City of Arvada
Planning Commission Agenda

FEBRUARY 20, 2024
CITY COUNCIL CHAMBERS
Regular Business

Commission Members:
Michael P. Griffith, Chair
Doug Magee, Vice Chair
Tim Knapp, Secretary
Tom Aljinovich
Brandon Figliolino
Andrew Gay
Steve Hannan

Staff Members Usually Present:
Jessica Garner, Dir. of Community and Econ Development
Emily Grogg, Senior Assistant City Attorney
Rob Smetana, Planning Manager
Claudia Vaughan, Manager of Development Engineering
Josie Suk, Systems and Administrative Manager
Heidi Van Gieson, Administrative Specialist
Dixielee Rodriguez, Administrative Specialist

Info: 720-898-7435

The meeting will include an open comment period where participants will have three minutes to provide comments to the Commission. Members of the public who wish to provide public comment on any agenda item or during general public comment should go to www.arvada.org/PLNCOMMISSION for information about how to participate. If any member of the public wishes to submit written comment regarding the item on the agenda, you may submit comments in writing via email to the Planning Department at cedboardsandcommission@arvada.org. Comments must be received no later than 5 p.m. the day before the meeting. All timely comments submitted will be presented to the Planning Commission. Please contact Josie Suk with any questions at 720-898-7627.

PLANNING COMMISSION MEETING – 6:15 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. APPROVAL OF MINUTES
   A. Approval of January 16, 2024 Meeting Minutes
5. GENERAL BUSINESS
   A. Comprehensive Plan and Land Development Code Workshop
6. REPORTS
7. PETITIONS & COMMUNICATIONS
8. PUBLIC HEARINGS

9. OTHER ITEMS

10. ADJOURN

SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
January 16, 2024

Planning Commission meeting minutes are not an exact transcript and represent key points and the basis of discussion.

1. CALLED MEETING TO ORDER– By Michael P. Griffith at 6:16 P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF MEMBERS

Those present: Michael P. Griffith, Tom Aljinovich, Doug Magee, Steve Hannan,Tim Knapp

THOSE ABSENT

Brandon Figliolino, Andrew Gay

ALSO PRESENT: Jessica Garner; Director of Community and Economic Development, Rob Smetana, City Planning Manager; Laura Hemler, Ass't. City Attorney; Josie Suk, Development Systems and Administrative Manager; Melanie Walter, Engineering Manager, Dixielee Rodriguez, Recording Secretary.

Michael Griffith made a motion to excuse Brandon Figliolino and Andrew gay

Those voting Yes: Griffith, Hannan, Ajinovich, Magee, Knapp
Those voting No:
Those absent: Figliolino, Gay
The motion carried 5-0

4. APPROVAL OF MINUTES

November 21, 2023. The minutes stand approved as printed.

5. GENERAL BUSINESS

None

6. REPORTS

None

7. PUBLIC COMMENT

There being no one wishing to speak, Public Comment was closed.

8. PUBLIC HEARINGS

8.A. OTH2023-0004 Major Land Development Code Amendment Associated with the Floodplain Regulations

Mr. Griffith opened the public hearing.

Mr. Griffith asked if all of the required documents were in order.

Mr. Smetana stated yes with publication and posting of the meeting agenda.

Mr Griffith stated the staff report has been submitted and made part of the permanent record.

Mr. Griffith asked Mr. Smetana to introduce the project.

Mr. Smetana introduced Melanie Walter, the City's Floodplain Administrator Manager to introduce the project.

Ms. Walter introduced the project, stating that proposed changes are to simplify data management. Three changes are proposed, 1) elimination of the City's Official Floodplain Map 2) the addition of a prohibition on makeshift structures within certain areas of the floodplain where having such structures would be particularly dangerous 3) allowing more flexibility to evaluate the fencing constructed within the floodplain, and 4) allowing the City to impose floodplain regulations in areas that may be at high-risk for flooding, but may not be reflected in FEMA's current floodplain boundaries. The changes proposed will also shift supervisor responsibilities from the CED Director to the City Engineer to align with the current supervisory hierarchy.

Mr. Magee asked how often FEMA updates floodplain maps?

Ms. Walter stated not very frequently, the last required flood insurance study update was 2021 and she doesn't anticipate another one for a number of years.

PUBLIC COMMENT

N/A

IN FAVOR

IN OPPOSITION

There being no one wishing to speak, Public Comment was closed.

APPLICANT REBUTTAL

QUESTIONS FROM THE COMMISSION

Mr. Aljinovich asked, with all new contraction does this change the floodplain area?

Ms. Walter stated if they propose to change the floodplain boundaries they have to obtain a letter of map revision.

Mr. Aljinovich restated/asked his question with new construction and hard surfaces, water runoff, does that change the existing floodplain?

Ms. Walter stated that the City requires detention as pre developed conditions, that is our stormwater regulations.

Mr. Aljinovich asked if all egress routes were established for evacuation for the 100 year flood?

Ms. Walter stated yes and we have an emergency management plan, it is not part of the floodplain regulations but part of our (City of Arvada) emergency management report.

Mr. Hannan asked about fencing. How is this different, and improving our scores,are we allowing any and all fences to be put up?

Ms. Walter stated that if someone is proposing a fence in the floodplain, she will review each case-by-case for fencing permits, what type of fence they are proposing and material the customer is proposing to use.

Mr. Hannan asked, does the wording on “temporary structures” in the floodplain include tents?

Ms. Walter stated new language says to prohibit makeshift structures meant for human habitation in high-risk flood zones.

Mr. Magee asked is it only named creeks that have a floodplain?

Ms. Walter stated most of them do, there are other areas that don’t like tributaries. Most are creeks.

Mr. Magee asked canals and ditches included in floodplains?

Ms. Walter stated No, only if they are shown in the model to intercept the flood flows. Most of them are not included.

Mr. Magee asked will other areas be affected negatively with these changes?

Ms. Walter stated no, they will not.

Mr. Knapp asked are we losing anything when pulling in these documents, are we losing any data?

Ms. Walter stated the boundaries are pulled directly from FEMA, real time. Keeping current maps we are losing data.

Mr. Knapp asked why are we allowing fences at all in the floodplain, if this blocks the flow of water? Are we allowing more fences to be installed?

Ms. Walter stated if the fence exists more or less reviewing the type of material. If the proposed fence is in a Floodway there is no way she would allow a new fence.

Mr. Knapp asked, are new structures allowed?

Ms. Walter states new structures are not allowed unless they meet a certain elevation. They must meet the code.

Mr. Knapp asked in the redline section 4-1-2-6a, what are the impacts of these proposed changes?

Ms Hemler asked is it about Flood insurance adopted?

Mr. Knapp stated no.

Mr. Knapp asked what is this dealing with? Is the 100 year floodplain or floodplain areas. Now it is talking about the regulatory floodplain.

Ms. Walter stated she believes it's the auto-adopting language. It was inconsistently referred to as floodplain and so they just changed it in the definition to be consistent.

Mr. Knapp asked about section 4-1-2-6e more of a note then anything else, this is the chart has been deleted and just now 4 points. These are considerations taken into account by Ms. Walter.

Ms. Walter stated she would take it into consideration and certainly take a look at it and review that with the City Attorney's office.

MOTION FOR 8.A.

It was moved by Mr. Magee That a Major Land Development Code Amendment Associated with the Floodplain Regulations located in the City of Arvada be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 3 of the Staff Report.

Mr Griffith stated this is a pretty complicated thing to put together, and he appreciates the level of detail that was put into it. He is always glad to see more staff in these meetings. and Thank you for all your hard work.

DISCUSSION OF MOTION

Those voting Yes: Griffith, Hannan, Ajinovich, Magee, Knapp
Those voting No:
Those absent: Figliolino, Gay
The motion carried 5-0

8. **OTHER ITEMS**

There will be no meeting on the February 6th agenda.

Mr. Magee, brought up when meetings are canceled by staff not by a motion. That we have no procedure on how staff cancels the meetings. We need to address that, and/or review and update our By-Laws.

Mr Smetana we will address this with Emily Groog how to handle the canceling of meetings.

Mr. Magee asked Can we discuss this at the February 20th workshop meeting?

Mr. Smetana stated yes we can.

It was moved by Mr. Magee that we cancel the February 6th meeting.

Those voting Yes: Griffith, Hannan, Ajinovich, Magee, Knapp
Those voting No:
Those absent: Figliolino, Gay
The motion carried 5-0

10. **ADJOURNED** at 6:48 P.M.

_____
Michael P. Griffith, Chair

_____
Tim Knapp, Secretary

_____
Dixielee Rodriguez, Recording Secretary

CITY OF ARVADA

REPORT TO CITY COUNCIL WORKSHOP

AGENDA ITEM 5.A.

TO: THE HONORABLE CITY COUNCIL DATE: February 20, 2024

SUBJECT: Comprehensive Plan and Land Development Code Workshop

Report in Brief

The Community and Economic Development planning team will provide the Planning Commission with an informational session about the City's 2014 Comprehensive Plan, the Land Development Code and how they relate to one another, including the development review process generally. The team will also share some concepts underway to initiate the Comprehensive Plan update in 2024 with a focus on community engagement.

Background

Staff will provide an overview of the 2014 Comprehensive Plan, which was updated from 2005 to reflect the City Council's Strategic Plan in 2013 and the community's shared values and vision for the future. Goals and policies included in the plan help guide development and investment decisions that have a direct bearing on the quality of life in Arvada. The plan establishes the City's land use pattern, sets the stage for development regulations and standards, and guides the City in funding programs and capital investments by anticipating future tax revenue. The plan was prepared to conform to the requirements in the Colorado Revised Statues and is typically updated every ten years. Staff will orient the City Council on the six chapters of the plan, (including growth and economic development, transportation, vibrant community and neighborhoods and plan implementation and monitoring) and how sub-area and master plans help to augment the Comprehensive Plan in specific areas of the City. Staff will also discuss initiation of the next update to the plan anticipated in 2025 that will align with the City Council's updated Strategic Plan.

The City's Land Development Code provides the regulatory framework for the development and use of property within Arvada, and builds from the goals, policies and implementation steps outlined in the Comprehensive Plan. The Code addresses regulations and information about zoning, subdivisions, floodplain, and building permits. Staff will discuss the relationship between the Comprehensive Plan and the Land Development Code, as well as the development review process.

Strategic Alignment

The presentation and information shared with the City Council on the Comprehensive Plan and Land Development Code aligns with the Community and Economic Development Priority Area of the City Council Strategic Plan. Specifically, this aligns with:

Strategic Result 1: 95% of development project approvals conform to the City's Comprehensive Plan

Strategic Result 2: 66% of development customers rate the development review process as 'good' and/or 'excellent'.

Next Steps

Receive feedback from the Planning Commission and provide an update, if needed, on the progress of initiating the update to the Comprehensive Plan later in 2024.

Prepared by:

Heidi Van Gieson, Administrative Specialist

Reviewed by:

Approved by:

Josie Suk, Development Systems and Administrative Manager	2/5/2024
Rob Smetana, Planning Manager	2/12/2024
Emily Grogg, Senior Assistant City Attorney	2/12/2024
Jessica Garner, Director of Community and Economic Development	2/13/2024

Enclosure, exhibits & attachments required to support the report

Comprehensive Plan, Land Development Code and Development Review Workshop

Community and Economic Development

January 29, 2024

CITY OF ARVADA

Agenda

1. Introductions
2. Overview of CED's Long-Range Planning and Development Review Divisions
3. Comprehensive Plan discussion- history and purpose
4. Sub-Area Plans
5. Land Development Code overview
6. Development Review Process
7. Q&A

CITY OF ARVADA

Community and Economic Development's Mission Statement

The future of Arvada's prosperity and **quality of life** will be influenced largely by the City's ability to ensure **development meets design values, safety requirements, infrastructure needs, and supports the local economy** to implement the **community's vision**.

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CED Long-Range Planning & Development Review divisions

★ **Long Range Planning** - The Long Range Planning Work Group develops and implements long range plans on behalf of the community. The group works with internal and external stakeholders and subject matter experts (SME's) to develop various long range plans that are intended to represent the Community's vision for the future. ***Comprehensive Plan, Sub-area plans***

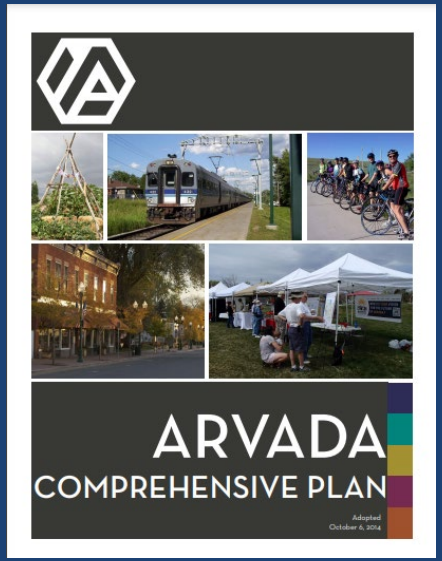
★ **Development Review** - The Development Review Work Group processes development applications from pre-submittal to final certificate of occupancy on projects. The Division also manages variance applications, compliance verification, long term management of development agreements, and successful transition into the warranty process for public improvements. This work helps to establish consistency with City Council approved plans. ***Current Development Review***

CITY OF ARVADA

Long Range Planning (Comprehensive Plan)

- Establishes the City's land use pattern
- Sets the stage for development regulations and standards
- Guides the City in funding programs and capital investments by anticipating future tax revenue

- Typically updated every 10 years
- Last update was 2014
- Anticipated budget item in 2025



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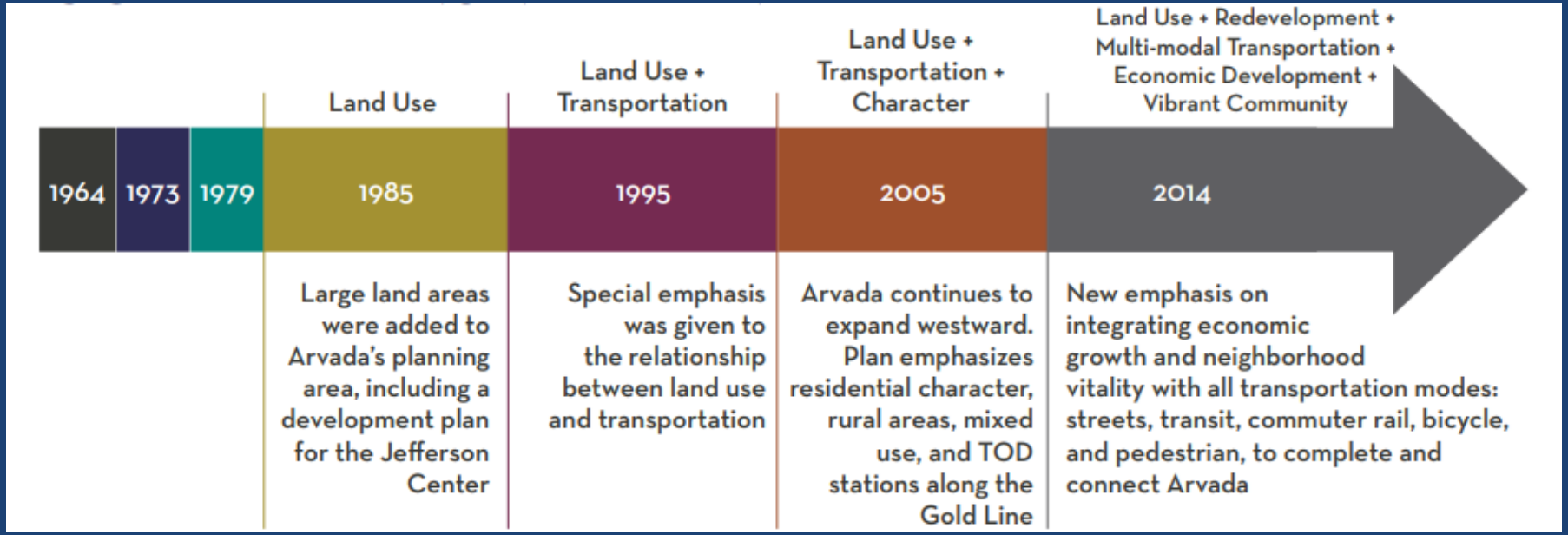
History of Arvada's Comprehensive Plan



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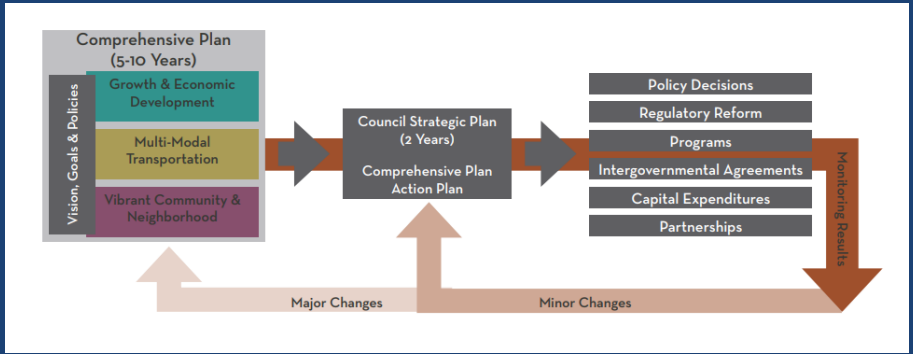
Relationship between Comprehensive Plan and the LDC

- The Comprehensive Plan is the principal document **guiding** development for the City and the City's planning area. (***Big picture, Vision***)
    - The LDC is the primary implementation document of the Comprehensive Plan. (***Details, Regulatory***)

  Together, these documents establish guidelines and standards, and regulate land use within the City.
- When considering amendments to the LDC text and/or maps, the Planning Commission and City Council shall pay reasonable regard to the policies and goals of the Comprehensive Plan.



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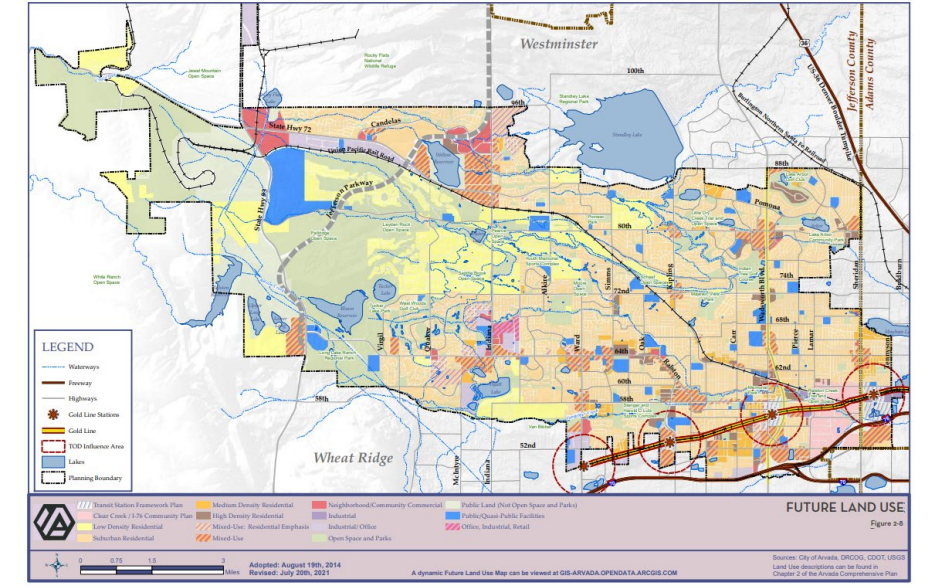
Current Comprehensive Plan Elements (Chapters)

- Growth and Economic Development
  - Land Use Plan
- Multi-Modal Transportation Plan
  - Transportation Plan
- Vibrant Community and Neighborhoods
- Plan Implementation and monitoring



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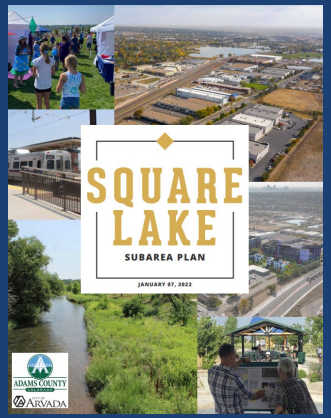
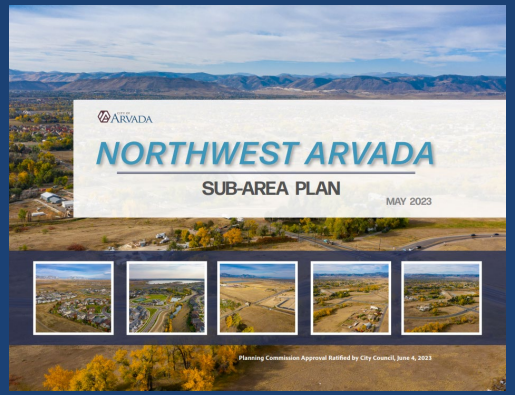
Sub-Area Planning

- Further Implementation of the Comprehensive Plan
- Aligns with Mixed-Use zoning areas
- Started in 2020
- Areas of transition, commercial corridors
- Three plans adopted in 2022/23 to date:
  - *Square Lake Plan, New Town Plan, Northwest Arvada Plan*
  - Additional effort underway for a new Sub-Area Plan for 64th Avenue, generally between Simms St and Ward Rd





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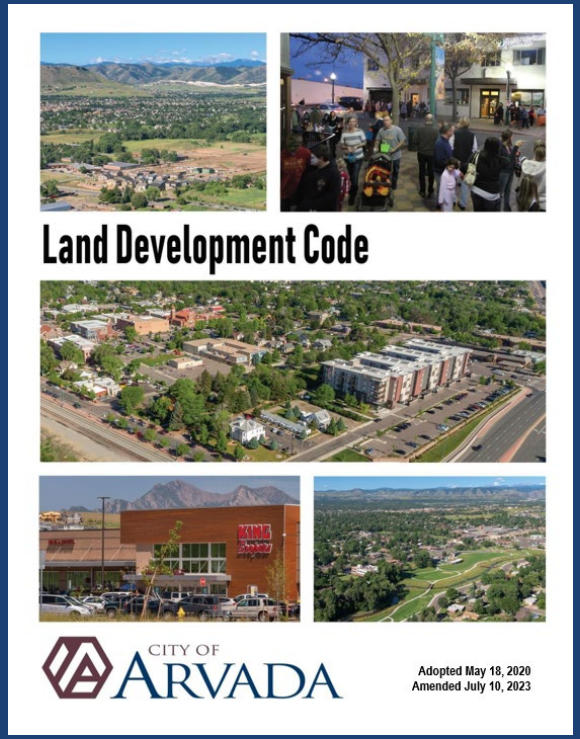
Land Development Code (Development Review)

The Land Development Code (LDC) provides the City's regulations for the development and use of property within the city. The code provides information on zoning, subdivisions, building permits, design standards, floodplain information and other related land use activities.

- This is a primary resource for development review



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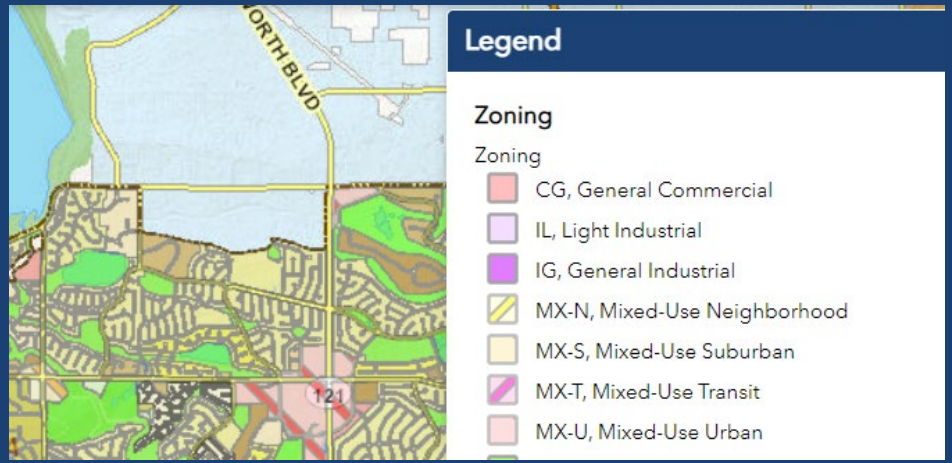
Arvada Zoning Districts

- **Seven zoning district types**
  - Parks and open space - OS
  - Residential - RA, RN, R6, R13, R24
  - Mixed use - MX-N, MX-S, MX-U, MX-T
  - Olde Town
  - Commercial - CG, CN
  - Industrial - IL, IG
  - Planned Unit Development (PUD)



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Development & Design Standards

Each District has unique standards

- Uses
  - Allowed, limited, conditional
    - (ex. Business use of the home, short term rentals)
- Layout
  - Setbacks, lot coverage, height
- Site development
  - Parking, landscaping, fencing, lighting, signs, wireless communication facilities
- Building design
  - Articulation, exterior materials and design, ADUs

Development Review Process

CITY OF ARVADA

Development Review Process

- Types of Approvals
  - Administrative - Decision by director or designee
  - Public Hearing (quasi-judicial)
    - Planning Commission/City Council or Board of Adjustment
  - Approval criteria found in the LDC is the basis for decision
- Types of Development Applications
  - Administrative applications (most common)
  - Conditional Use permits (common)
  - Major Modifications (less common)
  - Appeal of Director's Decision (least common)

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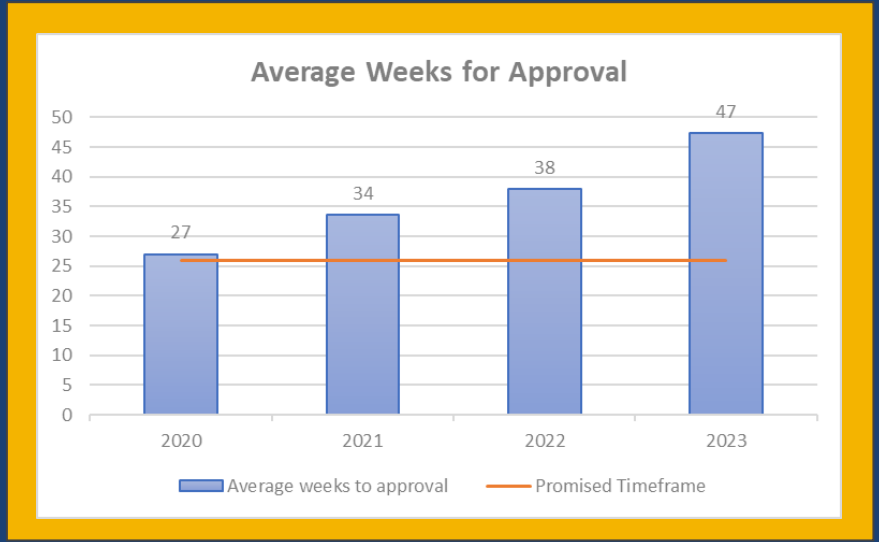
Development Review Process (cont.)

- Application Review
  - What is reviewed? Site plan, landscape plan, architecture, civil drawings (water, sewer, storm, roads), etc.
  - Collaboration with other departments, outside agencies
  - Multiple reviews occur before an application is scheduled for public hearing/decision
    - City team reviews and provides comments
    - Applicant revises plans and resubmits
    - Goal is to send to public hearing or make administrative decision after three reviews

Development Review Process (cont.)

- Pre Applications Meetings (City team and potential applicants)
  - Opportunity to discuss conceptual plans with the City team
  - Determine type of application
- Neighborhood meetings
  - All cases requiring public hearings also require a neighborhood meeting
  - Held by the developer with City team members in attendance
  - Notification to property owners within a set distance from the property depending on project size

Review Times



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Comprehensive Plan and Land Development Code

Questions?

Thank you!

Jessica Garner, AICP, CED Director
Rob Smetana, AICP, Manager of City Planning & Development
Josie Suk, Manager of Systems & Administration

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