

*Final Draft – Code Framework*

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- 10.01. Flood Plain  
[TBD]

**Article 11. Definitions & Terms**

- 11.01 Description of Uses
- 11.02 Glossary of Architecture & Design Terms
- 11.03 Definitions

SECTION MAP & SUMMARY – ARTICLE 2 PROCEDURES		
DRAFT DEVELOPMENT CODE	EXISTING CODE [RELEVANT SECTIONS]	SUMMARY
<b>2.01 General – All Applications</b> (overview / approach)		Generally – consolidated many repetitive elements of multiple procedures into one section of things that may be applicable to two or more application procedures. This will allow just stating it once; then the table and specific sections can reference which of these are applicable.
Table 2-1 Procedures Summary	n/a - new	Introductory to aid understanding and coordination of detailed sections on application and procedures.
A. Applications and Fees	16-1.1 Fees 17-6 Fees (subdivisions)	Simplified fees; rely more heavily on administrative authority and other outside independent actions for establishing fees, forms and application submittals. These will then be removed from the code; in exchange for delegating authority for these items to staff or other bodies, specific things will not be codified and would not require code amendments if changed.
B. Concurrent Applications	n/a - new	Added to emphasize a current practice of streamlining and coordinating related applications.
C. Pre-application Meeting	16-7(b)(1) Preapplication Conference (SUP) 16-9(d)(1) Preapplication Conference (Zoning Map Change) 16-13(c)(1) Preapplication Conference (Variance) 16-173(a)(1) Preapplication Conference (Site Plan) 16-175(a)(1) Preapplication Conference (Admin Site Plan) 17-21(2)(a) Preapplication Conference (Sketch Plat) 17-22(b)(1) Pre-submittal Conference (Preliminary Plat) 17-30(d)(1) Pre-submittal Conference (Minor Plat) 17-40(c)(1) Pre-submittal Conference (Amended Plat)	Merged and generalized multiple sections, but formalized with the specific types of information covered.
D. Neighborhood Meeting	16-7(b)(3) Neighbor Meeting (SUP) 16-13(c)(3) Neighbor Meeting (Variance) 17-21(2)(e) Neighbor and Referral Agency Meeting (Sketch Plat) 17-22(b)(13) Neighbor and Referral Agency Meeting (Preliminary Plat) 17-30(d)(14) Neighbor and Referral Agency Meeting (Minor Plat)	Emphasized optional nature of meeting for most applications (see text) but required for larger applications (see Table 2-1).. Merged and generalized multiple sections, but clarified notice and timing and listed the specific types of information covered.
E. Staff Review	various sections (all procedures)	No substantive change. Formalized administrative steps that staff goes through on all applications (determination of complete application, design review, referral agencies, review / comment / resubmittal (if necessary), and formal report / decision)
F. Notice	various sections (all procedures)	Consolidated multiple sections; reconciled minor discrepancies between the types of notices and statutory requirements; removed specifics to signs and posted notice from the code; emphasized “constructive notice” / failure of notice rules.
G. Public Hearings	n/a - new	Added to establish basic rules of public hearings, but also to emphasize distinction of public hearing (right to specific notice and a required chance to speak – establishing the record of decisions) vs. public meeting (only general public notice, option of chair to allow public comment, but comments generally not part of the record or criteria on which decision should be made.) See table 2-1 and “PH” applications.
H. Action by Review Bodies	n/a - new	No substantive change. Documenting current practices and specifying decision options.

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I Appeals	various sections	No substantive change. Added to create distinction between appeal of codified procedures and applications vs. statutory right to appeal any administrative decision made under the code, where no specific process or appeal is identified (See Section 2.10)
J. Technical Studies	n/a – but various sections reference or imply the ability to require additional application information, some of which could elevate to the level of a “technical study”	Added to establish clear expectations of the types of information that may be necessary and to tie that back to specific decision-making criteria.
K. Permits	N/a – but various sections reference other permits in varying and inconsistent degrees of specificity; often overlapping and possibly conflicting with other codes and procedures	No substantive change. Documented current practice and added to emphasize and make more clear distinction for coordinating things governed by other city codes and “next steps” in the administrative process.
L Successive Application		Added to establish basic default rule to ensure efficient and complete application process.
<b>2.02 Platting</b>		
A. Applicability	17-7 Subdivision Types & Process 17-8 Development Applications	No substantive change.
B. Types of Plats and Applications	17-7 Subdivision Types & Process	No substantive change. Clarified and emphasized the distinction between routine administrative plats and major subdivision
C. Administrative Plat	17-30 Minor Subdivision; Generally 17-49 Amended Plat; Generally	Reorganized, simplified and consolidated various platting applications into a single “administrative (i.e. staff-approved) plats”. Expanded the types of circumstances that staff approval of adjusting or establishing lot lines can be administratively approved. Generally no substantive changes. Note: generally beginning to establish the following structure for all applications to create more clear expectations specific to each application type: <ul style="list-style-type: none"> <li>• Applicability – when is the application used</li> <li>• Review procedures – what of the general procedures apply plus any additional specific procedures.</li> <li>• Review criteria – how will the decision be made</li> <li>• Effect of decision – any next steps or vested rights established.</li> </ul>
D. Major Subdivision - Preliminary Plat	17-20 General (Major Subdivisions) 17-21 Sketch Plat (Major Subdivisions) 17-22 Preliminary Plat	Recommend potential for more condensed and streamlined process for major subdivisions. (Reference June 2020 Town Hall discussions) <ul style="list-style-type: none"> <li>• Eliminate requirement for sketch plat (move to pre-application meeting generally but allow as option for more formal sketch plat review for more complex applications)</li> <li>• Retained dual public hearing for preliminary plat (PC &amp; CC) [Note: not required by statute]</li> <li>• Shift final plat to administrative approval (staff only) – provided in substantial conformance with preliminary plat.</li> </ul>
E. Final Plat	17-23 Final Plat Article V Certifications (17-50 – 17-51 simplified or removed)	See above – recommend shifting to administrative approval, provided in substantial conformance with preliminary plat. This may enable more flexible and refined phasing and build-out, while still complying with all of the “big-picture” and large-scale planning and urban design principles agreed to and approved with the preliminary plat.
<b>2.03 Zoning Map Amendment</b>		

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A. Applicability B. Review Criteria C. Review Procedures D. Effect of Decisions	16-9 Changes and Amendments	No substantive changes. Clarified criteria and related more directly to comprehensive plan, and planning and urban design elements added to this code.
<b>2.04 Planned Development</b>		
A. Applicability B. Development Plan C. Review Criteria D. Review Procedures E. Effect of Decisions F. Duration of Plan	16-45 Planned Unit Development (procedures only – improved to build of typology approach and design standards for base districts)	Reformed process. <ul style="list-style-type: none"> <li>Steering more projects to improved base zoning districts;</li> <li>converting PUDs to projects based on, but with deviations from the base district (both for initial conceptual planning, but also for better long-term administration of changes);</li> <li>establishing clear criteria for deviations form base district patterns, uses, typologies and design standards;</li> <li>streamlining to process into potentially 2 (but optional 3<sup>rd</sup> step), similar to platting and coordinating with platting.</li> </ul>
<b>2.05 Administrative Site Plan</b>		
A. Applicability B. Review Criteria C. Review Procedures D. Effect of Decisions	16-174 Administrative site plan –	No substantive change. Reorganized and simplified. More clear criteria for types of applications that are eligible for administrative approval, with potential broadening of applicability due to the approach to design standards. (more design standards, but with simplified and clear criteria, and potentially more administrative flexibility)
<b>2.06 Site Plan</b>		
A. Applicability B. Review Criteria C. Review Procedures D. Effect of Decisions	16-14 Minor Administrative Variations Article VIII Site Plans (16-171 – 16-175) III.A Site Planning (Commercial Design Standards)	Reorganized and simplified. Recommend streamlining process (Reference June 2020 Town Hall Discussions) <ul style="list-style-type: none"> <li>Remove 2 public hearing requirement (see above for distinction between public hearing and public meeting)</li> <li>Require only PC approval, but with potential appeal to CC.</li> </ul>
<b>2.07 Site Plan</b>		
A. Applicability B. Review Criteria C. Review Procedures D. Effect of Decisions	n/a – but formalization of various sections where exceptions or discretion was generally referred to without clear criteria or parameters	Added based on approach to design standards in other sections – increasing the emphasis of the standards on physical form, patterns and urban design; simplifying and streamlining the standards; and adding in greater administrative flexibility based on clear criteria and parameters.
<b>2.08 Special Use Permit</b>		
A. Applicability B. Review Criteria C. Review Procedures D. Effect of Decisions	16-7 Special Uses	Reorganized and simplified. Recommend streamlining process (Reference June 2020 Town Hall Discussions) <ul style="list-style-type: none"> <li>Remove 2 public hearing requirement (see above for distinction between public hearing and public meeting)</li> <li>Require only PC approval, but with potential appeal to CC</li> </ul>
<b>2.09 Variance</b>		
A. Applicability B. Review Criteria C. Review Procedures	16-13 Variance	No substantive change. Reorganized and simplified. Consolidated the criteria into more specific findings; emphasized that all must be met – particularly uniqueness and hardship. This further distinguishes between the administrative flexibility, and alternatives / exceptions based on

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D. Effect of Decisions		planning vs. variances based on uniqueness and inapplicability of the general standards to specific circumstances.
<b>2.10 Appeal of Administrative Decision</b>		
A. Applicability B. Effect of Filing C. Notice D. Action and Review Criteria E. Effect of Decision	16-12 Appeals	Made more direct distinction between appeals that are specified by the local development code vs. administrative decisions with no specific type of appeal which are subject to this statutory right of administrative appeal to BZA.
<b>2.11 Code Amendments</b>		
A. Applicability B. Review Criteria C. Review Procedures D. Effect of Decisions	16-9 Changes and Amendments	No substantive change. Reorganized and simplified.
<b>2.12 Vested Property Rights</b>		
A. Applicability B. Review Criteria C. Effect of Decisions	16-15 Vested Property Right	No substantive change. Revised to be more specific and coordinate better with the city's procedures, and not repeat the CO Vested Property Rights law language; eliminated confusion caused by vague and generic statutory term of 'site specific development plan' and defined what that means under this code.
<b>2.13 Vacation of Rights-of-way or Easements</b>		
A. Applicability B. Review Criteria C. Review Procedures D. Effect of Decisions	n/a - new	No substantive change. Documenting current practices and specifying decision options.