Code Assessment: Town of Johnstown, CO

Technical Summary

The following is a technical summary of the detailed assessment of the Johnstown Development Code relative to the recently adopted comprehensive plan. It outlines key technical issues that will need discussion and direction from the Technical Committee. This information supports the higher-level and conceptual information that will be discussed by the Steering Committee, Planning Commission, Town Council, and public to give direction for the project.

Streets

Street networks will define development patterns and impact the scale, intensity, relationship, and transitions of land uses – the places and neighborhoods of the town. Streetscape design will determine how people experience and perceive these places – the character of the town.

The key issues for the development code are:

- *Connectivity* – The system of town-wide and regional connections, but as important is the network of activity center and neighborhood connections.
- *Continuity* – More, lower order streets with continuous connections between multiple neighborhoods and activity centers, and that relieve the need to build high-volume, high-speed arterials that become barriers.
- *Multi-modal* – More low-speed and low-volume streets that are comfortable for people on foot and on bike.
- *Streetscape Design* – Careful attention to urban design elements that coordinate streets, define distinct places, and support the scale, intensity, and design of development on the particular block.

Current Status.

- The connectivity standards [17-102, 17-104] are very weak, and have vague statements that work against connectivity (no local streets intersect with arterials or discourage through traffic, separation of all arterial intersections by at least 1,320', etc.
- There are no standards that require continuity for lower order streets, and (as noted above) some standards specifically work against providing continuity.
- The subdivision regulations lack pedestrian and bicycle accommodations, and the Public Works Street Design & Construction Standards are deficient to bike/ped accommodations, Each compound this with very high-speed/high volume design standards for all contexts.
- The street design standards [17-102] lack any context or urban design elements (just ROW & Street width), do not have any standards or guidance for how different elements of a streetscape should be assembled and relate, and defer all design issues to the Public Works Street Design & Construction Standards.
- Overall all street standards are entirely traffic-focused and do not address most of the comprehensive plan policies regarding placemaking, public spaces, development partners, and alternative modes of transportation.

Housing & Neighborhood Design

"Complete neighborhoods" are about more than housing – it is about the patterns and design that affect all aspects of daily living and quality of life, including transportation, recreation, and access to services. Residential zoning districts based exclusively on uses (single-family, two-family or multi-family) or density (low, medium and high) ignore most of the important patterns and design elements that lead to complete neighborhoods.

The key issues for the development code are:

- *Neighborhoods, not Subdivisions.* "Neighborhoods" are identified by geographic areas, common focal points, and/or unifying patterns and characteristics. They often include fine-grained and

subtle transitions that are made up of many projects and multiple zoning districts. In contrast, "subdivisions" are typically internal-oriented projects or pods, buffered and separated from other projects, and lack the diversity and transitions necessary to build complete communities.

- *Building Type Approach.* Consider a "building type approach" to all residential districts. This keys standards such as lot size (min. and max.), building footprint (max), lot coverage (max), building placement, and height for greater expectations on the form and format of housing. This allows more things to relate to each other and compliment the context. In contrast, a district approach sets minimum standards geared to mitigating potential impacts, often resulting in projects geared to all similar things, or where not similar separating and isolating it rather than integrating it into a neighborhood pattern.
- *Mix of Building Types*. What range of building types are compatible, what zoning districts should enable a narrow range of types, and what zoning districts should enable a broad range of building types?
- *Neighborhood Design.* What features are essential to neighborhood design (other than superficial aesthetics, vague "quality" references, or specific architectural style preferences.)? Objective measures on observable patterns such as open space, block structure, streetscape, block and lot frontages, and building form and scale can create more simple and meaningful distinctions between different types of neighborhoods.

Current Status:

- The residential districts are distinguished primarily on use and density, and do not have standards that ensure expectations on the scale, form, or format of different housing options.

District	Primary Use	Density
SF-1	*Single-family detached*	*6K s.f. lots (7.26 du/ac)*
SF-2	*Single-family attached (2- to 6-unit buildings*	*4.5K s.f / unit (9.69 du/ac)*
MF-1	*Multi-family dwellings (2+ unit buildings)*	*3K s.f / unit (14.52 du/ac)*

- The density requirements are inappropriate for many "missing middle" (small-scale, multi-unit) building types that have a human- or neighborhood-scale. This is particularly true if the density is applied at the project scale vs. a planning / district-wide scale).
- The density requirements will push many multi-unit project to larger-scale lots and buildings due to the critical mass of land area needed to get a viable project. This ultimately leads to inefficient and "complex-type" layouts that are difficult to integrate into neighborhoods.
- The livability open space requirement presents the opportunity to tailor open space to different contexts, including natural, recreational, or formal spaces. However, the district-wide approach (i.e. #,### s.f. per dwelling unit) may need to be tailored to specific building types for better options on different types of spaces.
- There are few neighborhood design elements in the development code, but extensive project specific design guidelines. The have varying degrees of detail, specificity, and a wide range of format and organization – yet most cover the same or similar topics. Discuss on-going administration of this strategy compared to the desire to implement some basic and universal design principles into the development code.
- The PD-M district is a conventional model manufactured housing district with lots of limitations and constraints that will hinder application of the district. Consider broadening the applicability of this district to a wider range of small format housing, and improving the approach to include better context and project planning parameters to integrate projects into the community.

Walkable Commercial

Walkable destinations rely heavily on human-scale patterns – in the block structure, the streetscape design, the building and uses, and in the design of buildings and sites. Most walkable places also have a great deal of diversity within them, where the approach to these issues may differ. It often only takes a block or two of great human-scale design to drive great value for an entire walkable destination.

The key issues for the development code are:

- *Walkable Patterns*. Where have we been successful in implementing concepts identified in the street sections vs. where are we trying to create better human-scale design in automobile-oriented areas. (and how should zoning districts reflect this.)
- *Approach to Uses.* Can the use table be more focused on the scale and format of more general uses, rather than a list of specific types of uses?
- *Design*. What are the most essential elements of building and site design for walkable areas; how do we distinguish for different projects, uses, buildings within walkable areas; and how is this different from more conventional, larger-scale or car-oriented commercial areas.
- *Parking*. Approaches to maximize on-street parking and minimize or limit redundant or underutilized surface parking lots.
- *Transitions*. How do we identify our most walkable destinations, how do we transition to other supporting or compatible areas in the vicinity; and how do we protect/differentiate these destinations from competing and undermining patterns?

Current Status:

- Each district contains a list of general, but sometimes very specific uses. There does not seem to be clear coordination or meaningful distinctions between the separate lists of uses among the districts. None of this are distinguished by scale or typical formats, relying on development standards to ensure compatibility. Only the NC district limits the scale of uses (3K to 10K), although that could be too limiting or too lenient depending on the use or specific context. Consider consolidating all uses into a single table for better comparisons and distinctions, and consider incorporating some scale / format distinctions between general types of uses (rather than relying strictly on the development standards or making broad, district-wide limits on all uses.)
- The parking standards imply the desire for flexibility but it does not seem tailored to specific contexts, nor does it provide enough opportunities to reduce to parking footprint in some districts. There is only a 10% reduction in the downtown, and it appears there is an opportunity for PC to adjust further, but only in NC. Consider a more comprehensive and flexible approach to parking that examines what the priorities and public interests with regard to parking are.
- The NC district intent is simple, very good, and appropriate for the updated planning goals (small-scale, walkable, integrated with neighborhoods). However, none of the development or use standards are particularly geared for this and could just as easily result in projects that conflict with the intent as it would be consistent with the intent. The limitation on sizes does introduce an important planning and regulatory connection (see approach to uses above.) Additionally, we need to consider if all neighborhood commercial will be walkable, or are there circumstances and contexts where we would need to accommodate small-scale and neighborhood-serving uses in suburban or automobile oriented contexts?
- The PUD-V district has an acceptable intent statement for larger-scale destinations, but few criteria or standards and resorts to process / lack of standards for the hopes of carrying out better projects. Further, some of the default standards and thresholds may too specific on potentially abstract ideas, leading to unintended consequences. (See PUD / Planned Zoning discussion.)

Community / Urban Design

Design affects all aspects of the community including immediate and long-term character of development. Design should be considered at several scales – the “big picture” design issues that coordinate growth; the distinct characteristics districts, corridors, centers, and neighborhoods that define places; and the basic block, streetscape, building, and frontage design decisions that determine whether projects contribute to the larger and greater whole.

The key issues for the development code are:

- *Context.* How do we address design in a way that reinforces distinct places throughout the community, and reinforces the planning framework of high-, moderate-, and low- intensity areas.

- *Patterns.* How well have the larger-scale patterns of street networks, open space systems, block structure, and streetscape emphasized design issues.
- *Site & Buildings.* What are design priorities at the site and building scale that need regulatory solutions, and how de we differentiate among them based on context and patterns.
- *Simplicity.* How do we communicate these concepts effectively, how do we account for flexibility and options, and what is the community's general political will and approach to design issues

Current Status.

- Overall, there is a heavy reliance on design guidelines (outside of the code) for most design issues. There are many good concepts in these documents, however they are disjointed from the development code (sometimes creating direct conflicts, or at least becoming disjointed) and they are difficult to interpret – either vague, cumbersome, or often repeating simple and similar ideas in different ways. Consider incorporating some basic urban design principles and standards into the development code, with key variations for different contexts (either between different zoning districts or keyed to different street types / block conditions within districts, or both).
- Similar to the Housing & Neighborhood Design comments, and related to the extensive use of PUDs (see below), many of the design issues are addressed by project-specific design guidelines. Discuss the pros and cons of administering this approach.
- May need to revisit the 10% open space dedication [17-51]. Is it working well? Is it based on sound data or was it developed through an inclusive process? How can it be adapted to account for different types of open spaces in different contexts (i.e. address the problem with the "one size fits all" standard)? [Also related to Impact Fee section in Article XII]
- Similar discussion on the "reservation" section [17-52]. That has a lot of potential to balance any potential difficulties in the "dedication" section, and can help really engrain community services and facilities in the community if used strategically and appropriately. (but also depends on enlightened partners that get 'human-scale design" in community facilities – so part of a much longer planning / policy discussion.) Note: similarly, the specific school site dedication [17-53] seems very vague and insufficient – is that working well? [Also related to Impact Fee section in Article XII]
- The "livability open space" requirement is vague and abstract [16-225], but seems to be geared to two crucial principles – valuable spaces rather than leftover, undevelopable space; and different types of space for different contexts. This can be better implemented by organizing open space into "types" with more specific standards and applicability guidance for each type. However, to account for different values for different types in different contexts, some type of system needs to be accounted for that relates it to the above 10% dedication. Also, the coordination of public, common (association or metro district), and private space needs to be accounted for.
- Floor Area Ratio [used in 16-243] but is very abstract and can lead to many unintended consequences for the scale and mass of projects. For downtown particularly, discuss frontage standards, lot coverage, and height standards as a potentially simple way to get more block specific expectations on important urban design features. [i.e. despite the FAR, downtown buildings have no specific building placement standards in 16-244; compare to the NC district standards in 16-245 which may be too specific for the varying contexts where NC zoning could be used, and the varying conditions that can exist within a specific NC district.]
- There are no distinctions in design between the Gateway District, Gateway Commercial District , and Industrial District other than uses. Discuss more distinctions in development patterns, scale, and design are needed based on intent of the districts and planning and design goals.

Organization & Procedures

Building expectations for all who encounter the code is an important part of this project. This includes boards and officials who make decisions, staff who administer the code, applicants and property owners that are subject to the standards, and the general public who may be impacted by projects.

The key issues for the development code are:

- *Simplify* – Regulate the fewest and most crucial things that ensure an outcome the Town desires and express the standards in a plain, effective, and easily understood way.
- *Streamline* – Express all procedures in a way that applicants and stakeholder impacted by projects can easily understand how decisions will be made, and what are the effects of each decision.
- *Applicability* – Clear indications on when and how standards apply, when certain review procedures are triggered, who reviews it and how, and what information needs to be submitted.
- *Criteria* – Each application should identify the specific basis upon which decision will be made – the criteria implement the intent and objectives of the standards, make distinctions between different types of applications, and outline the review and evaluation of projects – including any flexibility when applying the standards.
- *Flexibility* – How to balance the need for absolutes with the desire for options and creativity. This can be built into the code in several ways – acceptable ranges within the standards themselves; alternatives to consider based on criteria and conditions; or procedures that allow various levels of discretion – administrative, advisory, or legislative. However, coordination of each of these techniques is important to avoid complications in interpretation and implementation.
- *Coordination & Structure* – The organization of all of these standards in a logical framework will determine the user-friendliness of the code. Knowing where to find things, how to incorporate related ideas without repeating things, and understanding appropriate and strategic places to make amendments when necessary.

Current Status:

- All procedures need to better coordinated and simplified, and more specific distinctions need to be drawn on the applicability, decision process, and review criteria of different applications.
    - Better distinctions on how and when the general public should be included in the review process. (Notice; public meeting v. public hearing; etc.)
    - Shifting more routine applications to administrative approvals (whether staff or PC); considering both applications that are commonly approved with little constructive influence vs. those that have unwarranted attention and discretion applied.
    - Clearly indicating the effect of each decision (i.e. are subsequent steps required prior to permitting, how long is the decision valid, what changes or adjustments can be made prior to the next step, etc.)
- Many applications have lots of dual (preliminary / final) or duplicate (PC / TC) public hearings that are unnecessary and cause complications. (see plat process in 17-62 and 63; also see 16-48 which confuses things generally)
- Emphasize and expand on the existing 3 tiers of site plan review in 16-145(e) – (administrative, PC, and Full), for a variety of different applications and procedures.
- Remove all laundry lists of submittal requirements from the code in place of a simple delegation to staff to create forms and submittal requirements. This can be updated annually or periodically without triggering code amendment procedures. There can also be some limited and targeted discretion to waive certain requirements on particular applications. The set of forms should be created as a parallel process with the standards, but use very clear and specific checklists that connect submittal requirements to standards (particularly for the design elements of the code.)

Note: the overall organization of the development code will first be proposed in the Draft Framework – an initial step in the drafting process. Also, a small group of the project management team and technical committee should focus on procedures early in the drafting process to discuss the practical implications of how the code should work – particularly the role of staff, planning commission, review agencies, town council, and the public in various applications.

Planned Development (PUD or Flexible Zoning)

Planned development typically has two complementary objectives: to encourage innovative development based on specific master plans for a particular context; and to allow flexibility based on that plan or that achieves better results than would otherwise occur. However, when planned zoning becomes the norm

for all projects it typically signals cumbersome processes, lack of expectations, and negotiated standards that are an end-run around regulations and do not yield anything particularly innovative or master planned.

The key issues for the development code are:

- *Scale* – What scale of master planning is necessary to avail projects to flexibility.
- *Expectations* – What elements need to be identified in a master plan, what level of planning and design is required, and how and when will specific entitlements vest.
- *Flexibility* – What degree of flexibility is allowed, what standards is it evaluated against.
- *Administration* – How are planned developments administered (over time and through potential changes) – both according to long-term buildout and phasing, and into the future when ownership is fractured, and developers are out of the picture.
- *Benchmarks* – How can the default standards of base zoning districts be improved – both to avoid planned zoning being used for standard or routine projects, and to serve as a basis from which planned deviations can be evaluated.

Current Status:

The PUD process and standards include all of the typical weaknesses – cumbersome process, lack of clear standards, and relying on each of those to implement flexibility rather than setting goals and objectives. The use of flexible or master planned zoning can be improved in the following ways:

- Setting better "default" standards for things routinely done in PUDs (i.e. eliminating the need for it).
- Setting clear policies and planning goals for the desired outcomes from flexibility though intent statements, design objectives, performance standards, decision criteria. (building expectations for all parties involved), so that project-specific flexibility or options can be better addressed through typical plan reviews rather than use the PUD as an "end run" around applicable standards.
- Setting a threshold project size for use of this (distinguishing "master planned" projects that have broader community benefits vs. development plans where the benefits affect and individual property, project or developer; the latter should be handled through better standard and review criteria and processes)
- Establishing clear parameters for the level of planning needed to support development proposals, and identifying specifically why flexibility is warranted and exactly how that will benefit the community.
- Coordinating the platting, zoning, site planning, site/building design issues as much as possible, and staging the submittals, type of review and decisions, and level of discretion appropriately
- Considering how PUDs are administered beyond the development review and permitting process. (i.e. relying on base district standards for all things not included in the plan, so the plan does not "freeze" things in time and trigger a process every time a component of the plan changes or an unintended circumstance arises.

Other Issues

The above topics are key elements of the comprehensive plan that will rely on broader public discussions and/or Steering Committed and Town Council direction, prior to drafting regulations. There are several other basic or technical issues that the code will need to address, or that will be implicated based on the direction or outcome of those issues. Below is an initial draft (partly compiled by staff), and discussion of this summary and these issue may identify more;

- Organization of the non-development special topics (i.e. wireless facilities, oil & gas, flood protection, or any other issue-specific regulations)
- Sign Standards – currently a difficult and cumbersome ordinance; how big of issue is this in the communities eyes; how does staff want to administer going forward.
- Landscape Standards (generally, xeric, soils/planting specs, ongoing enforcement etc.)

- Accessory Uses / Site Conditions – approach generally (but also specific issues in this list)
- Driveways, access, paving (see “Frontage Types” discussion above for urban design issues; but how to coordinate site specific and technical issues…)
- RV / trailer / boat parking
- Outdoor / Materials storage
- Fleet parking (see “Approach to Uses” discussions above)
- Applicability of standards in various processes… (coordinating and distinguishing routine permits; other outside codes; and development review processes – See Procedures / Organization issue above)
    - Business license
    - Sign permits
    - Building / Tenant finish
    - Chang of Use / no work
    - Fire District review
    - CofO related to required improvements, etc.
- Approach to non-conforming uses
- Home Occupations
- Air B&B / STR
- Drive through service – use, accessory use, site design condition – what is the best way to address and coordinate with other use and design approaches.
- Oversizing / Upsizing fees
- Agri / Sustainability (big SC issue and topic to explore)
- Sustainability generally (water, energy, etc. beyond general “planning scale” sustainability)