

Attachment A

General Background Material

Time Frame of Recent Text Amendments

June 2009 - Adopted - Parking Reduction Ordinance

September 2009 - Adopted Infill Incentive District (IID) Modification of Development Regulations

December 2009 - Adopted Feldman's NPZ as a neighborhood preservation element of an infill strategy.

April 2010 - Received direction to prepare six 'quick fix' text amendments to be business friendly and encourage infill development.

June 2010 - Adopted amended development review timelines and minor loading zoning revision adopted

July 2010 - Adopted Certificate of Occupancy relief ordinance

August 2010 - Adopted revised parking reduction regulations and established an Urban Overlay District

October 2010 – Adopted the Downtown Core Sub-district of the IID

Ongoing Text Amendment Review

Medical Marijuana Dispensaries – Scheduled for Mayor and Council – November 9, 2010

Parking Standards – Being reviewed by the Planning Commission in study session.

Loading Standards – Being reviewed by the Planning Commission in study session.

Current and Future Code Layout - The following describes the current LUC layout of development review documents followed by the proposed list of documents:

Current LUC and Supplemental documents

Development Standards 1970's - contains fees, submittal policies, engineering standards, zoning-like policies.

Development Compliance Code 23A 2004 - contains notice, application, public meeting, and other procedural information.

Land Use Code Chapter 23 1995 - contains comprehensive zoning standards, some submittal standards, some public hearing standards.

Future Unified Development Code (UDC)

Unified Development Code - contains zoning/subdivision standards, public notice, general procedures but not submittal requirements.

Administrative Manual - contains fees, submittal policies, may contain some common lists – plant lists, may contain lengthy design standards – historic zones.

Technical Manual – contains engineering ordinance and non-zoning development review ordinances.

Status of Simplification Project by Articles – The proposed new code is called the Unified Development Code (UDC). It is the common name of new zoning codes being adopted in the 2000's. Having a name distinct from the LUC also allows for clearer distinction when comparing the two codes within the document or elsewhere.

The UDC will have eleven articles. The status and next step of each article is noted below.

Article I: *General Provisions* (Scope/applicability, severability, relationship to other ordinances, etc.)

Article II: *Review Authorities* (Who makes decisions, scope of powers of decision-making bodies with summary table)

Article IX: *Nonconformities* (Provisions relating to nonconforming uses, structures, and lots)

Article X: *Enforcement and Penalties*

STATUS: These articles have been reviewed by the LUC Committee and have been presented at a Planning Commission study session.

NEXT STEP: The above articles will be prepared for the preliminary final draft of the entire UDC.

Article III: *Review Procedures* (Procedures for each type of review or permit, such as rezonings and variances, with summary table and flow charts.

STATUS: Article 3 is one of the most complex parts of the transition from LUC to new UDC. Staff is preparing its final set of comments prior to the revision being placed in the preliminary final draft.

NEXT STEP: The LUC Committee and Planning Commission will be briefed on the key issues involved in the reformat.

Article VI: Dimensional Standards and Measurements (Height, setback, and other similar standards; rules of measurement)

STATUS: Article 6 was received from the consultant for review in October. This article is the key article in transitioning from the Development Designator system (dimensions are designated by use) to a dimension by zone system. Also the dimensions under consideration are fixed dimensions vs the contextual dimensions of the Development Designator system which are formulas calculating setback dimensions as proportions of building height. Also the fixed system will have a supplemental compatibility standard that will address multi-story residential next to existing residential and non-residential next to residential uses.

NEXT STEP: Staff will prepare comments for the preliminary final draft. Further staff will update the LUC Committee and Planning Commission on key issues.

Article VIII and VIII-A – Subdivisions and Flexible Lot Design Standards.

STATUS: These articles are under review by staff currently. Staff expects to have them in a draft form ready to be included in the preliminary final draft of the entire UDC by January 2011.

NEXT STEP: Once the final draft is prepared staff will review the draft with the LUC Committee and Planning Commission.

Article IV: Zone Districts (Listing of all zone districts, allowable uses, and special district regulations with summary use table)

Article V: Use Regulations (Standards for special exception uses, temporary uses, accessory uses, etc.)

Article VII: Development Standards (All substantive standards such as landscaping, parking, native plant preservation, etc.)

Article XI: Definitions and Rules of Construction

STATUS: Articles 4, 5, 7 and 11 are still under review by the consultant. The consultant will provide drafts of these articles by December 2010.

NEXT STEP: Staff is awaiting the drafts for review. Staff expects to return all drafts with comments by January 31, 2011.

Proposed Simplification Project Time Line – Based on reviews up to now the following represents a best estimate at the timing of the project. More time may be needed based on public input and issues that may arise during the on-going review. Staff is committed to making significant progress and not causing unnecessary delays in the projects momentum.

November 16, 2010 – Update Mayor and Council

November 2010 – Update LUC Committee re: Article 3 – General Procedures

January 31, 2011 - Send Comments to Clarion

Article 3 – General Procedures

Article 6 - Dimensional Standards

Article 8, 8A - Subdivision and FLD Standards

Articles 4,5,7,11 – Review not yet received articles expected shortly [Article 7 - Development Standards approx. October 29; Article 4 - Zone District and Article 5 - Use Regulations December 10; Article 11 - Definitions December 20]

March 23, 2011 – Preliminary Draft Review - Clarion returns preliminary final draft of entire UDC for staff review.

April-May-June 2011 – On-going Review - Clarion, staff, and public review of preliminary final draft.

June 30, 2011 – End of Clarion Contract

July – August 2011 – Review of Final Draft - Clarion sends final UDC draft to staff.

July-August-September 2011 -Final Draft Refined - Continue refinements from staff and public and begin Commission study sessions.

October-November-December 2011- Formal Public Meetings - Commission Study Sessions and Public Hearing.

January – March, 2012 – Mayor and Council Public Hearing.