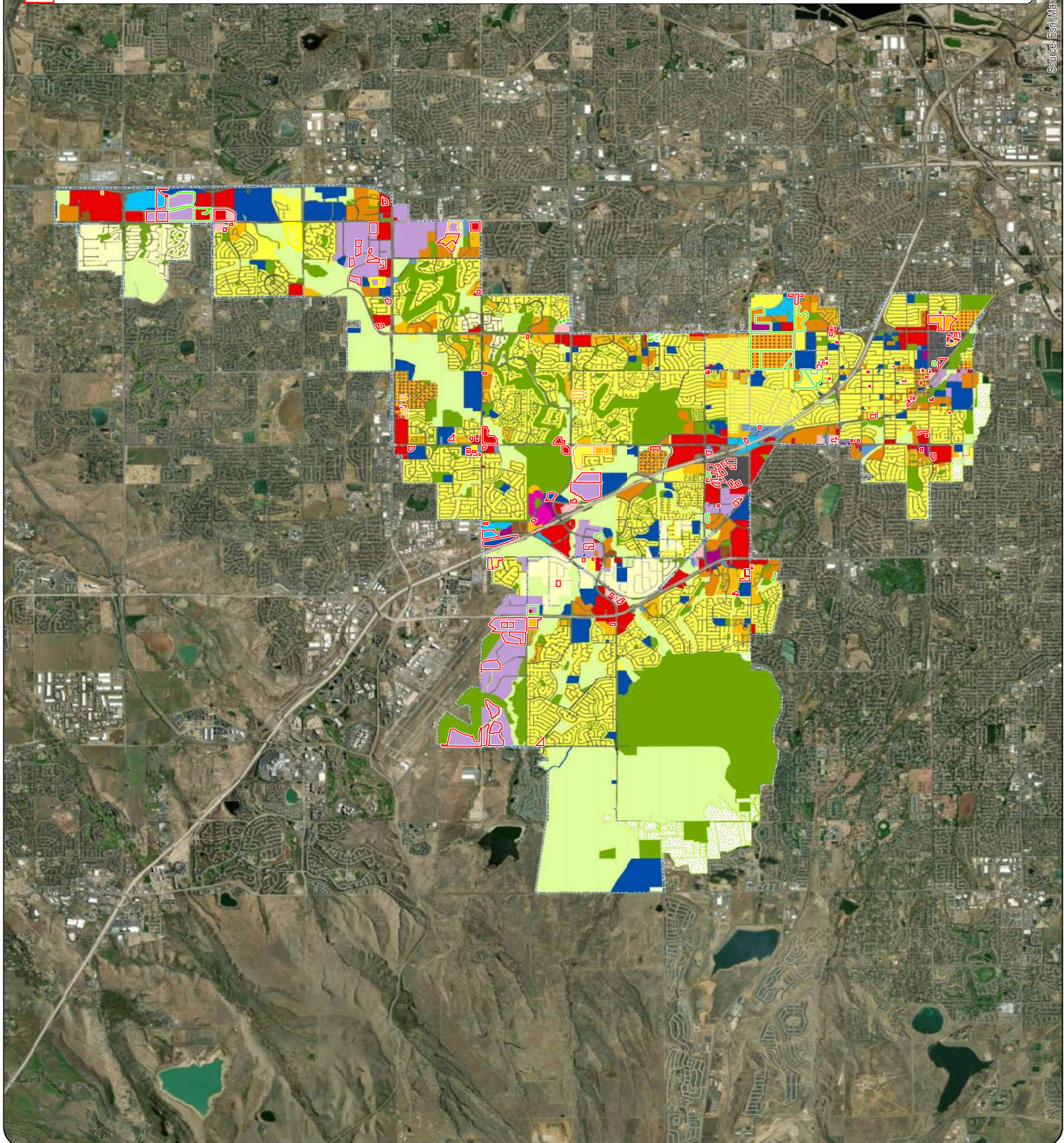
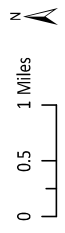
- No Development
- Project Approved
- Under Construction
- Under Review

Comp Plan 2040

- Residential Large Lot
- Residential Low Density
- Residential Medium Density
- Suburban Multi-Family
- Urban Multi-Family
- Mixed-Use Neighborhood
- Specific Area Plan
- Employment-Flex
- Neighborhood Office
- Employment-Office/Inst... Campus
- Public/Quasi Public
- Commercial
- Service Commercial
- Commercial Mixed-Use
- Mixed-Use Activity Center
- Parks/Golf Courses
- Open Space/Creek Corridor
- Agricultural/Conservation Area

City Limit

- City Limit
- Enclave



UNIFIED DEVELOPMENT CODE (UDC)

December 11, 2023

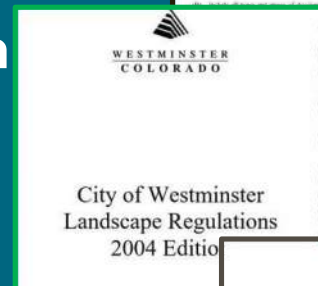
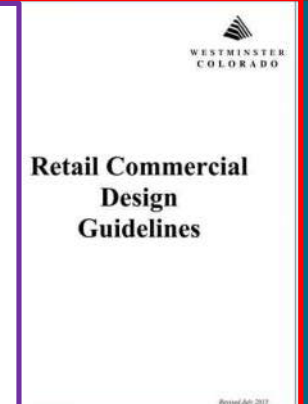
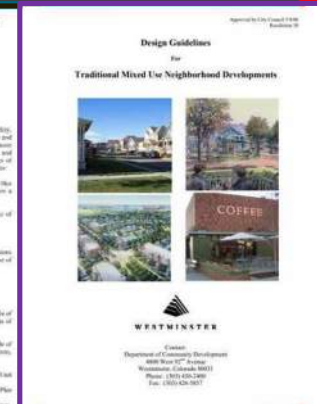
**Purpose: Receive Presentation
and Provide Feedback**

UDC BACKGROUND

- **Title XI “Land Development and Growth Procedures”, adopted 1997**
- **Amended numerous times but no comprehensive reevaluation**
- **Phase 1 changes**
 - **Select modifications in the areas of mobility, water conservation, and energy**
 - **Council approval of exceptions in residential projects**
- **Phase 2**
 - **Voluminous draft**
 - **Not aligned with City Vision and the revised Comprehensive Plan**
- **With adoption of a revised 2040 Comprehensive Plan, the UDC has been restarted**

UDC PURPOSE

- Implement Comp Plan, Sustainability Plan, Transportation & Mobility Plan
- “Unify” regulations currently in 8 different regulatory documents
- Respond to remaining land inventory
- Fill in gaps (office, industrial)
- Predictability and transparency



PROJECT SCOPE



Primary Scope:

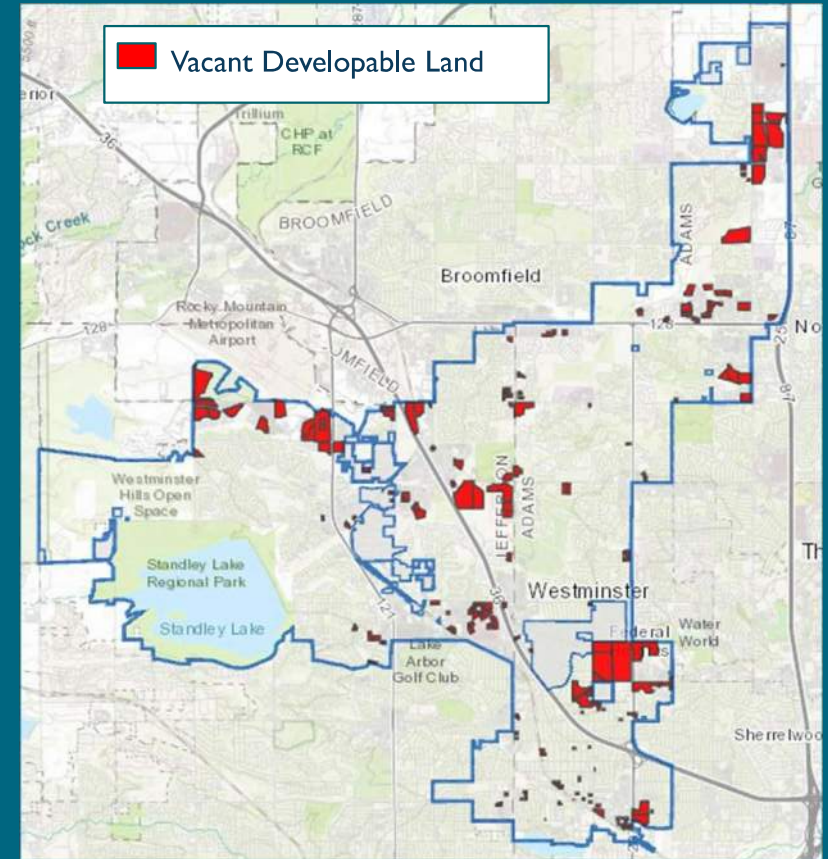
- Zoning and Subdivision
- Design Standards (Built Form)
- Site Planning (Landscaping, Parking, etc.)
- Procedures

Not Included:

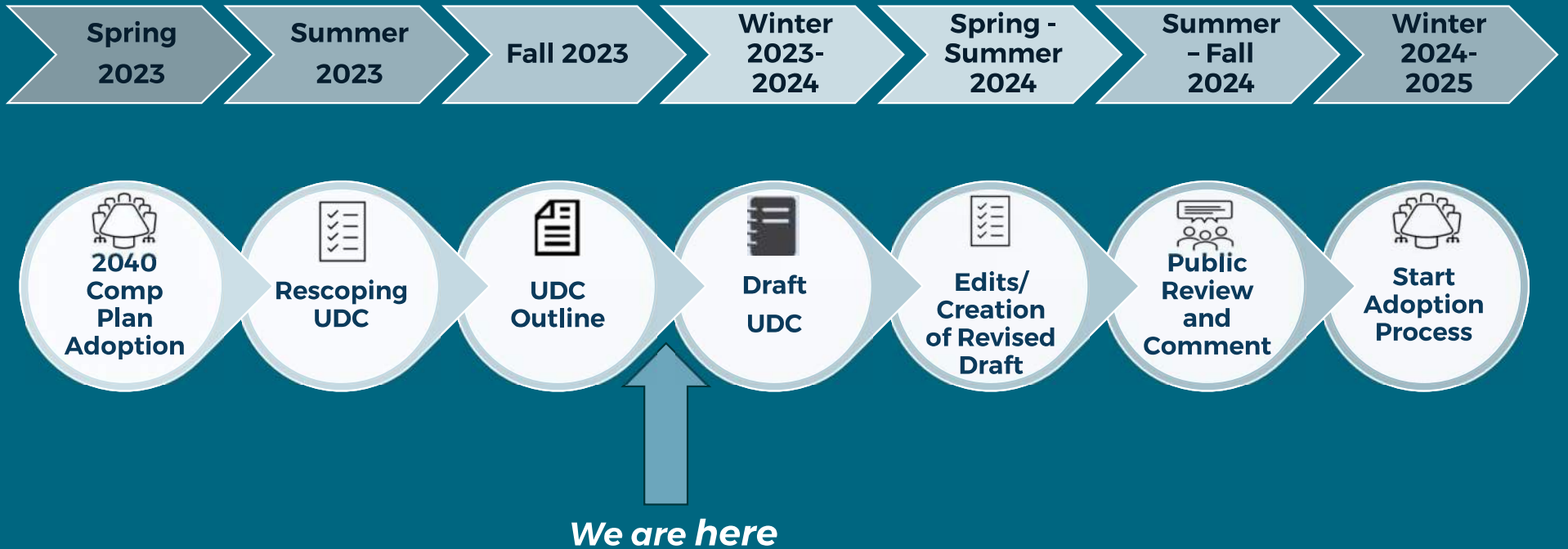
- Public Improvements (PLD)
- Specific Plans
- Retroactivity to existing Planned Unit Development (PUDs)
- Alcohol Sales
- Short-term rentals
- Signs
- Oil & Gas
- Regulation of wildlife

UDC APPLICABILITY

- **Vacant developable land:**
 - <5% of city's area
 - 1,083 acres
- **Vacant developable land without pending development applications:**
 - 2.8% of city's area
 - 612 acres
- **Redevelopment locations**
- **Mandatory compliance with the Comprehensive Plan**



TIMELINE & NEXT STEPS



QUESTIONS?

**Attachment 3
UDC Policy Inputs**

