

Town of Johnstown

PLANNING & ZONING COMMISSION REGULAR MEETING

450 S. Parish, Johnstown, CO Wednesday, June 28, 2023 at 7:00 PM

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

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF AGENDA

1. Minutes of May 24, 2023

PUBLIC COMMENTS - Regarding items and issues <u>not</u> included as a Public Hearing on this Agenda (limited to 3 minutes each)

NEW BUSINESS

2. Land Use & Development Code - Proposed Amendment Topics

DEPARTMENTAL REPORT

COMMISSIONER REPORTS AND COMMENTS

ADJOURN

AMERICANS WITH DISABILITIES ACT NOTICE

In accordance with the Americans with Disabilities Act and other applicable laws, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at 970-587-4664 no later than 48 hours before the meeting in order to request such assistance.

De conformidad con la Ley de Discapacitados Estadounidenses y otras leyes vigentes, los individuos que necesitan adaptaciones funcionales para asistir o participar en esta reunión deberán comunicarse con la Municipalidad marcando el 970 587- 4664 a lo más tardar 48 horas antes de dicha reunión para solicitarla.

The Community That Cares

johnstown.colorado.gov

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

Item 1.



Town of Johnstown

PLANNING & ZONING COMMISSION REGULAR MEETING

7:00 PM, Wednesday, May 24, 2023

SUMMARY MINUTES

The meeting was called to order by Chair Grentz at 7:00 P.M. Roll call attendance was taken. Present were Commissioners Campbell, Flores, Hatfield, Hayward, Salo and Chairman Grentz.

Grentz proposed amendment to switch the order of items 3 & 4 on the agenda. Approved 6/0.

Minutes of the regular meetings held on March 22 and April 12, 2023, were approved unanimously.

No general public comment.

The Public Hearing for **Encore Filing 1 Preliminary/Final Subdivision** was opened. Kim Meyer, Director of Planning & Development, presented a presentation and overview of the proposed 189-acre subdivision for large lot and basic infrastructure development in the Encore PUD. Commissioners inquired about the definition of a lot, outlot and tract.

Russ Lee, Ripley Design, represented the Applicant and provided a brief follow up presentation. Russ noted that there was also another ODP Amendment that revised the ODP to the current layout and showed a rendering to better explain the subdivision. He also noted that High Plains Blvd will be a signalized intersection from Day One. Commissioner Hatfield noted that there was current well activity on the site, Lee indicated that is being currently plugged and abandoned. C. Flores asked how many wells were located on the sites that will remain. Roy Bade, with Caliber, also attended and provided answers to various questions.

Public comment received:

- 1. Steve Hariri, 1431 N CR 3 resident on the west side. Had some concerns with how the westbound local road will provide access from CR 3. Feels like the engineering detail needs some additional attention and review. Been in contact with the applicant throughout this project.
- 2. Mike Hemberger, 2490 N CR 3, He has concerns with southbound haul traffic. Is the turning radius considered for large vehicles. When will CR 3 be rerouted?

Applicant addressed the question on timing. Existing access on CR 3 until all roads are built and accepted, likely 12-15 months. Bade noted that the westbound local will be a long-term public street, fully built, as well as the intersection onto the existing LCR 3. Commissioners asked about when development would happen, respective to the roadway construction. Bade assured the commission that the roads will be constructed prior to development occurring.

Public hearing was closed. Commission had no further questions or discussion.

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Item 1.

A motion was made to Recommend Approval of Encore Filing 1 Subdivision to the Town Council per findings and language provided in the staff memo by C. Flores / 2nd C. Hatfield. Vote: 6/0

Commissioner interviewed candidates who applied for the Planning & Zoning Commission, including Johnstown residents Steve Urban and Cody Jeanneret. Andrew Paranto withdrew his application upon his appointment to the Town Council on Monday, May 22, 2023. Commissioners asked a list of pre-set questions to both candidates. Commissioner Jessica Salo announced her resignation from the Commission effective immediately due to a recent promotion to department head at UNC and encouraged the Commission to keep that in mind.

C. Hatfield moved to recommend both candidates to the Council for appointment / 2nd: C. Flores. Vote: 6/0

Kim Meyer provided a brief department update and highlighted the recent web publication of the land use and development code, a list of anticipated amendments to discuss in June and review in July, and new planning staff. Next meeting expected June 28th. Council should be able to appoint new commissioners at June 19th meeting with first meeting in July.

Commissioners had no reports. Meeting was adjourned.

Respectfully Submitted	t
Kim Meyer Director	

Kim luga

Accepted by Chair:



Town of Johnstown

PLANNING & ZONING COMMISSION WORKSESSION COMMUNICATION

AGENDA DATE: June 28, 2023

SUBJECT: Land Use & Development Code – Proposed Amendment Topics

ATTACHMENTS: 1. Topic 1: Dark Skies & Lighting Performance Standards

2. Topic 2: Guest Parking Ratios

3. Topic 3: View Protection

PRESENTED BY: Kim Meyer, Planning & Development Director

WORKSESSION ITEM DESCRIPTION:

Attached please find the Council memo and attachments noted above from Staff regarding these amendment topics for description of the work of Staff the past several weeks.

These items were discussed at a June 26th Worksession with Council, and Staff wants to further that discussion with the Commission and obtain additional feedback prior to crafting new code language, as well as determine if there remain other areas that deserve resources to consider for a future amendment set.

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Town of Johnstown

TOWN COUNCIL WORKSESSION COMMUNICATION

AGENDA DATE: June 26, 2023

SUBJECT: Land Use & Development Code – Proposed Amendment Topics

ATTACHMENTS: 1. Topic 1: Dark Skies & Lighting Performance Standards

2. Topic 2: Guest Parking Ratios

3. Topic 3: View Protection

PRESENTED BY: Kim Meyer, Planning & Development Director

WORKSESSION ITEM DESCRIPTION:

With the May 2023 adoption of the Land Use & Development Code (LUDC), which serves as Chapter 17 of the Johnstown Municipal Code governing land uses, zoning, and development standards, there were numerous topics that were discussed in public hearings as future additions or amendments to the code, namely:

- 1. Expanded lighting performance standards in Sec 17-6- that bring the Town towards more "Dark Skies" compliance, which minimizes glare, overspill onto adjacent properties, and requires down-directional, full-cut off lighting fixtures (Attachment 1).
- 2. Guest parking minimums for clustered homes and more dense residential areas that do not furnish individual, parkable driveways for each dwelling unit (Attachment 2).
- 3. Protecting views with new development. (Attachment 3).

For each of these enumerated topics listed, Staff has provided an attached summary that presents the research and analysis to date. Detailed feedback and direction from Town Council on these issues is vital for Staff and the Town Attorney to move forward with crafting appropriate and specific code language to be presented and proposed for this first LUDC code amendment.

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www.TownofJohnstown.com P: 970.587.4664 | 450 S. Parish Ave. Johnstown CO | F: 970.587.0141 Staff continues to work with the Town Attorney on final review and redlines of the LUDC to update some outstanding "housekeeping" (i.e., non-substantive) items such as formatting and rework of some phrases and sentences for clarity and/or attorney preference, as well as the addition of graphics that help to clarify some of the code sections. A full redlined code will be presented to Council prior to a future hearing, with the intent of including updates based on direction provided on the aforementioned subjects.

In that legal review thus far, the few items that substantively update the code are related to proposed deletion of a section that discusses the process text amendments, as the Attorney felt it unnecessary, and updates to the language and C.R.S. state statute references relating to marijuana uses.

As we continue to review and think about the land use and development standards for the Town, we have a "parking lot" list of future elements that warrant additional attention and consideration, based upon comments received through the adoption process and since, to include Community and Utility-scale Solar Facility standards with permitted livestock grazing and agricultural uses. Staff welcomes additional items that Council feels may be worth further discussion and review.

Reviewed and Approved for Presentation,

Town Manager

Topic 1: Dark Skies & Lighting Performance Standards

General information:

- "Dark Skies" references principles and standards issued by the International Dark-Sky Association (www.darksky.org) that are intended to minimize light pollution from developed and urban areas using lighting that is directed downward, with physical cut-offs to minimize light spillage, and generally lessen the "glow" from outdoor lighting.
- The text of the proposed "model ordinance" produced by this group gets fairly technical and specific employing multiple lighting zones, lumen allowances, and a variety of calculations. Staff review of other codes indicates many have adopted codes that speak to the overall principles of minimizing impact in a manner that is easier to understand and implement.
- Many of these principles have been employed in Town for the past few years, utilizing the prior code requirement of photometric plans to minimize light spillage into residential area, as well as more recent Staff requests for down-directional, full-cut-off fixtures where possible, Staff has also worked with builders and developers to review "color" and brightness of proposed fixtures as well. Current standards in the LUDC include:
 - Sec 17-4-5 District Performance Standards notes maximum "foot-candles (FC)" (measure of light) at the property line in different zoning districts.
 - Sec 17-9-4 provides regulations related to the management of lighting on electronic message displays (signs).
 - The proposed Engineering Specifications and Design Standards will also address lighting related to streets. The Town has been providing an interim guideline for the past several years to address streetlights – consistency, brightness, spacing, and color.

Analysis and Recommendation:

In the review of the current LUDC, Staff concurs that more stringent language regulating lighting should be added into the code to ensure that private development implements meaningful standards in their lighting design and use. The Dark Sky model codes reviewed seem overly technical and challenging to administer. Staff requested additional code language from the code consultants, but had not received the proposed language in sufficient time to present to Council prior to the May public hearing on the Code.

The following verbiage was proposed to insert into Article 8 of the LUDC, which addresses overall landscaping and site design for all development. It would apply to all types of development. In general the updated code language includes standards for fixture height based on the purpose of the lighting, provides basic performance standards and notes that a photometric plan may be required.

17-8-6 Outdoor Lighting

- A. **Design Objectives.** Exterior lighting of sites and buildings shall meet the following design objectives:
 - 1. Provide safety and security in publicly accessible areas.
 - 2. Create comfort and atmosphere with softer and warmer lighting in gathering spaces, social places, and pedestrian-oriented and residential areas and streetscapes.
 - 3. Accent the architectural features of buildings, gateways or other portions of sites visible from the streetscape or other public spaces.
 - 4. Design the appropriate scale of light considering pedestrian-oriented or vehicle-oriented portions of sites.
 - 5. Limit backlighting, uplighting, glare, spillage, and other impacts on adjacent sites.
 - 6. Comply with the general principles for responsible outdoor lighting, including useful, targeted, controlled, low-level, and color-appropriate lighting.
 - 7. Use the appropriate design, location, and type of fixture to minimize lighting impacts and reinforce the character of distinct areas.
 - 8. Utilize energy efficient lighting strategies in balance with other site lighting objectives.
- B. **Mounting Height.** All exterior lighting shall be limited to the heights noted in the following table:

Table 8-6: Maximum Light Mounting Height		
Driveways and Parking Areas	 24' in residential districts; or within 30' of any street; or within 100' of a residential use or residentially zoned property. 35' in all other districts or situations. 	
Pedestrian Walkways, Plazas or Courtyards, and Pedestrian-oriented Streetscapes	= 16'	
Facade Lights	 Below the eave or cornice line, provided the light is directed downward or otherwise designed and located to limit up lighting beyond the facade. 	
Other Site Lighting	12' nonresidential;7' residential	
Building Mounted Security Lights	 May be mounted at heights required to provide adequate security provided all efforts be made to mitigate off-site impacts including dimmers, timers, sensors, shields or other technology. 	
General	 All light poles shall be setback from the property at least 3', or at least 1/3 of the height, whichever is greater. 	
Specialty	To be reviewed and approved on a case-by-case basis, based upon the needs and context of the use. i.e., sports fields, industrial user, etc.	

- C. **Performance Standards.** In addition to the height and location standards, exterior site lighting shall meet the following performance standards:
 - 1. All exterior fixtures shall be fully shielded and installed so that the direct illumination shall be confined to the property boundaries of the source, except for ornamental lights below 500 lumens, or 200 lumens where multiple fixtures are used.
 - 2. The location, height, and fixture shield shall prevent light spread or glare onto any adjacent property or any public right-of-way, with the exception of building-mounted lighting on street-front buildings which could spill onto a sidewalk or adjacent street.
 - 3. All facade lighting and other externally illuminating lights shall use shielded, directional fixtures, designed and located to minimize uplighting and glare. Decorative lighting, such as lanterns and wall sconces, which may be allowed as long as the fixtures, do not exceed 200 lumens and do not emit light directly upward.

- 4. The style of light standards and fixtures shall be consistent with and complement the style and character of architecture proposed on the site and building.
- 5. Lighting shall be designed to meet the functional and security needs of the site, without adversely affecting adjacent properties. Features such as dimming interfaces or timers that reduce light levels to minimal security levels for off-hours are encouraged and may be required.
- 6. Lighting plans shall demonstrate compliance with Town and industry standards and guidelines for environmental and energy performance, including the fixture types, light source, and energy source, employing LED or current best practice energy-efficient technologies.
- A photometric plan and information related to fixture and lighting design, prepared by a qualified professional, may be required by the Director to accompany any project subject to review under 17-2.
- D. **Alternative Compliance.** Alternative compliance to the lighting standards established in Section 17-8-6, may be authorized according to the process and criteria in Section 17-2-6.

Topic 2: Guest Parking Ratios

General information:

• Town Staff research on codes in multiple municipalities to get a sense for best practices related to required guest parking, in addition to the required per dwelling unit parking:

Guest space /	Attached SF	Multifamily	
Dwelling Unit (DU)			
Berthoud	1 / 5 DU	1 / 5 DU	
Brighton	-	-	
Evans	Lots <35' frontage +1/unit	1 / 5 DU – Min 1 to Max 20	
Erie	Consider on-street as "guest"		
Firestone	1 / 3 DU	1 / 3 DU	
Greeley	+10% of Req'd Parking spaces	+10% of Req'd Parking spaces	
Loveland	-	+5% of Req'd Parking spaces	
Mead	1 / 3 DU	-	
Thornton	1 / 5 DU	1 / 5 DU	
Timnath	-	Up to 20% reduction	
Windsor	1 / 8 DU	1 / 8 DU	

Analysis and Recommendation:

- There is a wide range from not regulating at all to requiring up to 33% additional spaces.
- Staff found no municipality that has specifically addressed cluster/courtyard type housing configurations in their codes. In discussing this with their planning staff, our assessment is that many of them to note require that and those that do tend to address that in the process of reviewing an overall PUD and tend to handle on a case-by-case basis with no code guidelines.

For detached single-family homes, the LUDC requires a minimum of 2 parking spaces in an enclosed garage. For attached units and other multi-unit residential structures, the code takes into account the number of bedrooms in a unit, and assigns a parking minimum based upon that likely impact and demand for parking:

	1 / unit (Studio / 1 hadroom)
Dwellings (attached, multiple, or mixed)	1 / unit (Studio / 1 bedroom)
	1.5 / unit (2 bedroom)
	1.75 / unit (3 bedroom)
	2 / unit (4 + bedroom)
	Attached Single Family (duplex, rowhome) shall provide required spaces in an
	enclosed garage.

For townhomes, cluster/courtyard homes and other housing types where additional spaces are not provided on-site in a full-length (20+ foot) driveway, Staff shares Council concerns that additional parking should be provided and believes the goal is be to find a reasonable balance that ensures adequate parking where warranted and desired.

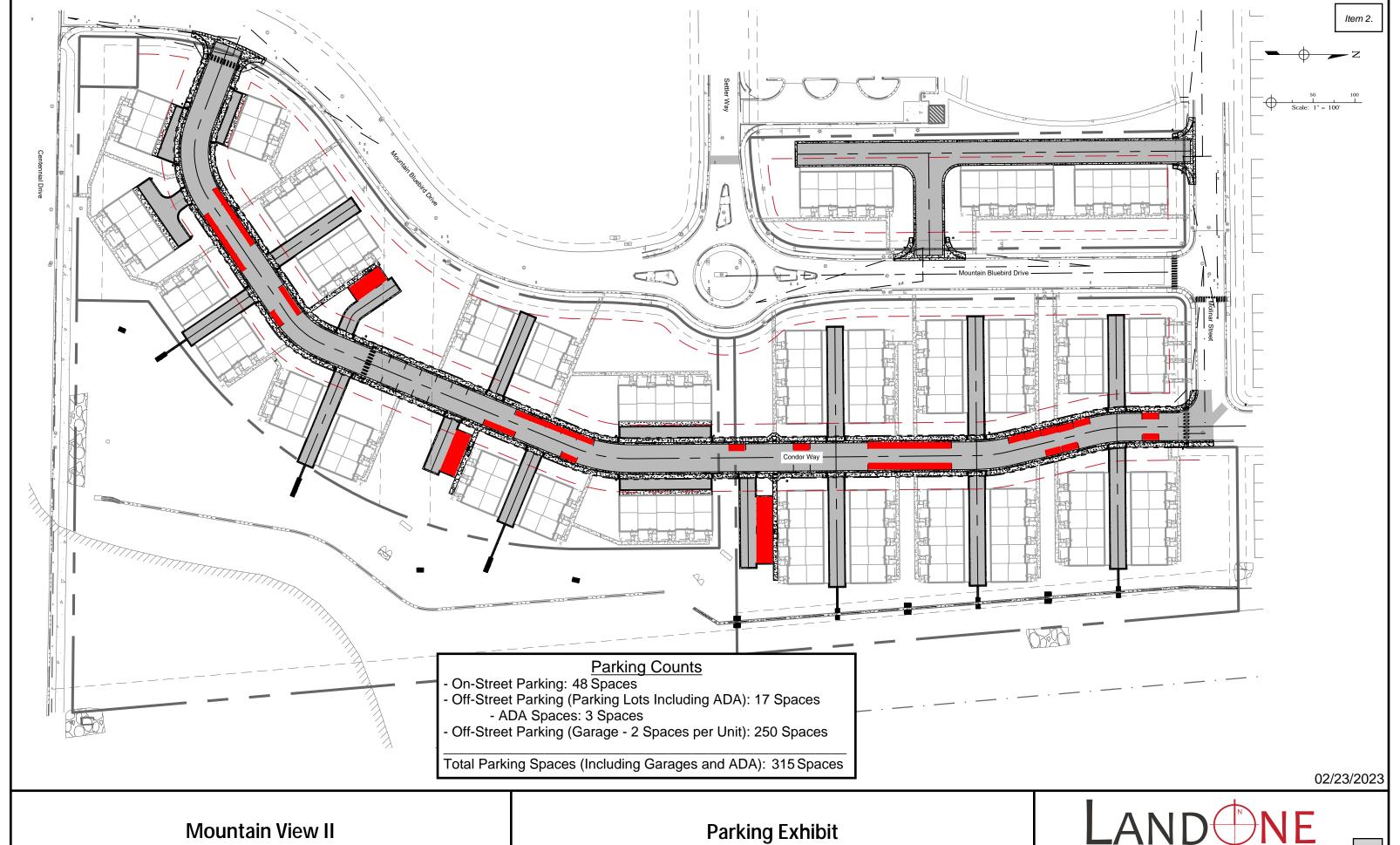
Attached are two exhibits of recent projects and how parking was accommodated; both also provide 2-car garages for each unit.

- Exhibit 2-1 shows the Mountain View West Townhomes Phase II parking exhibit, which subdivision and development plan was recently approved with 125 townhomes and providing approximately 48 spaces in on-street areas, as well as 17 off-street spaces.
 - o That equates to about 7% off-street spaces of the 250 required. (1 space / 7 DU)
 - Counting the street spaces as well, gives a total of 65 spaces providing +26% additional spaces or approximately 1 space / 2 DUs.
- Exhibit 2-2 depicts the typical carriage homes configuration in Thompson River Ranch (TRR) which has relied on on-street parking to provide guest and overflow parking. With the width of those lots, there is a 94-foot street-front area available for on-street parking across that cluster that accommodates four parallel spaces (typical length is ~22'). No additional off-street parking spaces have been required at TRR. Equates to 1 guest space per home.

For apartments, the municipalities screened ran the gamut from reducing parking by 20% to requiring additional 20% parking, based on the minimum parking standards. With the scale of projects that the Town has seen for multifamily lately – with an apparent sweet spot in the multifamily market currently for 250-500 units in a single complex, there seems to be some built-in balance and the market seems to be accommodating the parking they feel is needed without additional regulation at this time. As these larger complexes are relatively new to the Town, we will monitor the parking in and around these areas to see if additional regulation may be needed.

Staff recommends the following:

- 1. Requirement for "guest parking" at a rate of 1 space / 2 DUs for detached single family homes that do not accommodate additional parking in min 20-foot driveways, outside of the required 2 car garage.
- 2. Requirement for "guest parking" for the "Dwellings (attached, multiple, or mixed)" code category at a rate of 1 space / 10 required spaces (10%) up to 10 additional spaces; plus 1 space / 20 spaces (5%) on lots over
- 3. Permit on-street parking to be counted toward that additional parking.



TYPICAL SINGLE FAMILY CARRIAGE LOTS - 4 PACK

ARCHITECT / PLANNER



88 Inverness Circle East,
Bldg. J, Suite 101
Englewood, Colorado 80112
T 303.734.1777 | F 303.734.1778

OWNER/CLIENT

CLAYTON PROPERTIES

GROUP II, INC 4908 TOWER ROAD DENVER, COLORADO 303-460-8800

NOTES:
1. DRAWINGS DEPICT TYPICAL LAYOUT. SITE PLAN VARIES DUE TO SITE CONSTRAINTS.
2. PARKING IS NOT PERMITTED ON DRIVEWAYS OR FIRE LANES.
3. FIRE LANE TO BE KEPT CLEAR AT ALL TIMES.
4. USE EASEMENT FOR BENEFITUSE OF ADJACENT LOT.
5. VERIFY PLAT FOR UTILITY, DRAINAGE AND ACCESS EASEMENT DIMENSIONS.
6. ADDRESS NUMERALS AFFIXED TO EVERY HOUSE TO BE A MINIMUM 4 INCHES IN HEIGHT.
7. ADDRESS SIGNIMARKER TO BE LOCATED 6' FROM EDGE OF DRIVEWAY AND LIST ALL UNIT ADDRESSES WITHIN POD. THE COLOR OF THE NUMERALS TO BE VISIBLE AND CONTRAST WITH THE BACKGROUND COLOR OF THE HOUSE OR SIGN THEY ARE AFFIXED TO.

FILING 15 - FINAL DEVELOPMENT PLAN TYPICAL CARRIAGE HOME LAYOUT THOMPSON RIVER RANCH JOHNSTOWN, COLORADO

PROFESSIONAL STAMP

PROJECT INFORMATION

PROJECT #: CHECKED BY:

ISSUE RECORD

1ST SUBMITTAL 2ND SUBMITTAL 3RD SUBMITTAL 4TH SUBMITTAL

11/25/2020 02/26/2021 12/23/2021 02/22/2022

SHEET NUMBER

L0.5

Topic 3: View Protection

General information:

Town Staff researched the codes in multiple municipalities to get a sense for those that would protect views. Staff looked at numerous codes and planning documents, and reached out to those that provided some reference to views or view protection. Municipalities contacted directly include: Castle Rock, Thornton, Aurora, Superior, Golden.

Castle Rock has the most substantial protections related to maintaining views from specific transportation corridors to key/identified skylines and ridgelines throughout the city, which translates into an overlay zoning district with height, color, vegetation, and lighting restrictions imposed within certain areas that could impact those views. Exhibit 3-1 shows a detailed mapping of these ridgeline and skylines, classified into major, moderate, and minor with varying degrees of regulation.

Thornton has no specific codes regulating views or protection – their planner indicated they impose only typical setbacks, height restrictions, and architectural requirements, with no specific requirement or reference to relative grading or other issues about which we inquired.

Aurora's land use code includes a Mountain View District overlay from one specific point, from High Point public park, and has specific height restrictions (Exhibit 3-2). Height is restricted to a total elevation indicated on that map, within that area.

Superior provides "view protection" to the mountains from major transportation corridors, but excludes the residential from these requirements. Non-residential buildings are required to face the short side of buildings toward single family areas. In multifamily developments, building separations with landscaping or parking are implemented. And buffers of 150 to 300 feet between multifamily or non-residential buildings from single family areas. There is also a submittal requirement for a view impact analysis addressing the views of the proposed development, but Staff found no specific standards or regulations for how that impact is accounted for in reviews and approvals.

Golden provides several references to "guidelines" for views, but there are no specific regulations or standards that must be met, and their planning staff indicates that "the City doesn't regulate viewsheds." It appears they want developers and owners to be aware of views, but does not require they adhere to any code to protect that.

Analysis and Recommendation:

Most communities do not regulate any viewshed or view corridor requirements. Those that do appear to have undertaken significant mapping studies to determine what they wanted to protect, and what specific properties and design elements to regulate. The Castle Rock mapping, in particular, represents a substantial investment of resources. Further research across the country and in planning resources has provided a variety of view protections of a specific thing, such as

Longs Peak, or of a section of a corridor, such as a river or mountain pass that have been identified as a community benefit – or in several cases a state or interstate benefit.

The buffer setbacks that Superior requires may be the closest we were able to find in our research that required substantial setbacks of multifamily and non-residential buildings from single family uses, but it's not clear that the intent was view protection – as relative heights or elevations are not mentioned – as much as a desired separation of uses and mitigating impacts from the higher intensity use to the single-family area. Staff did not find any such buffers required between single family uses.

To pursue this further and propose specific code language for this issue, Staff asks for specific direction from Council on:

- 1. What views Johnstown wants to protect (mountain range, certain peaks, river corridors, ag areas, etc)?
- 2. From where are these views "originating"? Such as a specific road corridor, one or several outlook points, existing adjoining structures, or property lines.
- 3. What elements of a development should we consider regulations for that might best produce the outcome you seek? Such as building height, separation, orientation, relative grade from historic, buffers, fencing, vegetation/planting limitations, and similar.

