



# Town of Johnstown

## **TOWN COUNCIL WORK SESSION**

**450 S. Parish, Johnstown, CO**

**Monday, January 31, 2022 at 6:00 PM**

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*MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.*

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## **AGENDA**

### **CALL TO ORDER**

### **AGENDA ITEMS**

- [1.](#) Technical Summary of the detailed assessment of the Johnstown Development Code
- [2.](#) Code Update - Issue Identification and Discussion

### **ADJOURN**

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## **AMERICANS WITH DISABILITIES ACT NOTICE**

**In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (970) 587-4664 within 48 hours prior to the meeting in order to request such assistance.**

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## 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 do 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 be 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 through 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
  - Change 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)



# gouldevans

## MEETING AGENDA

<b>Project:</b>	Development Code Update – Johnstown, CO	<b>Date + Time:</b>	Monday, January 31, 2022
<b>Project No:</b>		<b>Location:</b>	Town Hall
<b>Purpose:</b>	Issue Identification and Discussion	<b>Attendees:</b>	Technical Team – 1:30 PM Town Manager & – 4:00 PM Public Works  Town Council – 6:00 PM P & Z Commission – 7:30 PM

Item:	Action By:
1. Project Overview <ul style="list-style-type: none"> <li>Project Goals</li> <li>Regulatory Approach</li> <li>Process, Timeline &amp; Engagement</li> </ul>	GE
2. Plan Conformance Report <ul style="list-style-type: none"> <li>Planning Framework</li> <li>Code Evaluation Themes</li> <li>Plan Conformance Overview</li> </ul>	GE
3. Critical Issues <ul style="list-style-type: none"> <li>Identification &amp; Confirmation</li> </ul>	GE
4. Discussion <ul style="list-style-type: none"> <li>Are these the issues that will define the future of Johnstown?</li> <li>What do we need to know about each of these issues?</li> <li>What is missing? Why is it important?</li> </ul>	All
5. Next Steps <ul style="list-style-type: none"> <li>Critical Issues <ul style="list-style-type: none"> <li>Case Studies</li> <li>Practical Application – engaging the community</li> </ul> </li> </ul>	GE

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## DEVELOPMENT CODE REWRITE PLAN CONFORMANCE REPORT

**January 2022**  
*Draft*



The Plan Conformance Report is an analysis of the Town of Johnstown’s development regulations – Chapter 16: Zoning; Chapter 17: Subdivisions; Transportation Master Plan (adopted 2008), Street Design & Construction Standards (Part II of the Design Criteria & Construction Regulations); and the Landscape Standards and Specifications. The report compares these regulations to the Comprehensive Plan’s (adopted 2021) policies and identifies where the regulations support these policies or where they may not support or specifically conflict with these policies. The purpose of this report is to evaluate how well the current regulations align with the plan and identify a range of options to consider through the regulation update process. This report is a preliminary step in the process. It provides a critical view of the regulations and is intended to start a dialogue on a wide range of potential regulatory strategies and actions.

The Comprehensive Plan has two types of policies – those to pursue immediately or through proactive steps by the public and private sector; and those that are influenced by the town’s regulations as developers and public officials react to projects incrementally over time. The regulations establish standards for public and private property and coordinate many projects to achieve the broader and long-range goals of the community. The significance the development regulations have on implementing the comprehensive plan increases over time. The impact and coordination of multiple projects accumulates, and the relationship of public investments and private development emerges, establishing the character of the community.

The analysis and recommendations of a plan reflect the long-term vision of the community; however, a plan does not necessarily predetermine anything. Rather, it establishes a policy framework to manage future change through development. Therefore, development regulations must provide the Town with the tools to best manage change, enable different options, and react to many circumstances that cannot be fully anticipated. This analysis is organized around the core elements of the policy plans and provides an assessment of how well the regulations anticipate change and prepare the community to implement those elements.



Downtown Johnstown



Neighborhood Greenspace



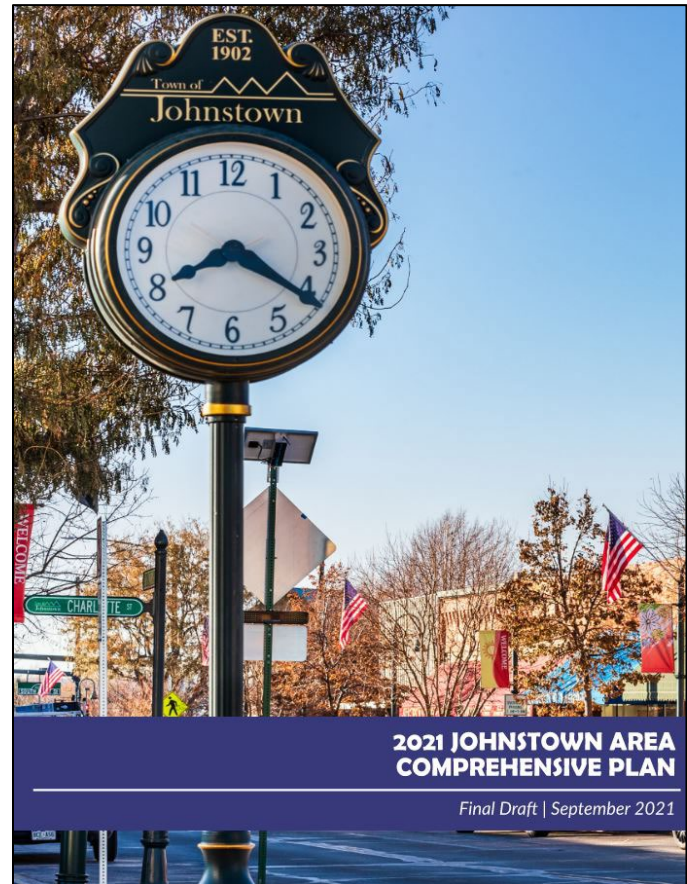
Commercial Center

## PLANNING POLICIES

The principal planning policy document Johnstown is the Johnstown Area Comprehensive Plan (2021). The Street Design & Construction Standards (2004), the Parks, Trails, Recreation and Open Space Master Plan (2003), and the Town and Downtown Design Guidelines and Landscape Standards were also reviewed. The objective of these adopted plans and guidelines is to steer future growth and development in a way that is supportive of the public's long-term vision and goals.

There are three integral themes identified within the Comprehensive Plan. Each theme is reflected in the following goals and strategies that are most applicable to how development regulations can implement the plan:

- ***Johnstown is Resilient***
  - Preserve Natural Systems
  - Build Housing Variety
  - Adequate Public Facilities
  - Concentrate Employment Hubs
  - Promote Agriculture Heritage
- ***Johnstown is Vibrant***
  - Design Diverse Neighborhoods
  - Strengthen Walkable Downtown
  - Neighborhood Activity Centers
  - Community Corridors & Gateways
- ***Johnstown is Connected***
  - Open Spaces + Gathering Places
  - Multimodal Streetscape Design
  - Connected Street Networks



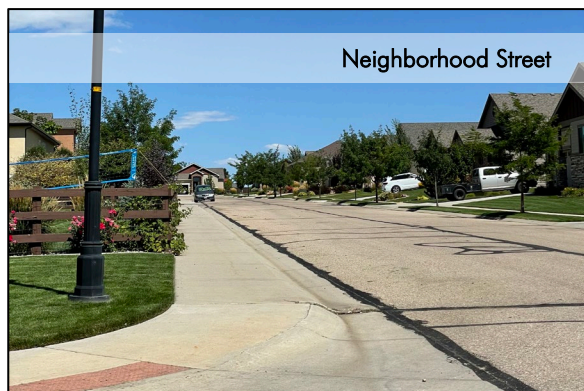
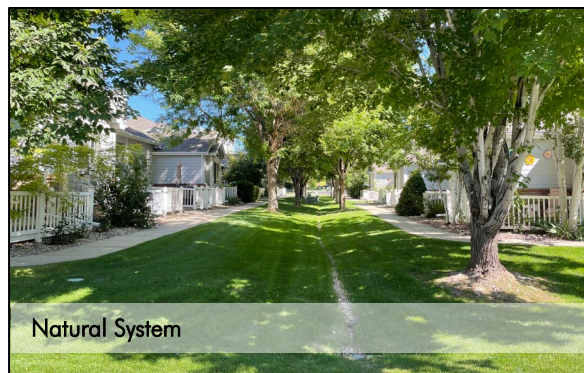


## FUNDAMENTAL REGULATORY THEMES

Some adopted planning policies are more directly impacted by development regulations than others. The following sections are intended to align the adopted policies of the Comprehensive Plan with physical attributes of the community most impacted by regulations.

This analysis focuses on 4 primary topics:

- **Agricultural & Natural Systems** – undeveloped or organic systems that influence development patterns and community character, and which should be accentuated and complimented by the design of the built environment.
- **Street Design & Networks** – the fundamental public space system that connects the community and establishes development patterns.
- **Housing & Neighborhood Design** – the key to building enduring neighborhoods that withstand the test of time, promote long-term stewardship by residents, and sustain multigenerational roots.
- **Walkable Commercial Places** – centralized places for people to advance the interchange of ideas, commerce, and culture, intended to encourage interaction and bring the community together.



# AGRICULTURAL & NATURAL SYSTEMS

## POLICY OVERVIEW

- Update land use regulations to encourage development to have agricultural elements and themes (e.g. orchards, community gardens, re-purposing agricultural structures, etc.) into their design. Alongside this effort, collaborate with new and existing neighborhoods, special districts, and other community partners to implement agricultural elements and themes in neighborhoods and facilities.
- Assess opportunities to protect vital viewsheds along major corridors and gateways to highlight Johnstown's unique natural features (e.g. rivers, mountains, protected agricultural lands, etc.)

*2021 Johnstown Area Comprehensive Plan.*

## WHY IT MATTERS

Johnstown's roots start with a rich agricultural history, and today benefits from a large amount of open space containing important habitats to a host of wildlife, including natural features, public parks, and agricultural farmland. The preservation of these areas, as well as integration within future development, is an important priority to address within the development regulations. Proactive strategies that promote preservation and integration of agricultural and natural systems will be beneficial to the community, for several reasons:

- Provides stability for wildlife dependent on wetland and riparian areas, as well as food and shelter found in undeveloped areas.
- Protects the ecological functions of the land.
- Promotes the creation of greenways, potentially serving as protected natural, passive recreational space, and connectivity for trails.
- Reduces impact on public infrastructure by allowing natural systems to support development and protects future development projects from locating in unviable natural areas such as floodplains.
- Accentuates the distinct natural and agricultural character of Johnstown, promoting longstanding stewardship and investment, and increasing community desirability.

- Integrates productive agricultural lands into development patterns as a focal point of the community.



Natural Landscape Integration



Cottage Court Open Space



## WHAT THE REGULATIONS SAY



Neighborhood Agriculture



Native Landscape

Specific regulations related to preservation of natural systems include:

- ARTICLE IV Dedication and Reservation of Land requires a 10% open space dedication for subdivisions.
- Article VII contains general site considerations including criteria promoting the value of larger scale natural systems that can be expanded upon to ensure proper implementation.
- Zoning districts each contain open space requirements for site and block-scale development projects.
- There is a specific zoning district for Open Spaces ("O District") that essentially establishes a "non-development" area for the town. The O District is currently assigned to all public facilities including town facilities, parks, and schools.
- The Holding Agricultural ("H-A") zoning district is intended to temporarily preserve agricultural land.

## OPTIONS TO CONSIDER

There are several regulatory options to consider for preserving and integrating natural systems throughout the community:

- Revisit open space dedication requirements for subdivisions, and associated fees, to ensure open spaces are appropriately applied for various contexts.
- Align open space standards within specific zoning districts (i.e. "livability open space") with subdivision regulations, and promote a more clear and comprehensive approach to creating valuable, contextually appropriate spaces.
- Expand the range of open space types, specify the application to neighborhood and commercial settings, and promote open space as an active extension of the streetscape (i.e. greenways, pocket parks).
- Reevaluate use and application of the O-District for implementation and preservation of open space. (i.e. consider open space as an infrastructure element in all districts, rather than a specific land use that needs a special zoning district.)
- Strengthen agricultural standards to better preserve and integrate agricultural land into future surrounding developed contexts, potentially adding different scales of agricultural uses that can be integrated into the development pattern (i.e. community-scale agriculture, edible landscapes, agri-tourism).
- Incorporate pocket parks and natural areas in all commercial and employment centers to create public space and offset environmental impacts.



- Update development standards to include right-of-way landscaping requirements that use green infrastructure to protect, restore, and mimic the natural water cycle.
- Consider an Agricultural Preservation Overlay – large-lot residential, farms, pastures, arenas, agri-tourism
- Evaluate the applicability and practicality of Transfer of Development Rights (TDRs), conservation development, or other similar strategies to protect valuable agriculture lands.
- Codification of the Greenway/Floodplain character area within the Land Use plan, as established by FIRM/FEMA.
- Update regulations to encourage new development projects to incorporate agricultural elements or themes into their design.



# STREETS & CONNECTIVITY NETWORKS

## POLICY OVERVIEW

- Residents of Johnstown currently rely primarily on cars for transportation (within and outside of town). However, Johnstown can provide additional multi-modal transportation services to encourage active transportation options and promote the community’s health, equity, and wellbeing.
- Residents have indicated connectivity as a major issue. Whether by car, bike, foot, or transit, traveling is made difficult by a lack of straight connecting roads, railroad tracks, and dead ends. Reviewing trails, roads, and overpass connections will be important to keeping a unified community character.

2021 Johnstown Area Comprehensive Plan.

## WHY IT MATTERS

The design of streets and connectivity networks is a foundational public space investment of any community. The connectivity of street networks determines the type and degree of access for all users – vehicles, pedestrians, bicyclists, and transit. The pattern of blocks defines the scale, relationship and transition of different places. The quality and design of streetscapes establish the character of public spaces and determines how private development may relate to these spaces. Streetscapes establish the character of the public realm, and their design Contextual streetscape design, as well as connected multimodal networks, have a number of benefits:

- Provides a familiar street network hierarchy and pattern to allow for better wayfinding.
- Establishes the perception of the community, and the character of different places within the community.
- Supports adjacent development patterns and uses providing the appropriate level of access.
- Broadens the use of the public realm beyond solely facilitating mobility, but also accentuating recreation, civic life, and other passive activities.



Disconnected Subdivision Layout



Multi-use Path

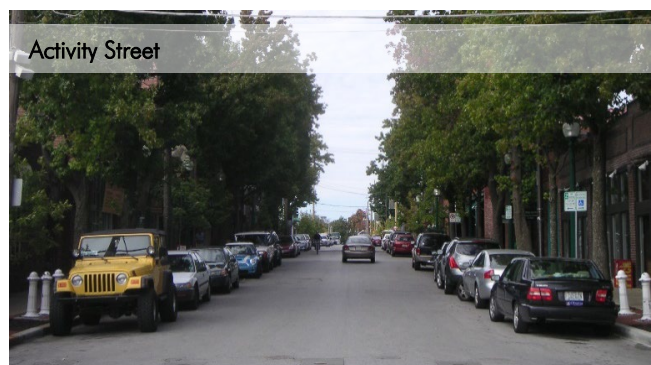
- Enhances the pedestrian experience with appropriately scaled sidewalks, buffers for protection, lighting, and other public amenities.

- Enhances accessibility to businesses and other destinations.
- Lowers travel times and distances for multiple modes of transportation and emergency services.
- Balances the interests of mobility and experiences within the public realm, to preserve and create valuable people places.
- Encourages pedestrian activity that can yield economic and health benefits to the community.

### WHAT THE REGULATIONS SAY

Specific regulations related to streets and connectivity networks include:

- Two of the Town's guiding documents impacting transportation, the Street Design & Construction Standards (2004) and the Parks, Trails, Recreation and Open Space Master Plan (2003), were last updated almost 20 years ago.
- The Subdivision regulations establish connectivity based the arterial grid; collector and local street connections may not be closer than 1,320 feet and local streets discourage through traffic. This pattern will prevent adequate connectivity and result in purely car-oriented development patterns where large arterials become barriers between neighborhoods and centers.
- The Subdivision regulations contain sufficient standards to ensure streets are established, but lack proper standards related to the design of streets and the contexts they are intended to support. The design of streets is geared to functional class (capacity and speed), with little additional guidance or standards related to context or streetscape quality and character.
- The Street Design & Construction Standards do not adequately tie landscape standards with the design of streets, or how different streetscape elements should be assembled. Without proper context considerations and guidance on the design relationships, the



perceived width of roadways will increase and the opportunity to establish tree canopies and buffers, ease design speeds, and enhance design characteristics is missed.





Neighborhood Greenway with Path

### OPTIONS TO CONSIDER

A number of options should be considered to improve street connectivity networks and design:

- Align the Unified Development Ordinance (UDO) to make a more explicit reference to coordination between systems of open space, streets and blocks based on different contexts identified in the plan. Require street connections at a finer grain than the arterial grid, promoting signature streets that connect multiple neighborhoods and destinations, such as neighborhood connectors, boulevards, and parkways.
- Establish signature streets along sensitive areas to preserve natural systems as an integrated component of the public realm and accentuate the passive use of preserved areas with trails, sidewalks, and open space.
- The Street Design Standards should ensure specifications adequately support existing and future land use contexts, considering different priorities for different modes of transportation.

- Differentiate between planning and urban design standards for streets (to be incorporated in the subdivision regulations) and engineering and construction specifications (to be retained in the Street Design & Construction Standards). This will allow street networks and street design to be better aligned with land use and development policies.



Dedicated Bike Lane

# HOUSING & NEIGHBORHOOD DESIGN

## POLICY OVERVIEW

- Diversify housing and neighborhoods to provide a wider variety of unit types (from apartment living to large estate lots) and accommodate different lifestyles and income levels. Support new residential developments to build more “complete” neighborhoods with housing near services, parks, transportation, and employment opportunities with neighborhood-scale activity/commercial centers.

### *2021 Johnstown Area Comprehensive Plan.*

- There are several significant issues this unified “Development Code” update must address several specific elements, including: Flexible district definitions that create complete and connected neighborhoods, and encourage a range of housing options that accommodate diverse lifestyles and incomes.

*Town of Johnstown, Request for Proposal, Land Use and Development Code Update RFP #1-29-2021*

## WHY IT MATTERS

Emphasis on housing variety and walkable neighborhoods should be a critical focus for Johnstown, given the growth pressures and the significant capacity for new residential settings. Creating well-integrated and connected neighborhoods with a broad portfolio of housing options will have a number of benefits to Johnstown:

- Builds valuable, distinguished neighborhoods and sustained investment and reinvestment in housing.
- Ensures new neighborhoods are well integrated with established neighborhoods, composing a holistic and well-connected communitywide context.
- Supports a variety of lifestyles with different housing needs, promoting “aging in place” for existing and future residents as their lifestyle needs change.
- Creates a more resilient housing supply, and helps communities adapt to changing demographics and societal needs.
- Enables more efficient use of space that supports neighborhood retail if homes are in proximity to walkable destinations.

Residential Frontage: Emphasis on Front Porches



Residential Frontage: Emphasis on Garages





## WHAT THE REGULATIONS SAY

Specific regulations related to housing and neighborhood design include:

- Residential zoning districts are limited to three districts – SF-1, SF-2, and MF-1. These districts do not promote residential contexts with integrated housing types, but rather isolated, individual residential settings with little variation in terms of housing type, orientation, and lot size.
- Zoning districts regulate the development of housing based on lot size and density, rather than standards related to the pattern, scale and character of development to achieve housing option and neighborhood design goals.
- Current development standards are inflexible to accommodate today's development practices. Development is occurring through the Planned Unit Development (PUD) process which essentially creates unique development standards for each development project.
- The development code provides standards and procedures for Planned Mobile Home Park development, providing one option for smaller-format housing.



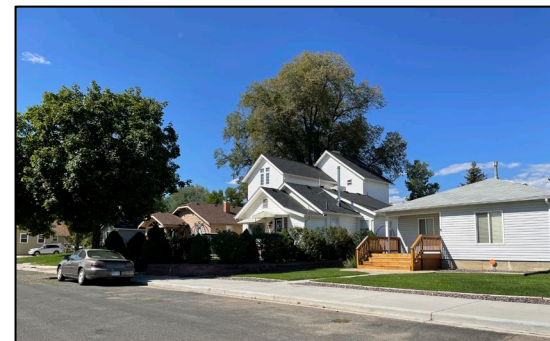
## OPTIONS TO CONSIDER

The following regulatory strategies should be considered to establish a clear relationship between the Comprehensive Plan policies and the development regulations:

- Implement the adopted land use character areas adopted in the Comprehensive Plan by codifying simple, yet significant, physical design characteristics of neighborhood settings.
- Create flexible zoning districts that serve current community needs and encourages creative and diverse development practices.
- Convert residential standards from a "district-approach" (all property in the district subject to the same standard) to a "building type" approach (standards developed for specific

building types, and the appropriate range of compatible types is applied to each district). This can better-align neighborhood design, housing variety, and walkability goals.

- Revisit and align parking and access standards with neighborhood design goals.
- Consider a broader range of uses compatible with residential neighborhood settings, such as multi-family housing, home occupation businesses, and small-scale commercial.
- Consider at least one residential district that enables a broader mix of housing types and densities into a single neighborhood context. SF-2 may be appropriate for this application since it has been established for rowhouses and duplexes, and can be further broadened with refined standards, or a new district could be created.
- Update standards for larger multifamily types such as apartments or mixed-use buildings to emphasize critical design frontage, access, and development pattern characteristics.
- Revisit standards for mobile home parks for a more comprehensive approach to small-format housing, considering things like courtyard housing and other arrangements of smaller units in coordinated and well-designed contexts.





# WALKABLE COMMERCIAL PLACES

## POLICY OVERVIEW

- *Johnstown is a vibrant community that leverages our walkable, historic downtown, and traditional neighborhoods, with new innovative commercial and residential areas, offering diverse opportunities to enjoy and create lively and thriving business areas, neighborhoods, and civic spaces.*
- *Commercial centers in an [medium density] area will feature more walkability, perhaps offering covered arcades or awnings, pedestrian-scaled signage, shade trees and nice landscaping that helps slow traffic and break-up parking areas, and enjoyable outdoor spaces to gather. Commercial areas in [low density] areas will feature smaller building footprints ( $\pm 3,000$ -30,000 SF), and be focused on providing smaller-scale retailers and services aimed at serving the immediate neighborhood and community, with more walkability and attractive landscaping that helps slow traffic and break-up parking areas, and enjoyable outdoor spaces to gather.*

*2021 Johnstown Area Comprehensive Plan*

## WHY IT MATTERS

Commercial places – whether neighborhood, community, or regionally-serving – are important destinations that serve a variety of functions. Prioritizing walkability in these places will produce many physical, social, and economic benefits:

- Creates a sense of place at a block or district-scale, attracting frequent and repeated patrons to businesses, and promoting longevity and adaptability.
- Promotes strong transitions between predominately commercial/mixed-use and residential settings, establishing a development pattern that supports physical activity and fitness, as well as equitable accessibility.
- Produces more efficient development patterns that contribute to the fiscal productivity of the broader community.
- Prioritizes people walking over the sole mobility of cars, enhancing safety for all users, sense of place, and broader use of the public realm.



The Zona Rosa (upper image) a mixed-use center that is adjacent but disconnected from residential lots, hindering access by foot and emphasizing and prioritizing access by automobiles. Brookside (lower image) is a commercial center that has a neighborhood scale is well-integrated with adjacent neighborhoods, with a good balance of access on foot, bicycle, in a car, or by transit. (Kansas City, MO)



## WHAT THE REGULATIONS SAY

Specific regulations related to walkable commercial places include:

- The current standards promote commercial contexts that are physically separated from surroundings, by enabling discontinuity of connector streets and insufficient design of streets serving a walkable commercial context. (See Streets and Connectivity Networks comments, and specifically the impact of the “arterial grid.”)
- Allowable uses within the zoning districts are not sufficiently defined and scaled to promote commercial destinations designed to the variety of contexts in Johnstown. They are based primarily on the types of uses and not on the scale or format that determine how a use fits into a context or impacts its surroundings.
- The Comprehensive Plan begins to distinguish different contexts based on the scale and format of uses. However, the uses enabled by non-residential districts do not distinguish different scales and formats, and the development standards do not

emphasize differences in development patterns and form between the districts.

- A 20% open space requirement applies to the Neighborhood Commercial (NC) District, which can yield good civic gathering space depending on its application and scale of project.
- The Central Business (CD) District lacks sufficient standards to ensure walkable form and format and allows project outcomes that could undermine the intent of the district.

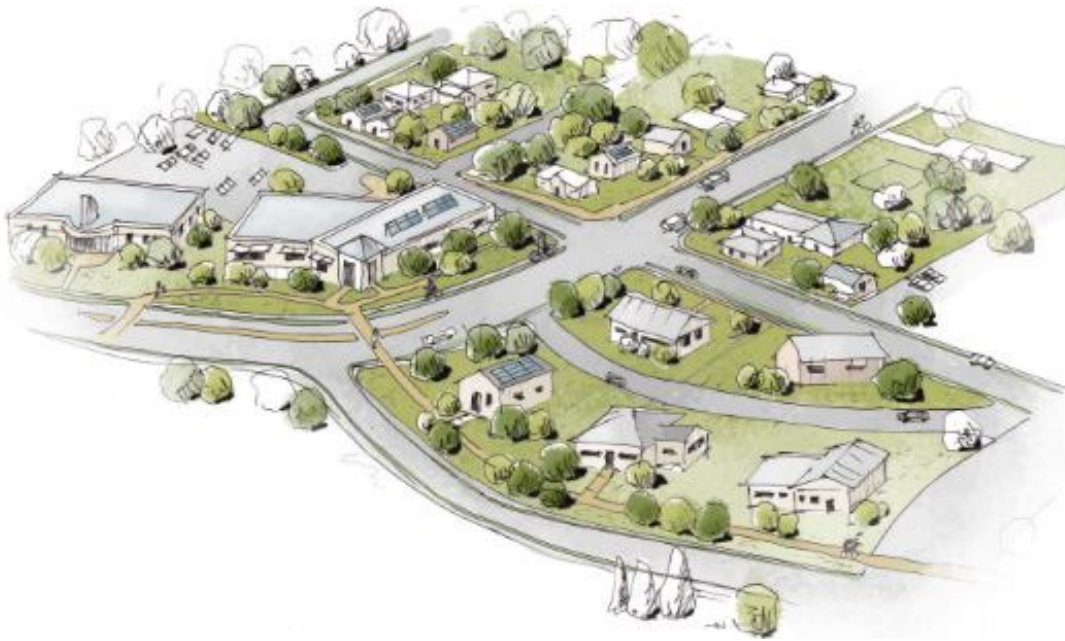
## OPTIONS TO CONSIDER

Standards influencing lot/block structure, street design, and use mix are fundamental to any place’s walkability.

- Evaluate the subdivision regulation to ensure that the foundation for connected, walkable streets and block networks within commercial centers, and between residential settings, is being created.
- All commercial districts would benefit from a comprehensive approach to allowable land use types that are sufficiently defined and scaled.



- Development standards should be revisited to ensure approaches are appropriate for various contexts and achieving desired outcomes. Floor-Area-Ratio (FAR) standards should be reconsidered or be supplemented with frontage, site design standards, and other standards more meaningfully tied to desired design outcomes in some districts.
- Neighborhood Commercial (NC) District and Central Business (CB) District contain use regulations that are not sufficiently defined and scaled to promote walkable contexts.
- Open space standards should be revisited to ensure desired outcomes can be achieved based on scale of project.



*Commercial Hub Integrated in a Neighborhood Setting  
2021 Johnstown Area Comprehensive Plan*

## 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 do 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 through 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
  - Change 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)