

EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1510

SPONSOR: COUNCILMAN LINDSEY

TITLE: A BILL FOR AN ORDINANCE AMENDING THE CITY OF NORTHGLENN ZONING CODE BY ADDING A FINAL DEVELOPMENT PLAN REVIEW PROCESS FOR NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS

PURPOSE: THIS ORDINANCE WILL REQUIRE THAT ALL NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS, EXCEPT FOR THOSE IN SINGLE-FAMILY RESIDENTIAL ZONES, BE REVIEWED BY CITY STAFF AND THE PLANNING COMMISSION TO ENSURE THAT THE PROJECTS ARE DESIGNED IN A MANNER WHICH REASONABLY PROTECTS THE VISUAL AND ENVIRONMENTAL QUALITIES AND PROPERTY VALUES OF THE CITY

ADDITIONAL EXPLANATORY REMARKS:

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A BILL FOR AN ORDINANCE AMENDING THE CITY OF NORTHGLENN ZONING CODE BY ADDING A FINAL DEVELOPMENT PLAN REVIEW PROCESS FOR NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS

WHEREAS, the City has an interest in ensuring that new development and redevelopment projects are designed in a manner which reasonably protects the visual and environmental qualities and property values of the City; and

WHEREAS, in furtherance of this interest, the City shall require developers to provide sufficient site relationship and architectural information for the consideration of City decision-makers when reviewing applications for use and development.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT THE NORTHGLENN MUNICIPAL CODE BE AMENDED BY REPEALING SECTION 11-6-15, AND BY THE ADDITION OF A NEW ARTICLE 6.5 TO CHAPTER 11, WHICH SHALL READ AS FOLLOWS:

ARTICLE I. FINAL DEVELOPMENT PLAN REVIEW

Section 11-6.5-1. General.

(a) Application. The requirements of this Article shall apply to new development projects or redevelopment projects, as defined in subsection (c) for which planned unit development district approval is not sought. The requirements for planned unit development zone districts are found in those district regulations. This Article shall not apply in single-family residential zones.

(b) Purpose. The purpose of the City's development review process is to provide site relationship and architectural information for decision-makers to consider in deciding upon applications for use and development. It is intended to illustrate site design elements, architectural character and consideration of engineering issues to the extent that the potential character and possible impacts are more clearly definable. It can provide the basis for building permit review, certificate of occupancy review, and future zoning enforcement. The plan will be part of the case file and record.

(c) Definitions.

1. "New development project" shall mean construction of any permanent building requiring a building permit on any previously undeveloped site.
2. "Redevelopment project" shall mean:

- a. Replacement of any existing principal building; or
- b. Expansion of any existing principal building in excess of fifty percent (50%) of the existing gross floor area or 10,000 square feet, whichever is less.
- c. A substantial change in use of the property or change in the occupancy rating as defined by the International Building Code.

3. "DRC" shall refer to the City's Development Review Committee consisting of representatives from Planning and Zoning, Building, Streets, Traffic, Water and Sewer Utilities, Parks and Landscape, Erosion Control, Police and Fire Departments.

(d) Personal Attendance. The developer is required to attend in person or by authorized representative, all meetings at which the project is considered, unless otherwise notified by the planning department. No site development of property may be initiated, the use of property may not be substantially changed, substantial clearing, grading, filling or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved or substantially altered except in accordance with and pursuant to the provisions of this Article.

(e) Permits required. No building permit shall be issued until the final development plan has been approved pursuant to this Article.

(f) Proof of Ownership. 11-37-2-(c)(2)(3) All site development applications shall be accompanied by proof of ownership by the applicant of the subject property. Such proof may take the form of the most current recorded deed, a title commitment, or a power of attorney from the owner(s) where an agent acts on their behalf.

Section 11-6.5-2. Preapplication conference.

Prior to the formal submittal of a final development plan for approval, an informal preapplication conference shall be held between the applicant and the City Planner and/or the City's Development Review Committee (DRC). This conference will serve to acquaint the applicant with the requirements of this chapter and to allow City staff to become familiar with the applicant's development intent and design philosophy. A schematic site plan and building concept drawings will aid in discussion at this conference; however applicants are encouraged not to prepare detailed designs which might require extensive revision as a result of the preapplication conference. An applicant should bring the following information in a brief summary:

1. General project concept.
2. Specific uses proposed, and intensity of use proposed (floor area and parking demand).
3. Proposed construction timing.
4. General concepts concerning building size and exterior materials and site plan concepts.
5. An exterior materials package including roof material and color, wall treatment, glass and glazing.

6. Site plan concepts including site organization, landscaping, irrigation, grading, lighting and signs.

Section 11-6.5-3. Final development plan

(a) At any time subsequent to the preapplication conference, the applicant may submit a final development plan to the City for review and approval. Said submittal shall include a completed application and paid review fees as required by article 45 of this chapter.

(b) Requirements

1. The site plan shall be prepared on plan sheets no greater than 24 x 36 inch format in size.
2. Vicinity map.
3. The boundary of the site described in bearings and distances and existing and proposed lot lines.
4. Legal description of the site matching the certified survey.
5. Signed surveyor's certification.
6. Scale not less than 1" = 60-feet, and north arrow.
7. Date of plan preparation and name and address of person who prepared map.
8. Location of 100-year floodplain, if applicable.
9. Existing and proposed contours at two-foot intervals.
10. Location of all existing and proposed:
 - a. Fences, walls or screen plantings and their type and height;
 - b. Exterior lighting, location, height and type;
 - c. Signs, including type, height and size;
 - d. Landscaping and special buffers, including type and coverage;
 - e. Parking and loading areas, handicap parking areas;
 - f. Easements and rights-of-way;
 - g. Drainage ways, pond areas, ditches, irrigation canals, lakes and streams, if applicable;
 - h. Buildings to be developed or retained on the site, including possible use, height, size, floor area, setback dimensions and type of construction;
 - i. Existing and proposed streets, both adjacent and within the site, including names, widths, location of centerlines, acceleration/deceleration lanes;
 - j. Curbs, gutters, sidewalks, bike paths;
 - k. Location of trash containers and method of screening, if any;
 - l. Areas to be used for outside work areas, storage or display and method of screening, if any.
 - m. Location of fire hydrants, both existing and proposed.
11. Adjoining property lot lines, buildings, access, parking, so that development compatibility can be determined.
12. Other information which shall be in written or tabular form, including:
 - a. Statement of proposed and existing zoning and any zoning conditions;
 - b. Statement of proposed uses;

- c. Site data (numeric and percentage) in tabular form, including:
(See the minimum requirements for site development plans.)
 - (1) Total area of property, gross and net;
 - (2) Building coverage;
 - (3) Landscape coverage; (See minimum requirements for landscape plans.)
 - (4) Total lot coverage by all structures and paving;
 - (5) Number of parking spaces;
 - (6) Gross floor area; and
 - (7) Number of residential units and density (if applicable).
- 13. Signature sign-off for approval of City Planner or designee.
- 14. In addition to the information included on the site plan document, the following supportive information may be required:
 - a. Drainage plan;
 - b. Building elevations and perspective drawings;
 - c. Traffic impact report.
 - d. Utility plan.
 - e. Landscape plan.
 - f. Storm water / erosion control criteria.

(c) Amendments. Amendment or modification of an approved final development plan shall follow the procedure for review of the original application.

(d) Incomplete Applications. If, in the opinion of the City Planner, a submittal at any stage of review is incomplete, the matter shall be removed from the agenda and not further processed until deemed complete.

(e) Additional Information. The Planning Commission, City Council, Board of Adjustment or City Planner may require at any stage of review of any site development, submission of any plan, study, survey or other information, in addition to that specified in this chapter, and at the applicant's expense, as such body may determine necessary to enable it to review and act upon the application in order to determine whether the application complies with the requirements of this chapter.

Section 11-6.5-4. Procedures for review

(a) City Planner / DRC Review. Upon receipt of a complete final development application and final development plan, City Planner / DRC shall review the plan, and submit recommendations and comments to the applicant. The applicant shall revise said development plan as appropriate prior to submittal to the Planning Commission. Upon receipt of the revised final development plan showing all of DRC's requirements for approval, the DRC shall review, approve and sign off the approved plans, or reject said plans for reasons stated. Upon the approval / sign off of the revised plans, the City Planner shall schedule a public hearing before the Planning Commission at the next available meeting.

(b) Planning Commission. The public hearing shall occur within forty-five days of receipt of the approved final development plan. Notice of the public hearing shall be posted on the applicant's property at least 15-days prior to Planning Commission's public hearing. Within

forty-five days of the public hearing and after due consideration of public comments and the recommendations and comments of the City Planner, the Planning Commission shall review said plan to determine its conformance with the current Master Plan and /or any component part thereof adopted pursuant to the provisions contained in Section 11-40-9 of the Zoning Ordinance and either approve, approve with conditions, table or reject the final development plan. The Planning Commission may approve the final development plan on the condition that the applicant modify the final development plan as required by the Planning Commission. No building permit or certificate of occupancy shall be issued for a new development project or redevelopment project until said project is found to be in substantial conformance with the current Master Plan and / or any component part thereof.

Section 11-6.5-5. Site review criteria

In order to approve a final development plan, the City Planner and the Planning Commission, after reviewing and evaluating the final development plan, must find the following criteria are met:

1. The development shall substantially comply with the current Master Plan;
2. The development shall be integrated into the existing terrain and surrounding landscape, and shall be designed to protect abutting properties and community amenities. Building sites shall, to the extent feasible:
 - a. minimize use of wetlands, steep slopes, floodplains, hilltops;
 - b. minimize obstruction of scenic views from publicly accessible locations;
 - c. preserve unique natural or historical features;
 - d. minimize tree, vegetation and soil removal and grade changes;
 - e. maximize open space retention; and
 - f. screen objectionable features from neighboring properties and roadways.
3. The architectural style shall be in harmony with the prevailing character and scale of buildings in the neighborhood and the City through the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Variation in detail, form and siting shall be used to provide visual interest and avoid monotony. Proposed buildings shall relate harmoniously to each other with adequate light, air, circulation, and separation between buildings. At the minimum, the development must meet the architectural and site design standards set forth in Section 11-19-5 of the Northglenn Zoning Ordinance, as amended.
4. The development shall be served with adequate water supply and waste disposal systems, and storm water facilities.
5. The development shall maximize the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent ways. The plan shall describe estimated average daily and peak hour vehicle trips to be generated by the site and traffic flow patterns for vehicles and pedestrians showing adequate access to and from the site and adequate circulation within the site.

6. The development plan shall show adequate measures to prevent pollution of surface or groundwater, to minimize erosion and sedimentation, and to prevent changes in groundwater levels, increased run-off and potential for flooding. Drainage shall be designed so that run-off shall not be increased, groundwater recharge is maximized, and neighboring properties will not be adversely affected.
7. The development will not place excessive demands on City services and infrastructure.

Section 11-6.5-6. Review fees.

(a) Procedure for payment. At the time the application for site development is first submitted to the City, and prior to any review, the applicant shall pay to the City the fee necessary to cover the administrative and review costs for each project requiring review. The amount of the fee shall be established by the City Council in accordance with Article 45 of the Zoning Ordinance.

(b) Supplemental fees. Applications for development or redevelopment projects of large scale, complexity, or which are likely to produce substantial on site or off site physical, social or economic impacts may require special review by engineering, technical, scientific and other expert personnel not normally employed on a regular basis by the City. In the judgment of the City Planner such independent expert review and analysis shall be added to the application fees contained herein and charged to the applicant. Payment of such supplemental fees by the applicant to the City shall be a precondition for the granting of all permits or approvals requested by the applicant and requiring independent expert review or analysis. In addition, applications for proposed land use changes requiring legally mandated State of Colorado agency reviews by agencies charging fees for such review services shall be assessed supplemental fees in the amount of such charges incurred by the City. Such supplemental fees shall be paid by the applicant to the billing agency as a precondition for the granting of all required permits and approvals.

(c) Lien on property. If the City incurs costs beyond the amount deposited with the City and the applicant does not pay those costs within thirty (30) days after written notice from the City, the City shall be entitled to a lien for those costs on the land being developed, which lien may be perfected and foreclosed in the same manner as provided in § 31-20-105 or § 38-22-101, et seq., C.R.S.

INTRODUCED, READ AND ORDERED POSTED this ___ day of _____,
2005.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2005.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

HERBERT C. PHILLIPS
City Attorney