

Town of Palmer Lake Land Use Code Diagnosis Virtual Workshop

April 26, 2023



Community
Matters Institute

303 730 0396



FOCUS

- Worksheet
- Code Issues

Virtual Workshop

April 26, 2023

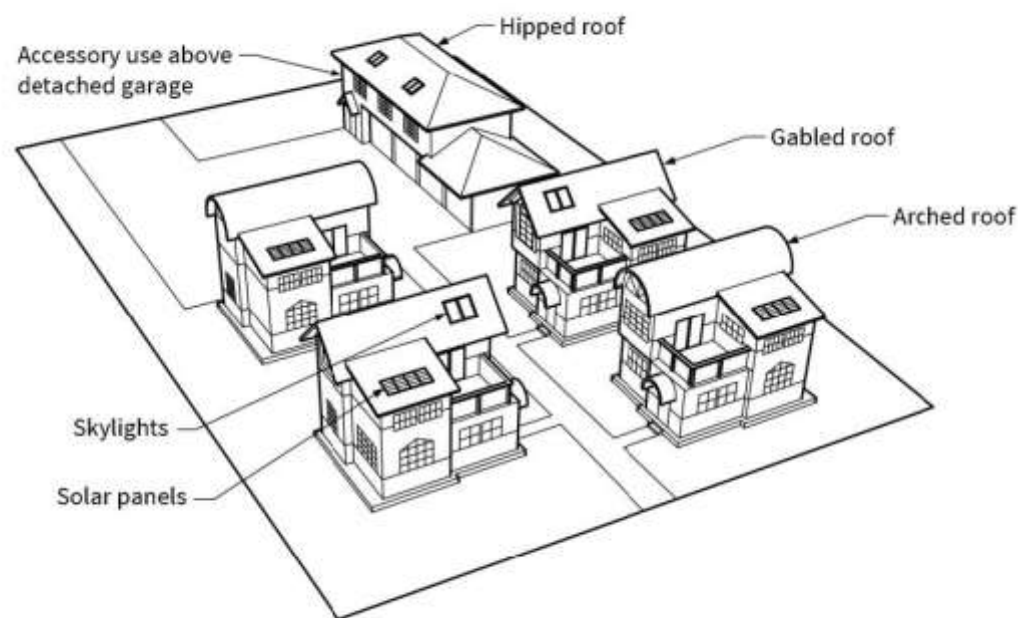


Community
Matters Institute

303 730 0396



Why Update Your Land Use Regulations?

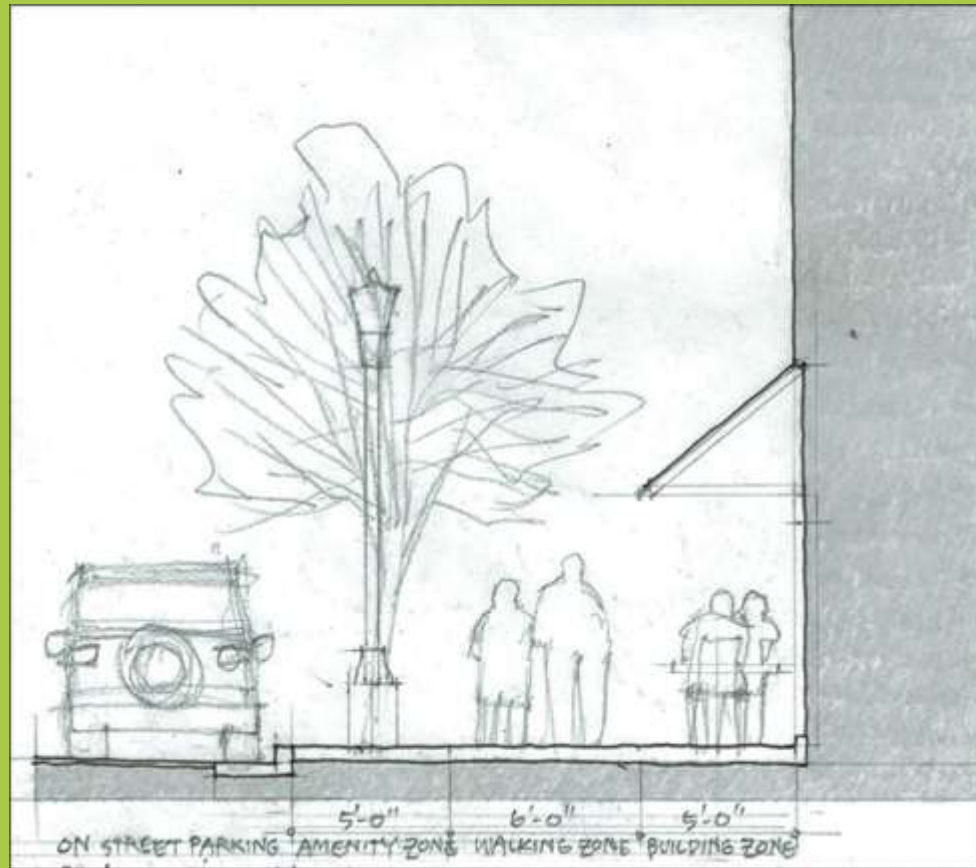


- ❖ Appropriate regulations **preserve property values.**
- ❖ Land use regulations function as a **set of tools** that shape the places you live, work, and play.
- ❖ Land use regulations help **preserve valued characteristics of place.**
- ❖ Better regulations will help attract the land uses you want - **they are a first-choice economic development tool.**
- ❖ Reasons to Update Code from Commissioners:
 - ❖ **Address Inconsistencies**
 - ❖ **Add missing sections**
 - ❖ **Remove pyramid zoning**
 - ❖ **Better organization**
 - ❖ **Require site plans**



Worksheet

Findings from the Commissioners



Code Organization and Overall Content

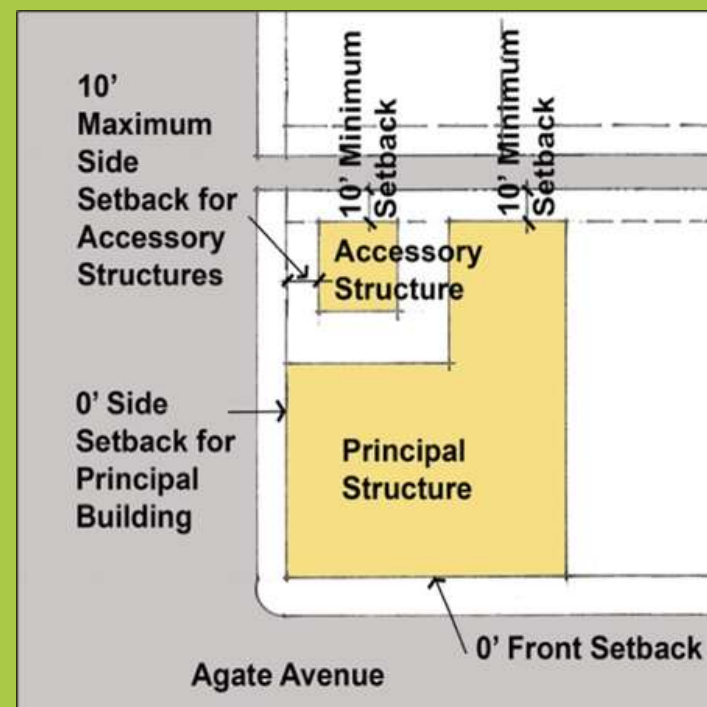
Commissioners generally agreed that:

- *“the ‘code is redundant, inconsistent or generally missing sections”*
- *“Consolidating the existing Chapters 16 & 17 into one Land Use Regulations section will help create a more consolidated, easy-to-navigate section.”*
- *“The suggestions from CMI on cleaning up the code and reorganizing it, address most of my concerns.”*



Worksheet

Findings from the Commissioners



#1: Simplify the code and remove inconsistencies.

Examples noted by Commissioners:

- *“Remove or combine unused zone districts.”*
- *“Like the idea of combining subdivision and zoning- this avoids repetition of definitions, purpose, etc.”*
- *“Create one section on procedures- this aids in addressing inconsistencies”*
- *“PC, publications, BOT actions repeated in multiple places.”*



Worksheet

Findings from the Commissioners



Recommend #2: Add Missing Sections

Examples:

- Beef up the section on required **referrals** for development applications: Town departments, outside utilities, service providers, and agencies (16.20.40)
- Add those that are required by Statute (e.g. Section 31-23-225, C.R.S. Major activity notice- 5-acre rule)
- **Uses:** Address accessory uses, temporary uses, and conditional uses- “*Conditional vs permitted vs accessory uses- clarify!*”
- Add missing **subdivision types**- e.g. Administrative plat Amendment, replat/resubdivision, clarify minor subdivision.



Worksheet

Findings from the Commissioners

#3: New Article on Administration and Procedures

Commissioners noted that procedures were repeated, inconsistent, and often missing information. The basic steps that are required include:

- Pre-application conference,
- Determination of completeness,
- Application referral,
- Public notice requirements (including a table),
- Record of decision, and
- Duration of approval.

BUILDING A UNIT MIX			
UNITS	TYPE	SIZE (SF)	TOTAL SF
27	1 BED/1 BATH	662	17,874
6	2 BED/2 BATH	1,040	6,240
3	2 BED/2 BATH	1,040	3,120
3	2 BED/2 BATH	998	2,994
			30,228

BUILDING B UNIT MIX			
UNITS	TYPE	SIZE (SF)	TOTAL SF
8	2 BED/2 BATH	977	7,816

TOTAL UNIT SF FOR BUILDING A & B:	38,044
--	---------------

UNIT SIZE WEIGHTED AVERAGE		
UNITS	TYPE	SIZE (SF)
27	1 BED/1 BATH	662
20	2 BED/2 BATH	1,009

PARKING CALCULATIONS			
BUILDING A			
33 COVERED GARAGE PARKING SPACES			
12 UNCOVERED SURFACE PARKING SPACES			
45 TOTAL PARKINGS SPACES AT BUILDING A			
BUILDING B			

IVER BEND RESIDENCES

Often referred to as the Gateway to the Rocky Mountains, Idaho Springs in Clear Creek County offers residents and visitors a mix of tourism, recreation, restaurants and historical sites. This small, rural town of less than 2,000 residents has experienced virtually no redevelopment in over twenty years. As the regional economy has heated up, the lack of affordable housing has driven much of the workforce to commute from as far away as Denver to seek temporary residence in local campgrounds or extended stay hotels. Realizing the negative impact that the lack of affordable housing was having on their community, Clear Creek County Commissioners competitively selected Herman & Kittle Properties, Inc. ("HKP") to develop a County-owned site for much needed affordable housing in 2016.

Capitalizing on the unmet need for quality affordable housing, HKP will be developing River Bend Residences, a 47-unit multifamily rental housing community at 2344 Colorado Boulevard in Idaho Springs, Colorado. Designed to support family/workforce housing, the property will contain 27 one-bedroom and 20 two-bedroom units with 10 units restricted to residents earning at or below 30% AMI, 10 units at 40% AMI, and 27 units at 60% AMI. HKP will provide 53 parking spaces (1.13 spaces per unit), 62% of which are covered. A bus stop providing public transportation service to residents throughout the county (weekday service) and region (daily service to Denver and Greenwood Springs) is located 0.1 mile from the proposed development.

Two contiguous parcels (1.36 combined acreage) front Colorado Boulevard and back up to Clear Creek. These infill lots are adjacent to commercial uses including a post office, hardware store, a music studio, and an extended stay hotel. Improvements to Colorado Boulevard are underway and will include sidewalks, street crossings, and entrances designed to promote pedestrian activity throughout downtown Idaho Springs. The proposed development is located less than 1.0 mile from the Sampler Hill Recreation Center, which has exercise rooms, meeting rooms for community activities, a gymnasium, and indoor swimming pool. There is also a swim school, youth sports, classes of all types, as well as temporary daycare while parents exercise. Convenient shopping is located in the historic downtown of Idaho Springs (0.6 miles), while a Safeway grocery store (0.1 mile), and a convenience store (300 feet) are within walking distance to the property. Primary schools are located within a mile of the site while the area high school, the Colorado School of Mines and a local community college are within 6, 15 and 20 miles, respectively. A community park, 0.3 miles from the proposed property, has a playground, trails, access to the river, and other amenities. The park will be expanded and renovated as part of the Colorado Boulevard Reconstruction and Greenway Trail projects, including extended river access, amphitheater space, garden amenities, 34 more parking spaces and restroom facilities.

The proposed development is comprised of two buildings, one on each lot. The eastern lot is occupied by a collection of trailers ("Trailer Villa"), which will be removed prior to construction. Although relocation under the Uniform Relocation Act is not required, HKP has budgeted for moving expenses out of contingency funds, as well as provided the trailer residents with the opportunity to pre-qualify for housing at River Bend Residences. The eastern parcel will support a 3-story building ("Building A," 39,305 GSF) over a 14,000 SF, 33-stall podium parking garage. The Type V-A residential construction is a wood-framed building over spread footing foundation. The exterior skin is Hardiplank siding, with a combination of horizontal and pitched roofs. This elevator-served building also includes two stair cores to maximize circulation and access to the parking garage. Building A includes 33 one and two-bedroom units (27 and 12, respectively). A Community Center is attached to Building A and includes a property management office and amenities available to tenants of both buildings that include a laundry area, fitness room, lounge/game area, a kitchenette, computer station with free wireless internet access, a conference room and a deck overlooking Clear Creek. An additional 12 surface parking spaces and a covered picnic area adjacent to the creek are included on the eastern parcel. The western lot will support 8 two-bedroom units in 2-story walk-up stacked flats ("Building B," 8,345 GSF) with 8 surface parking spaces. The Type V-B residential construction is a wood-framed building over a slab-on-grade foundation. The exterior skin

River Bend Residences – Idaho Springs, CO (Herman & Kittle Properties)



Combined Zoning and Subdivision- Preferred by the Planning Commission

Recommendations # 4, # 11 and # 12

Example of New Land Use Code Organization:

Articles I: **General Provisions**

Article 2: **Districts and Uses**

➤ *explains PUD Zone, adds tables, adds charts*

Article 3: **General Standards**

Article 4: **Special Requirements**

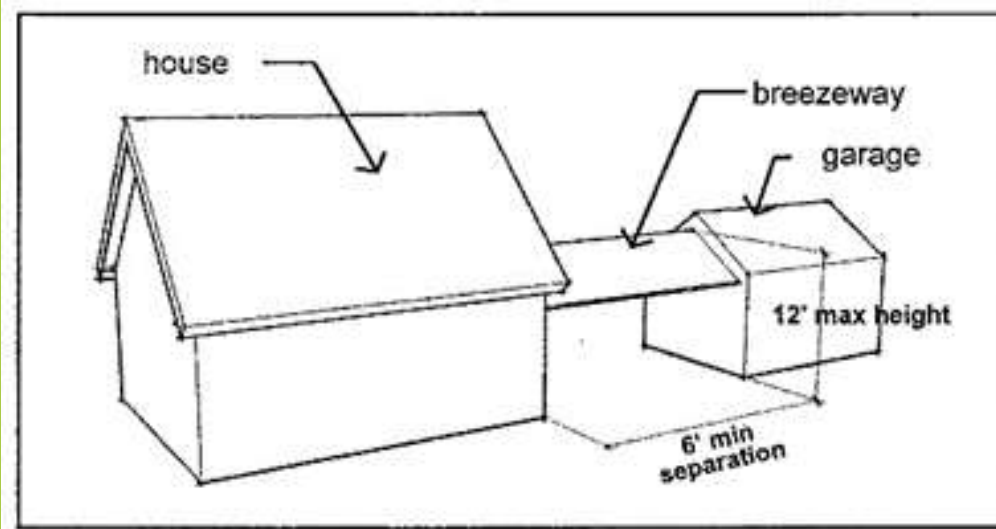
Article 5: **Subdivision Requirements**

Article 6: **Administration & Procedures**

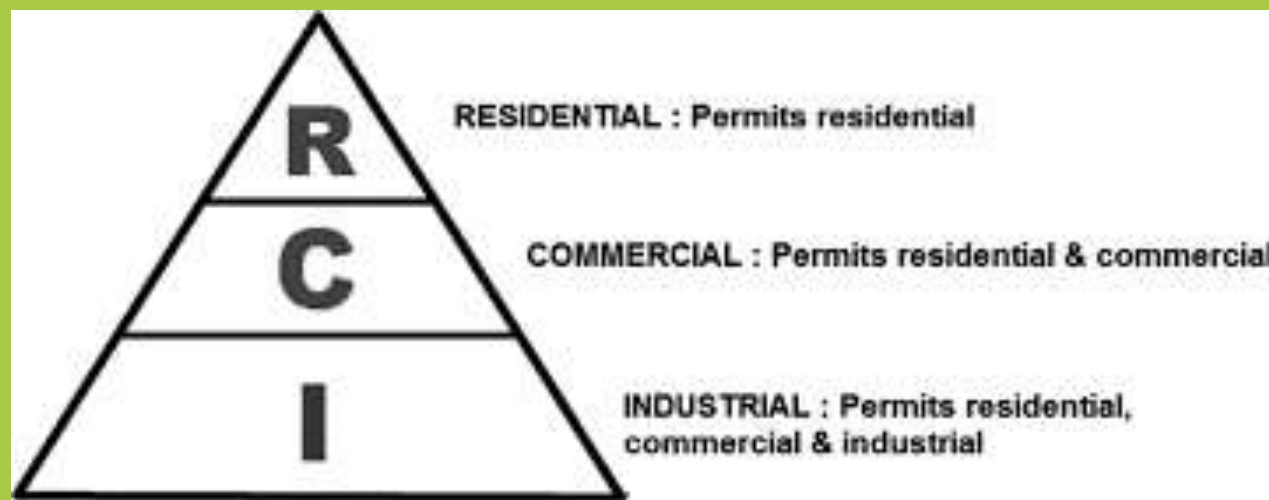
Article 7: **Annexations**

Article 8: **Definitions**

Appendices- examples of certification blocks, etc.



Additional Organizational Recommendations



Recommendations 5, 6, 7, 8, and 9

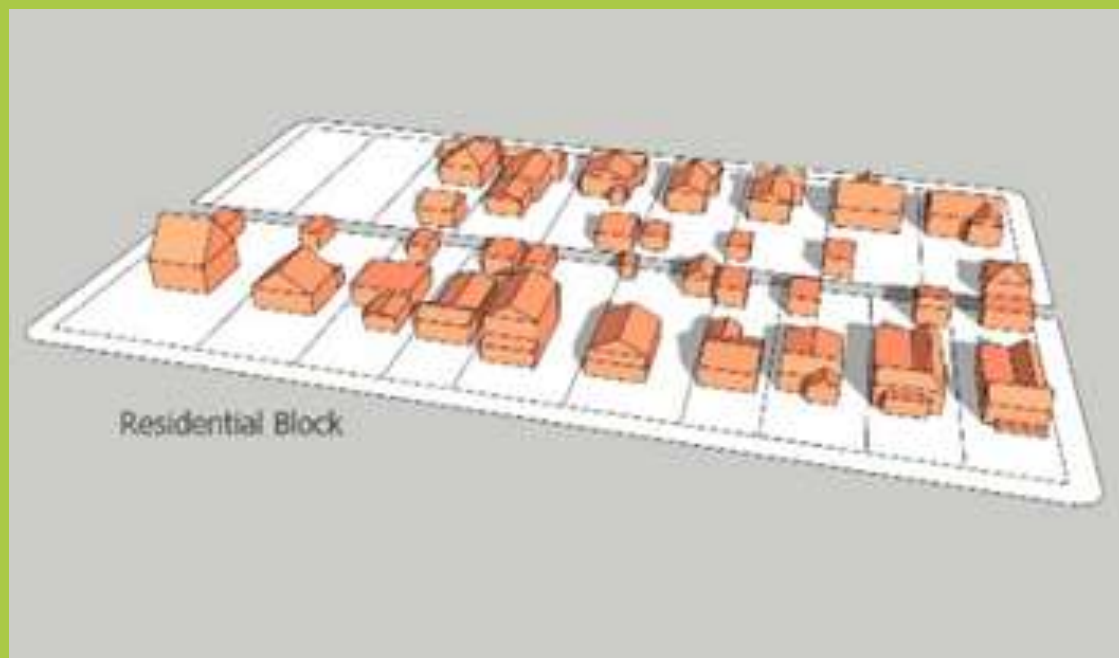
- ❖ Add a section on **Fees and Cost** reimbursement.. “16.32.010 wording and no fees mentioned!” “All fees should be in one place.”
- ❖ All agreed **remove pyramid zoning**, and add a more **comprehensive list of uses**.
 - Update list of uses- *‘they are virtually the same.’*
- ❖ Many also wanted a **‘relook’ at the zoning districts** as well as the **dimensional requirements** for each zone district.
 - Add a table with all dimensional requirements- *principal and accessory*



Recommendations

9 and #10

Commissioners overwhelmingly wanted better organization of the zone districts; ensure that each is unique!



Based on worksheet comments, each zone district should include:

INTENT OF DISTRICT USE REGULATIONS

- 1) Uses by Right
- 2) Accessory Uses
- 3) Conditional Uses

DIMENSIONAL REQUIREMENTS

- 1) Min. lot area
- 2) Min. Lot width
- 3) Max. gross density
- 4) Setbacks
- 5) Maximum Impervious Cover
- 6) Maximum Building Height

DEVELOPMENT STANDARDS

Specific standards unique to the zone district



PUD comments:

- *“define open space”*
- *“PUD is not specific enough*
- *“105 setbacks need to be codified”*
- *“Role of the Master Plan”*

Overview of Colorado PUD Statute

- ❖ Enables municipalities to **negotiate** almost every aspect of the proposed development in return for PUD approval.
- ❖ **Greater flexibility in return for greater public benefit:** quality, amenities, or something else the community wants.
- ❖ **PUD is a ‘deal’** between Town and Developer:
 - ✓ Minimum number of units and acres
 - ✓ Densities allowed
 - ✓ Useable Public Open Space
 - ✓ Compliance with Master Plan/Comprehensive Plan
- ❖ Often includes **both a written zone submittal as well as a physical plan.**
- ❖ Statute requires **quantitative data!**

The PUD district is a master planned development therefore development standards, dimensional requirements, and permitted uses may be negotiated and be different than in existing zone districts.

It must not be a workaround of existing zoning!

Recommendations Based on Commissioner Input- 13, 14, and 15

- *“Clarify approval process” “PUD rules not clear.”*
- *“Define ‘public open space.’”*
- *“Add additional criteria – not tract housing”*
- *“Add Landscaping requirements to PUD and generally to Code- look at El Paso County.”*
- *“Simplify and clarify definite requirements when dealing with PUDs- not specific enough”*
 - *17.72.060 Open Space*
 - *17.72.070 Setbacks*
 - *17.72.080- Regulations”*

PUD's

➤ Purpose and Criteria for Review

Does the Purpose need to be updated?

When reviewing a PUD:

Ensure **conformance** with the Purpose (17.72.020) and criteria for review (17.72.100 (2))

Existing Purpose examples:

- PC and BOT “shall consider the purposes of this chapter in approving or denying any requests for a planned unit development plan.”
- “To encourage flexibility, innovation of quality design, and variety of development types in order to promote the most suitable and appropriate use of a site.”
- “Useable Open Space and recreational areas”
- “Preserve unique, natural, scenic and historical and cultural features of the site.”

PUD's:


Do the
Purpose and
Review
Criteria need
to be
updated?

Ensure **conformance/utilize** review criteria (17.72.100 (2))

Examples from the Code:

- “Compatibility of proposed plan with the surrounding area.”
- “Harmony of the proposed plan with the character of the neighborhood and the proposed site.”
- “Effect of the proposed plan upon the immediate area.”
- “Effect of the proposed plan on future development of the area.”
- “Whether or not an exception from the zoning ordinance requirements is warranted by virtue of the design incorporated in the development plan.”
- “Whether the proposed change is in conformance with the town comprehensive plan.”

Additional PUD recommendations #16 & # 17

- An Old PUD that has not moved forward... See *Krob memo*
- Major vs. Minor PUD Plan Amendment Does the Planning Commission wish to make this decision? Do you want staff recommendations? Further criteria?
- Subdivision Required - New applications for development cannot rely on old plats. *“No lot shall be sold unless either the required improvements have been installed or the installation of the improvements is a condition of sale of the subdivided lot.”* Clarifying requirements with Town Attorney 

Worksheet

Findings from the Commissioners

Substantive Questions

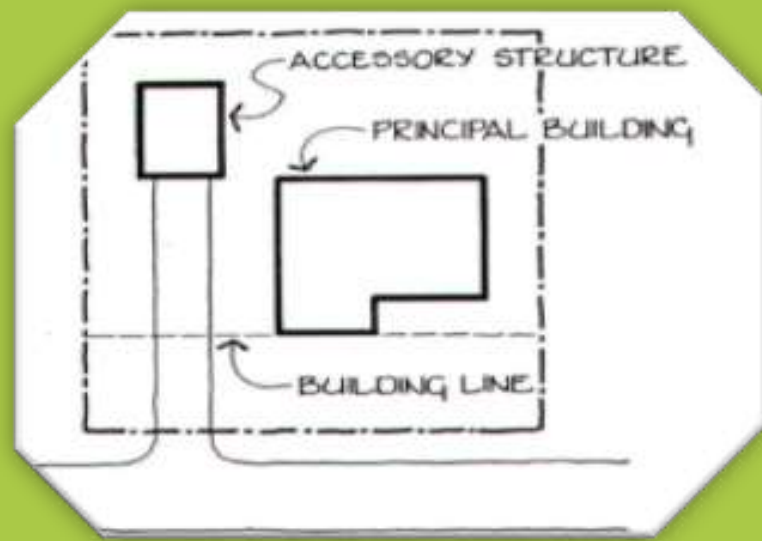
Commissioners generally agreed that:

- *Dimensional requirements should be revisited: “% of the lot that can be used”, “105 setback,” “required road frontage.”*
- *“clearer details for the zone districts”*
- *“better list of uses”*
- *Site plan requirements for anything that is more than 2-family.*
- *“Require sidewalk/ trail connections for non-residential development.”*



Recommendations # 18, 19, 20 & 21

- Site Plan Required
- One Set of Definitions



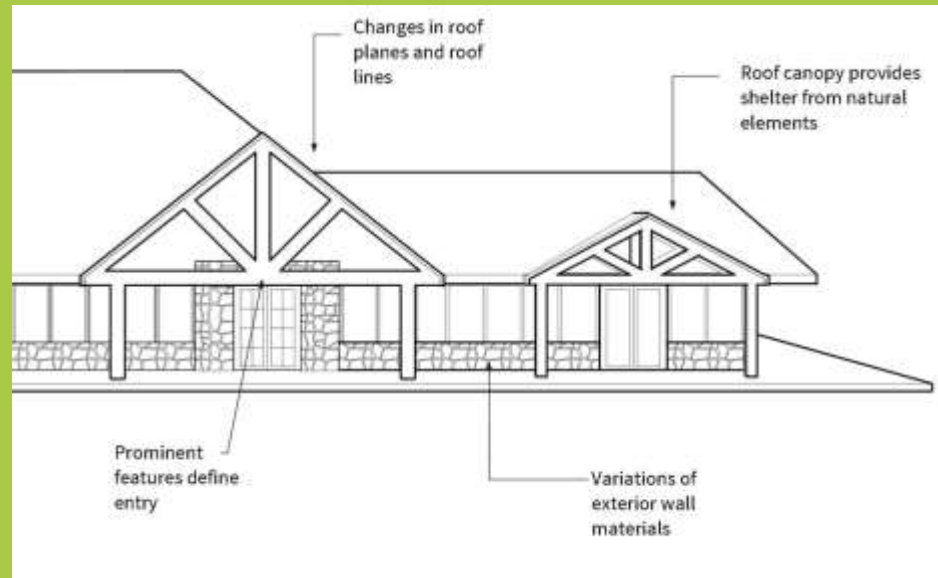
Site Plan required for all development **EXCEPT** Single and two-unit residences.

- Add review process
- Submittal requirements
- Amendments
- Vested property rights

Update Definitions- critical but often overlooked

- Open space
- Multi-family
- Multi-use
- ADU'S
- Short-term rental

Summary of Critical Code Updates



Goal 1: Reorganize the Code

- Needs to be easier to use!
- Combine Subdivision and Land Use chapters
- Clear administration and procedures sections- avoid duplication

Goal 2: Zone Districts

- Eliminate pyramid zoning
- Districts should reflect the Master Plan
- Better list of uses
- Review dimensional requirements

Goal 3: Add Missing Sections, examples include:

- Rezoning
- Accessory Uses, Conditional Uses, and Temporary Uses
- Update parking and loading requirements
- Landscape requirements
- Site Plan requirements

Goal 4: Ensure compliance with Statutes, Update PUD

- Add requirement for “Major Activity Notice”
- Update PUD per Commissioner comments

Goal 5: Define terms and remove inconsistencies

Commissioner Questions, Insights, and Opportunities

April 26, 2023



Community
Matters Institute

303 730 0396

