



## Statement of Vision

*Lafayette's panoramic view of the Rocky Mountains inspires our view into the future. We value our heritage, our unique neighborhoods, a vibrant economy and active lifestyles. We envision a future that mixes small-town livability with balanced growth and superior city services.*

### **NOTICE OF PLANNING COMMISSION MEETING**

This meeting will be conducted by electronic and telephonic means pursuant to the Declaration of Local Disaster Emergency issued by the Mayor of the City of Lafayette on March 17, 2020 and City of Lafayette Resolution No. 2020-23 extending the Declaration until terminated by City Council.

**SEE BELOW THE AGENDA FOR MEETING ACCESS AND PARTICIPATION OPTIONS**

**JANUARY 26, 2022**

## **AGENDA**

**6:00 PM PLANNING COMMISSION MEETING**

- I. OPENING OF MEETING
  - Call to Order
  - Pledge of Allegiance
  - Roll Call
- II. APPROVAL OF MEETING MINUTES FOR JANUARY 12, 2022
- III. ITEMS FROM THE PUBLIC NOT ON THE AGENDA
- IV. DISCUSSION ITEMS
  - A. LAND USE CODE GOALS AND TOPICS
- V. OTHER BUSINESS
  - A. COMMISSION COMMENTS
  - B. DEPARTMENT COMMENTS
- VI. ADJOURN

### OPTIONS FOR ACCESSING THE MEETING

- Tune to Comcast Channel 8 or HD Channel 881.
- View the meeting on your computer at <https://www.lafayetteco.gov/627/Streaming-Video>. To provide comments during the meeting please connect [via videoconference](#).
- Listen to the meeting by calling 1-877-853-5247. Once connected, you will be asked for the meeting number. The meeting number for January 26, 2022 is **882 3296 6863**. Then press # after entering the number.

### OPTIONS FOR PARTICIPATING IN THE MEETING

- Submit written comments to [Planning Commission Secretary](#). If your remarks are received by 3:00 p.m. on January 26, 2022 they will be read into the record at the meeting.
- Participate on your computer [via videoconference](#).
- Use the “Raise Hand” icon during Public Input to request to speak. When it is your turn to speak, we will unmute your microphone.
- When listening over the phone, press \*9 during Public Input to raise your hand to request to speak. When it is your turn, we will unmute your microphone.

**Record of Proceedings  
City of Lafayette**

**Planning Commission Meeting Minutes  
Wednesday, January 12, 2022**

**I. Roll Call/Attendance**

Chair Thomas called the meeting to order at 6:00 p.m. Those in attendance included Chair Thomas, Vice Chair Smith, and Commissioners Fischer, Phillips, Stephens, and Watson.

Staff Present: Planning & Building Director Jeff Brasel, Principal Planner Phil Kleisler, Planning Manager Jana Easley, Senior City Planner Millissa Berry, Water Resources Manager & Principal Utilities Engineer Melanie Asquith, City Attorney Mary Lynn Macsalka, and Recording Secretary Michelle Verostko

**II. Meeting Minutes for October 13, 2021, October 27, 2021 and Workshop Minutes for December 8, 2021**

*Commissioner Phillips moved to approve the Meeting Minutes for October 13, 2021, October 27, 2021, and Workshop Minutes for December 8, 2021. Vice Chair Smith seconded the motion. All voted in favor of the motion.*

**III. Items from the Public**

None.

**IV. Scheduled Items**

**A. Water Reclamation Plant Expansion Annexation**

Vice Chair Smith disclosed that he works for the solar company that owns and operates solar equipment on City owned property. He explained he had previously been a manager that oversaw these projects, but his role has changed. He stated he can make a fair and unbiased decision for this application.

Chair Thomas opened the public hearing. She asked staff if the public hearing was properly noticed under the applicable regulations for this type of land use hearing. Senior City Planner Millissa Berry stated it was.

Ms. Berry entered the staff report into the record. She reviewed the order of the meeting. She stated this application is a request for approval for annexation of City-owned property and the city is the applicant. She presented an aerial map to illustrate the location of the property. The site is located just north of the intersection of Baseline Road and East County Line Road and is immediately west of the City's water reclamation facility. The property is approximately 6.361 acres and is zoned Boulder County A – Agriculture and the land use designation is Agriculture.

Ms. Berry explained that the purpose of the annexation is to bring the land into the city for the future expansion of the City's water reclamation facility. She presented photos of the property showing what the site looks like today.

Water Resources Manager & Principal Utilities Engineer Melanie Asquith explained that the city is interested in annexing the properties to expand the existing water reclamation plant

onto city-owned properties. She gave a brief history of the property and the city's plan for this project. She explained the project is needed so the City can meet stricter regulations that are required. She presented an aerial view of the site and explained the project will be constructed on both sides of E. County Line Road and is in the design phase. The city estimates that construction would begin late Spring 2022.

### **Staff Analysis**

Ms. Berry presented staff analysis. She reviewed the annexation application against the Colorado State Statutes review criteria for eligibility and discussed how the application meets the requirements.

Ms. Berry reviewed the annexation application against the criteria for planned unit development (PUD) specified in Section 26-18-5 and discussed how the application met the criteria.

Staff recommended the Planning Commission approve the annexation finding that the proposal meets the requirements of Colorado Revised Statutes for annexation, complies with the goals of the comprehensive plan, and complies with the criteria of the Lafayette Development and Zoning Code Section 26-18-5.

### **Public Input.**

Chair Thomas opened the meeting for public input at 6:21 p.m. No one addressed the Planning Commission.

### **Questions of Applicant and Staff**

The Planning Commission asked the applicant whether County Line Road will be rerouted and whether the city will need to expand the facility in the future. Ms. Asquith explained how the road will be rerouted and the city does not anticipate any additional expansions but would rather repurpose the existing space.

Chair Thomas closed the public hearing.

### **Discussion**

The Planning Commission discussed the merits of the annexation.

### **Motion**

*Commissioner Phillips moved to recommend approval of the subject annexation finding the application complies with applicable state statutes, complies with the goals of the comprehensive plan, and complies with the criteria of the Lafayette Development and Zoning Code Section 26-18-5. Commissioner Watson seconded the motion. All voted in favor of the motion.*

### **B. Water Reclamation Plant Expansion Initial Zoning**

Vice Chair Smith disclosed that he works for the solar company that owns and operates solar equipment on City owned property. He explained he had previously been a manager that oversaw these projects, but his role has changed. He stated he can make a fair and unbiased decision for this application.

Chair Thomas opened the public hearing. She asked staff if the public hearing was properly noticed under the applicable regulations for this type of land use hearing. Senior City Planner Millissa Berry stated it was.

Ms. Berry entered the staff report into the record. She reviewed the order of the meeting. She stated this application is a request for rezoning a to-be annexed municipal-owned land as P – Public. She stated the city is the applicant. She presented an aerial map to illustrate the location of the property. The site is located just north of the intersection of Baseline Road and East County Line Road and is immediately west of the City’s water reclamation facility. The property is approximately 6.361 acres and is zoned Boulder County A – Agriculture and the land use designation is Agriculture.

Ms. Berry explained that Colorado States Statutes require that any annexed land shall be zoned within 90 days after the effective date of the annexation ordinance.

**Applicant Presentation**

Water Resources Manager & Principal Utilities Engineer Melanie Asquith stated she would be available for any questions and did not have a presentation.

**Staff Analysis.**

Senior City Planner Millissa Berry presented the staff analysis and recommendation. She reviewed the rezoning application against the city’s code criteria outlined in Section 26-16-8 and discussed how the application met the criteria.

Staff recommended the Planning Commission recommend approval of the requested zoning, P-Public, finding the application complies with the criteria of Section 26-16-8 of the municipal code.

**Public Input.**

Chair Thomas opened the meeting for public input at 6:35 p.m. No one addressed the Planning Commission.

There were no questions of staff or the applicant.

Chair Thomas closed the public hearing.

**Motion**

*Commissioner Phillips moved to recommend approval of the requested zoning, P-Public, finding the application complies with the criteria of Section 26-16-8 of the municipal code. Commissioner Watson seconded the motion. All voted in favor of the motion.*

**V. Discussion Items**

**A. Land Use Code Goals and Topics**

Principal Planner Phil Kleisler summarized some of the discussion points from the December 8, 2021 Planning Commission meeting. He discussed the anticipated schedule for additional Planning Commission input and City Council input on land use code goals and topics. Staff will be sharing an initial scope of work for the projects based on internal staff interviews and Planning Commission and City Council feedback.

Mr. Kleisler explained there are several options for structuring zoning codes: conventional, form-based Codes, performance-based zoning, and a hybrid code that incorporates different aspects of each code type. He reviewed in detail each of the code options and discussed use regulations, public use, predictability, creativity, administration, and readability.

Mr. Kleisler asked the Planning Commission for their input around the overall structure of the new code. Below is a summary of the key takeaways and comments from the Planning Commission feedback and discussion.

### **Key Takeaways**

- Commissioners expressed interest in exploring form-based codes and applying performance-based standards to address specific impacts (but not implementing a scoring system).
- A hybrid code may be an ideal approach for Lafayette (i.e., applying form-based code in specific areas of the city).
- More information is needed to better understand the administrative workload, developer interests and concerns, and ways to avoid an overly complex code with fragmented zoning districts and standards throughout the city.

### **Commissioner Comments**

- Form-based codes may be a good fit for allowing greater development outcomes.
- A hybrid code could be a good option for Lafayette.
- Consider ways to establish a tighter vision and/or more oversight of projects.
- Interest in knowing how developers may view form-based codes.
- Explore ways for future development applicants to develop their own identity (e.g., develop their own overlay standards.)
- Staff should speak with other cities about the effort involved with administering form-based codes. For example, do architects need to be hired to amend graphics?
- A hybrid code could give the city a greater number of options.
- In response to the question from a commissioner, Director Brasel noted that staff training for form-based codes is not a concern.
- Ensure that a hybrid code, if pursued, would not result in fragmented zones throughout the city that are hard to understand.
- The new code needs to be well organized and easy to amend.
- Allow for flexibility. The Planning Commission shouldn't be overly restricted by previous decisions.
- Some performance standards may be worth incorporating as dynamic standards to address specific impacts (but not scorecards or point systems.)
- Stay ahead of which areas to target for potential form-based code (e.g., King Soopers).
- Amend the consultant section in the draft scope of work to allow for young, different, and diverse teams, not just those with significant experience (e.g., "or demonstrate other experience".)
- Consider exploring several smaller projects instead of one big project.

## **B. Zoning Board of Adjustment**

Planning and Building Director Jeff Brasel explained the Zoning Board of Adjustment (BOA) is the decision-making body for variances to zoning standards or appeals of certain exception in the Lafayette Zoning Code. He reviewed the make-up of the board and the powers and duties of the board. He explained that the city receives very few requests for variances or appeals due to its ability to modify certain standards through the Planned Unit Development process. As a result, the BOA holds very few meetings and often does not have a quorum of board members due to the lack of interest in an inactive board. Director Brasel explained that the BOA does serve an important role and may be required to act from time to time.

Staff is recommending the City Council at their February 15 meeting appoint five Planning Commissioners to act in the capacity of the BOA and two alternates. Staff recommends the Commissioners be appointed to the BOA based on seniority.

Director Brasel explained that if the City Council makes the appointments, staff will provide training for the Planning Commission on the BOA responsibilities.

The Planning Commission asked staff about potential conflicts of interest while serving on the BOA, whether staff would provide a staff report and recommendation on applications they would review, and whether a BOA decision can be appealed.

## **VI. Other Business**

### **A. Commission Comments/Committee Reports**

Chair Thomas stated she wanted to acknowledge the Marshall Fire and the devastation and loss of life. She suggested staff and the Commission think about the fire as we progress with code changes, consider how subdivisions are developed, building materials, and fire mitigation. She also suggested we look at lessons learned from California in their rebuilding process from areas destroyed by wildfires.

Vice Chair Smith gave an update on the recent Lafayette Open Space Advisory Committee (LOSAC) meeting he attended which included the following:

- Funding for 104<sup>th</sup> Trail may be delayed because of the Marshall Fire response
- Controlled burn of cattails at Greenlee Reservoir
- Waneka-Centennial Farm
- RFP to replace Isabelle Farms at Thomas Open Space and
- Grand opening of Outdoor Classroom.

Commissioner Phillips gave an update of the Historic Preservation Board meeting he attended which included the following:

- Interview applicant for Board
- Presentation by Rob Burdine on Waneka Centennial Farm
- World War I Pillars on Arapahoe Road

Commissioner Watson stated the war pillars will probably need to be moved because they are a traffic hazard. He added that a new location for them needs to be found.

**B. Department Comments**

None.

**VII. Adjourn**

*Chair Thomas moved to adjourn the meeting, seconded by Vice Chair Smith. All voted in favor of the motion. The meeting adjourned at 8:10 p.m.*

City of Lafayette

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Darcia Thomas, Chair

Attest:

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Michelle Verostko





## PLANNING COMMISSION AGENDA MEMO

**MEETING DATE:** January 26, 2022  
**AGENDA TITLE:** Land Use Code Goals and Topics  
**PREPARED BY:** Jeff Brasel, Planning and Building Director  
Phil Kleisler, Principal Planner

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### **Executive Summary**

The purpose of this agenda item is to receive input from the Planning Commission about an updated scope of work for the upcoming land use code re-write project. The draft scope of work has been amended to reflect the commission's input on Dec. 8 and Jan. 12. Major changes to the scope of work include the mix of use-based and form-based codes and suggested sequencing steps. Staff will share the input from this meeting with council during its Feb. 15 meeting.

### **Question for Planning Commission**

1. Does the Planning Commission agree with the approach for the land use code re-write project, as detailed in the draft scope of work?

### **Background Information**

The Planning Commission discussed high-level goals for the upcoming code re-write project on Dec. 8, 2021 and the preferred type of zoning on Jan. 12. Meeting summaries are included as [Attachment A](#). Staff has incorporated the commission's input into an initial scope of work document included as [Attachment B](#). The initial scope of work identifies key issues that should be addressed, potential sequencing for the project, and high-level project and engagement goals.

The commission expressed interest in exploring a hybrid zoning code that combines aspects of multiple zoning types, such as conventional and form-based codes. As discussed on Jan. 12, hybrid codes often apply use-base standards (i.e., current code) to established areas and form-based code to areas expected to see considerable change or new development.

City staff members have amended the draft scope of work to reflect the Planning Commission's input, including:

- Adding references to the City's intent to develop a hybrid zoning code (in Overall Objective, Purpose Statement, and Preliminary Goals/Tasks sections);
- Including more details on the suggested sequencing of tasks; and

- Refining the expectations for public meetings, engagement materials and interactions with the Planning Commission and City Council.

### **Next Steps**

City Council is having a similar discussion about this project at its Feb. 15 meeting. City staff will draft a Request for Proposals (RFP) based on the input from the Planning Commission and council. The RFP is expected to be released in March, with a consultant team beginning work with the City in the spring.

### **Attachments**

- A. [Planning Commission Meeting Summaries \(Dec. 8, Jan. 12\)](#)
- B. [Preliminary Scope of Work](#)

## City of Lafayette Planning Commission

Meeting Summary: Dec. 8, 2021

**Commissioners:** Alison Fischer, Bill Watson, Darcia Thomas, Frank Phillips, Michelle Stephens

**Summary:** The purpose of this meeting was to discuss initial, high-level goals for the upcoming re-write of the city's land use code.

### Key Takeaways

- **Accessibility:** The public process should be understandable by the broader community. The new code should use plain language and be hosted on a mobile-first platform.
- **Codify Eclectic:** The code should encourage creativity in design while complementing historic neighborhoods.
- **Focus on Built Form:** Translate the comprehensive plan vision into built-form requirements (e.g., streetscape, frontage, citywide design guidelines).
- **Process:** Design a review process that doesn't overburden applicants. Reconsider when applications are brought before the Planning Commission.

### Commissioner Comments

*Question 1: When thinking about a successful code rewrite process, what comes to mind?*

- Support for completing a diagnostic report early in the process
- The new code must be accessible: Use plain language; 5<sup>th</sup>-grade comprehension; mobile-first platform; bilingual.
- Anticipate sections that will change in the future – include those in tables that are easy to update.
- Fewer regulations, more protections. Let people be eclectic.
- Flexibility & Creativity: don't just deny big, great projects.
- Don't bog down applicants with the review process and administrative steps.
- Identify shortcomings – encourage new developments to consider emerging planning trends.
- Do not involve the Planning Commission unless needed.

*Question 2: What are key topics that should be addressed through this project?*

- **Non-conformities:** The new code should support existing and minimize future non-conformities.
- Consider accessory commercial uses to encourage start-up businesses.
- **Homeowner Associations:** Engage HOAs; consider what happens if/when an HOA can no longer fund its street maintenance; consider how to approach HOAs with rules that conflict with citywide goals.
- **Historic Preservation:** Focus on the city's historic fabric. Create infill standards that strengthen the surrounding historic character. Empower the Historic Preservation Board with more latitude; explore finance credits available for landmark properties.
- Combine the Old Town Design Guidelines into the new code, integrating with new citywide guidelines. Include as part of a pattern book for the city.
- **Parking:** Revamp standards (e.g., eliminate parking minimums; shared; unbundled)
- Revisit the definition of a family.

- Address Accessory Dwelling Unit standards.
- Ask the question: should we have single family zoning?
- Focus on built form: streets, frontage. Translate the comprehensive plan vision statements into built form requirements.
- Develop a glossary of terms (with hovering hyperlinks)
- Use code interpretation forms – report each year on interpretations – consider subsequent code amendments each year.
- Lighting: Rethink as “lighting as art”
- Art: Rethink as “art as urban design”
- Revisit landscaping standards
- Connectivity: Ensure safe street connections
- Rework the land use table for clarity (e.g., include limited uses with better definitions)
- Consider metrics like the average trip and water demand with new projects
- Offer a menu of options – don’t just say no
- Ensure residential homes have solar access
- Consider view corridor protections
- Define affordable housing
- Ensure that mobile homes have basic maintenance and amenities (like other city neighborhoods)
- The consultant team should demonstrate an ability to streamline the code drafting process.
- Develop a scorecard for reviewing proposed code language that scores it against comprehensive plan goals.

### *Engagement*

- Empower community organizations to share information within the area of influence.
- Consider meetings-in-a-box.
- Develop children’s activities/engage schools.
- Define all audiences, then ask them to identify audiences.
- Communicate bite-sized bits via social media.
- Help community members understand any unknowns and when they can plug into the process.
- Create very intentional messaging (e.g., “this is how this proposal will make it easier to maintain your property...”)
- Focus engagement by topics – don’t get too wonky (avoid planner lingo)
- Conduct structured charrettes, though be sure to have new information to share and a clearly defined problem to solve.

## City of Lafayette Planning Commission

Meeting Summary: Jan. 12, 2022

**Commissioners:** Alison Fischer, Bill Watson, Darcia Thomas, Frank Phillips, Joseph Smith, Michelle Stephens

**Summary:** The purpose of this agenda item is to receive input from the Planning Commission about preferences for how to structure a new land use code. Staff presented a high-level overview of conventional zoning, form-based codes, performance-based zoning, and a hybrid approach.

### Key Takeaways

- Commissioners expressed interest in exploring form-based codes and applying performance-based standards to address specific impacts (but not implementing a scoring system).
- A hybrid code may be an ideal approach for Lafayette (i.e., applying form-based code in specific areas of the city).
- More information is needed to better understand the administrative workload, developer interests and concerns, and ways to avoid an overly complex code with fragmented zoning districts and standards throughout the city.

### Commissioner Comments

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- In response to the question from a commissioner, Director Brasel noted that staff training for form-based codes is not a concern.
- Ensure that a hybrid code, if pursued, would not result in fragmented zones throughout the city that are hard to understand.
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- Consider exploring several smaller projects instead of one big project.

**City of Lafayette Land Use Code Re-write Project**

Preliminary Scope of Work/Issue Identification

**DRAFT**

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# City of Lafayette Land Use Code Re-write Project

## Preliminary Scope of Work/Issue Identification

**DRAFT**

### **Overall Objective**

This project will result in a significant, if not complete, re-write of the City's existing development regulations to include conventional (use-based) regulations and form-based code. The new code will be informed by best practices while remaining grounded in Lafayette's community values. The goals of the newly adopted comprehensive plan will guide this project.

The code should be focused on good urban design outcomes, encourage creativity in design while complementing historic and other neighborhoods. It should only include processes that add value to the outcome and be structured to allow for future amendments to be seamlessly incorporated.

The code should be clear, objective, accessible, and understandable by the broader community. It should use plain language and be hosted on a digital-first platform. Generous use of graphics and clear tables are encouraged. The code should focus on urban design and have an integrated subdivision code and process.

### **Preliminary Problem/Issue Statement**

The Lafayette community envisions a resilient and sustainable community with welcoming places, unique neighborhoods, a diversified and strong economy, environmental leadership, and meaningful connections. The Lafayette Zoning Code ("code") plays a significant role in guiding development either toward or away from the community's vision; however, the code does not currently include the tools necessary to achieve the desired community vision. The City has achieved high-quality products in the past largely through individually negotiated Planning Unit Developments, which is not a long-term solution for achieving the City's desired outcomes. A re-write of the code will provide the City with the tools necessary to ensure that new development is consistent with the community's vision and our articulated values of being inclusive, eclectic, and diverse.

### **Preliminary Purpose Statement**

The purpose of this process is to re-write the Lafayette Zoning Code to meet the goals and policies of the City, including the 2021 comprehensive plan other City plans. The new code will include form-based elements alongside use-based regulations (i.e., a hybrid code). The City Council and the Planning Commission will provide regular input on the project deliverables and public process. The public process will be clear and transparent and engage the community in meaningful ways

### **Lafayette Vision and Values**

#### ***Statement of Vision***

Lafayette's panoramic view of the Rocky Mountains inspires our vision of the future. We are a creative, eclectic, inclusive, and diverse community that celebrates our shared heritage. We envision a resilient and sustainable community with welcoming public spaces, unique neighborhoods, a diversified and strong economy, environmental leadership, and meaningful connections within our community.

# City of Lafayette Land Use Code Re-write Project

## Preliminary Scope of Work/Issue Identification

**DRAFT**

### **Community Values**

#### *An Inclusive Community*

Lafayette is a community where its members feel safe, respected, accepted, and comfortable in being themselves and expressing all aspects of their identities. An inclusive community is one where every person shares a sense of belonging, or a sense of home, with other members. Lafayette community members make roots and connections in the area and, in turn, are recognized for those contributions. Each member has the ability to contribute to the community, free of barriers, and an environment of respect is present. Cultural identities remain strong in inclusive communities and these cultural identities are viewed as an asset to the Lafayette community.

#### *An Eclectic Community*

Lafayette is a community that enjoys combining ideas, beliefs, styles, and tastes from a broad range of influences. The eclectic nature of the community is reflected in our events and activities, our organizations and institutions, our architecture, and our various public spaces.

#### *A Diverse Community*

Lafayette is a community in which individuals of different races, ethnicities, religious or spiritual beliefs, socioeconomic status, ages, intellectual, developmental and physical abilities, health status, languages, geographic origins, gender identities, and sexual orientations bring their different backgrounds, experiences, knowledge, and interests to Lafayette, for the benefit of the greater community. Lafayette values and respects the diverse range of community members and individuals of any age who may temporarily or permanently move, hear, see, touch, think, learn, communicate, process stimuli, or experience emotions differently from others. We work to bridge different cultures by integrating everyone into the life of the community.

### **Engagement Plan**

The City plans to create a project site at [Lafayette Listens](#), an interactive engagement platform hosted by Bang the Table. This allows for interactive comment maps, questionnaires, videos, etc. Initial guiding principles for community engagement include:

- Be very intentional around messaging, emphasizing how a decision will or will not impact a particular stakeholder.
- The community engagement strategy will define the appropriate level of engagement, consistent with the International Association for Public Participation's [Spectrum of Public Participation](#).
- Be clear about how the public's input has (or will) influence the decision.
- The process will be accessible, and the information will be understandable (limit planner jargon).
- Where possible, recruit organizations and trusted members of the community to be partners in engagement efforts.
- Use modern techniques for community engagement, such as videos, social media, etc. to supplement (or in lieu of) traditional meeting engagement.
- Special engagement focus around creating mobile home zoning and regulations.

### **Suggested Sequencing**



# City of Lafayette Land Use Code Re-write Project

## Preliminary Scope of Work/Issue Identification

**DRAFT**

The following steps represent the City's initial high-level thoughts on sequencing the project. The City is open to alternative approaches. More detailed project, engagement, and communications plans will be developed as part of the project.

### **Phase 1: Issue Identification & Shared Learning**

The purpose of this phase is to review background materials, conduct research, and meet with interested parties (City, community members, etc.) to inform which tools and approaches will be used in the new code.

#### **Task 1: Initial Review, Analysis, and Project Introduction**

**1.a Project Planning, Research and Interviews.** The consultant team will work with City staff to design an engagement plan and review necessary documentation (see below). Upon familiarity, the consultant team will interview appropriate stakeholders involved with the project. Interviewees will include, at a minimum, elected and appointed officials, City staff, developers, residents, and business owners.

**1.b: Community Character Manual.** Map, photograph (and gain an understanding of) the City's built and natural environment, analyzing the typical block sizes, lot sizes, connectivity, walkability, existing land uses, right-of-way, etc. within the City of Lafayette. Certain areas in the unincorporated county but within the Urban Growth Boundary will also be analyzed. The consultant team will recommend areas more suitable for use-based standards and areas that would see the greatest benefit from form-based code. This could be completed through a mix of work by the consultant team, City staff, and community members (similar to the [Austin Code Next](#) "community character in a box").

**1.c: Code Diagnostic.** The consultant team will develop a code diagnostic report based on steps 1.a and 1.b. The report will identify key areas of improvement with the existing regulations.

#### **Task 2: Confirm direction moving ahead**

**2.a: Share Findings.** Facilitate a joint work session with Planning Board and City Council to review the findings from Task 1, clarify the project purpose and goals, and preview engagement materials for upcoming sessions. Advance communication should occur through engaging videos or other methods.

**2.b: Public Workshop and/or Design Charrette.** The consultant team will organize at least two design workshops or full planning charrettes to engage the community, gather ideas and goals, and develop implementation strategies. The sessions will be informed by the findings of Task 1 and input from the Planning Board and City Council. The consultant team will also work with City staff to develop alternative ways for residents to provide input, including but not limited to online questionnaires and pop-up conversations (e.g., "coffee with a planner".) The consultant

## City of Lafayette Land Use Code Re-write Project

### Preliminary Scope of Work/Issue Identification

#### DRAFT

team will develop discussion papers on a variety of topics that provide background information, how community input informed the outcome, and proposed option(s).

**2.c: Confirm Direction.** Facilitate a joint work session with Planning Board and City Council to review what was learned from the public workshop and present a preferred path forward for code drafting. Detailed plans for Phase 2 will be provided, in addition to any early code drafting information (e.g., table of contents or preliminary language or processes.)

## Phase 2: Code Drafting

### Task 3: Drafting the Hybrid Code

**3.a: Iterative Code Drafting.** The consultant team will work with City staff to develop a schedule for drafting code sections, such as:

- Drafting a portion of the code;
- Revising the language;
- Scenario testing (as needed);
- Releasing the code language for review by the Planning Commission, City Council and community; and
- Refining the code language.

A detailed project plan (developed in Phase 1) will include appropriate touchpoints with the Planning Commission and City Council, in addition to strategies for engaging key stakeholders and the community at-large.

## Phase 3: Make a Decision

### Task 4: Make a Decision

**4.a: Public Hearings.** The consultant team will attend a public hearing at Planning Commission and City Council meetings. The Planning Commission and/or City Council may choose to hold more than one meeting. Code revisions may be required during and after these meetings.

**4.b: Final Materials.** The consultant team will work with City staff to transmit all relevant files to the City (e.g., code drafts, meeting materials, Indesign/Illustrator files, map data). The consultant team will amend the briefing papers to reflect the final decision.

## Preliminary Goals / Tasks

The following items represent the City's initial list of items that need to be considered when drafting the new code. The code diagnostic report will consider these points in addition to others raised at that time.

# City of Lafayette Land Use Code Re-write Project

## Preliminary Scope of Work/Issue Identification

**DRAFT**

This list is primarily provided for context and to ensure that respondents assemble team members with the necessary skillsets.

### **I. Type of Code**

- a. Develop a unified development code that includes use-based standards and form-based code (i.e., hybrid). The consultant team will facilitate a public process in determining which form-based modules are most appropriate for Lafayette and where the different code types should be applied. While more discussion is needed with decision-makers and the community, the City is preliminarily interested in pursuing the following form-based code elements: a regulating plan, building form standards, frontage type standards, thoroughfare standards, civic space standards, and architectural standards.

### **II. Clear Language**

- a. The code will be understandable and accessible to individuals with little or no experience with planning or legal documents and policies. The code should be written in plain language to minimize barriers to anyone seeking to learn more about the City's regulations and processes. While the code will require technical and legal language, every effort will be made to enhance accessibility through wording, use of graphics, document layout, and other means.
- b. Recommend mobile-first web hosting platforms that are intuitive for users and offer built-in language translation services.

### **III. Unified Development Code (UDC)**

- a. The City is interested in creating a Unified Development Code that is adopted by reference in Chapter 26 of the Lafayette Municipal Code. The new code will be hosted on a separate, more user-friendly site as noted above.

### **IV. Transition of Regulations**

- a. Address how new regulations will be phased in and administered (e.g., prior and pending approvals).

### **V. Nonconformities**

- a. Include a section that describes how non-conforming uses, lots, structures, signs, and any other applicable features will be addressed.

### **VI. Administration/Enforcement**

- a. Describe how the code will be enforced, like violations, penalties, etc.
- b. Create a clear nuisance and zoning code citation process.
- c. Work with City staff to develop an administrative citation process.

### **VII. Review Processes**

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- a. Reexamine the thresholds for when an application is subject to staff, Planning Commission, and City Council review.
- b. Recommend clear and consistent public hearing standards and when public hearings apply.
- c. Create more streamlined administrative processes and applicant tasks.
- d. Explore non-binding, preliminary reviews.
- e. Annexation: Create review criteria based on the comprehensive plan and best practices (as opposed to Planned Unit Development criteria).
- f. Interpretations: Include a process for administrative interpretations.
- g. Create processes and requirements for different application types, like submittal requirements.

#### **VIII. Zoning Districts**

- a. Provide a recommendation for updating and/or consolidating zoning districts based on the 2021 comprehensive plan land use map, best practices, current trends, and City goals. The comprehensive plan includes 12 land use designations, including several new uses: Neighborhood Mixed Use, Adaptable Commercial, Eclectiflex, and Mobile Home.
- b. Provided a path to sunseting Planned Unit Developments.
- c. Other zones may be necessary to fully implement the newly adopted comprehensive plan, such as a Transit Oriented Development district or overlay.

#### **IX. Use Regulations, Definitions**

- a. Create a new use table that consolidates use categories logically and clearly. Avoid overly specific uses (e.g., miniature pot-bellied pig) and uses that are not uses (e.g., mixed-use building).
- b. Re-write the definitions section to include general and land use definitions that clearly describe the intended outcome. The more detailed definitions will complement the broader use table.
- c. Revisit agricultural uses to reflect City aspirations and modern practices.
- d. Review uses within the urban renewal area to ensure alignment with City goals and best practices.
- e. Reexamine home occupation requirements based on City goals and best practices.

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#### **X. Development Standards**

- a. Accessory Dwelling Units: Recommend standards for a broader allowance of Accessory Dwelling Units based on City goals and best practices.
- b. Affordability: The new code should eliminate barriers to housing affordability.
- c. Building Height: Reexamine and engage the community on the appropriate building height in different zoning districts, and how certain building heights may trigger different levels of review (staff vs. Planning Commission, etc.) or how height can be used as an incentive for other public benefits, such as affordable housing, community gathering spaces, open space, etc.
- d. Engineering Standards: The code currently includes [minimum street design and width](#). The consultant team will work with the Public Works Department to incorporate many of the design standards into the new code. The consultant team may also need to advise on updates to certain standards (e.g., street cross-sections, sidewalk design/requirements) as needed to implement City goals.
- e. Equal Treatment: Address any legal issues around the equal treatment of group homes, childcare centers (base on a 2021 law), and religious assemblies.
- f. Landscaping: Re-write landscaping standards based on best practices in the region. Develop xeriscaping standards. Review street tree requirements to address maintenance challenges.
- g. Measurements: Create clearer standards for measuring building height, setbacks, lot coverage, etc.
- h. Mobile Homes: Revise the existing [Mobile Home requirements](#) in conjunction with the establishment of a Mobile Home zoning district. Requirements will be guided by the comprehensive plan, the Economic Development and Housing Strategic Plan (2022), and best practices.
- i. Open Space: Following discussions with City staff and other stakeholders, recommend urban/open space interface regulations (e.g., habitat impacts, wildfire danger mitigation).
- j. Outdoor lighting: Recommend dark sky outdoor lighting standards, including photometric submittal requirements. Consider how the code can encourage lighting as art/placemaking.
- k. Parking: Rethink parking requirements through the lens of Shared, Unbundled, Managed, and Paid (SUMP). Consider parking maximums and how parking standards may be simplified for shopping centers.

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- l. Parks: Recommend ways for defining a clear process that determines if/when a park is owned and maintained by a development vs. the City. Explore standards that encourage nature play. Review the Parks, Recreation and Open Space Master Plan and work with appropriate staff to identify additional items to address as part of this project.
  - m. Public Art: Explore ways to encourage creativity through public art. Consider art as urban design.
  - n. Public Land Dedication: Work with the Parks, Recreation & Open Space Department to overhaul the [Public Land Dedication standards](#) to ensure that future development is providing for both parks and open space needs. Work with administration to determine other facility PLD requirements.
  - o. Sign Code: Revamp the sign code to be consistent with City goals and best practices. Recommendation should not create a substantial number of non-conforming signs or be so strict as to require regular variances.
  - p. Sustainability: Infuse the City's sustainability goals throughout the code (e.g., low impact stormwater systems, solar access, incentives).
  - q. Trail Connectivity: Develop minimum requirements for private paths (hard and soft), and requirements that result in greater neighborhood connectivity.
  - r. Wildlife Corridors: Recommend standards for wildlife corridors. This will be informed by a wildlife plan the City is completing in 2022.
- XI. Subdivision Standards**
- a. Create one unified set of subdivision standards that reinforces urban design objectives of the underlying zone districts
- XII. Planned Unit Developments (PUDs)**
- a. Recommend ways to eliminate future PUDs or make them unique/an exception (and not the normal process).
  - b. Recommend a clear amendment process for existing PUDs.
  - c. Recommend strategies for encouraging or mandating property owners to transition PUDs to "straight zones."
  - d. Revamp the PUD criteria to be more specific and align with City goals and best practices. Many standards are currently aspirational statements that are challenging to enforce (e.g., use of "encourage" vs. "provide").
- XIII. Design Focus**

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- a. Develop community-wide urban design and architectural guidelines based on guidance within Chapter 6 of the comprehensive plan. More tailored, complementary guidelines will be developed for different zoning districts.
- b. Recommend basic standards for new (or major expansions of) non-residential development. These standards should emphasize design performance requirements rather than overly prescriptive standards for architectural style.
- c. Incorporate existing design guidelines as appropriate, including Commercial Development Design Guidelines, Downtown Architectural Standards for Old Town Urban Renewal Area, Elm Street Design Guidelines, Gateway Plan Design Guidelines, and the Old Town Lafayette Design Research Book.
- d. Consider how lighting and other environmental/site design considerations can be used to mitigate safety concerns and police patrol issues. For example, how might a site with parking tucked behind the building balance adequate lighting with impacts to the adjacent residential properties?

#### XIV. Incentive Program

- a. Recommend an incentive program to implement City goals (e.g., affordable housing, adaptive reuse of buildings, sustainable development practices) in exchange for increases in building height, parking, and other standards beyond what is otherwise permitted through the underlying zoning.
- b. Structuring an incentive program will be part of the overall public process. Specially, community members and decision-makers should have opportunities to weigh in on the types of bonuses and benefits received and the eligible locations.
- c. Analysis will likely include testing sites with development pro forma to test market viability. The consultant team should plan to “ground truth” the pro forma with local developers through confidential interviews. The final incentive program requirements will be calibrated to be realistic under market conditions while still providing a sizeable amount of community benefits in exchange for the development bonus.

#### Preferred Team Experience

1. The consultant project manager for this project must have been a project manager on at least three other adopted code updates, or a combination of relevant experience.
2. The project manager and other primary team members working on the technical content of the project must demonstrate five or more years of project experience in the field of zoning, land use and planning.
3. City Planning: The team must include professional planners that understand the dynamics of land use code requirements.

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4. Urban Design: The code will place an emphasis on the form of development. The team must include expertise in urban design with experience in projects that have resulted in an engaging and attractive public realm.
5. GIS/Visualization: The team must have experience in crafting innovative approaches to mapping and visualizing development scenarios. This cannot be underemphasized, as many of the code changes will be most easily understood through visualizations.
6. Community Engagement: The team must have experience in community planning and a demonstrated track record of designing and implementing meaningful engagement experiences.
7. Economic Analysis: Development pro forma will be required if the City chooses to pursue an incentive program.

#### Additional Resources

- [City Council Strategic Priorities](#)
- Comprehensive Plan
- [Lafayette resident Survey](#)
- [Parks, Recreation and Open Space Master Plan](#)
- [Downtown Vision](#)
- City Council and Planning Commission Meeting Summaries