

# City of Leadville Planning & Zoning Commission Regular Meeting Agenda

Date: 9/27/23 Time: 6:00pm

(Held only via Zoom)

Join Zoom Meeting

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------|
| <p><b>1. Governance Items:</b></p> <ul style="list-style-type: none"><li>• <b>Call to Order and Roll Call</b></li><li>• <b>Approval of Agenda/Revisions</b></li><li>• <b>Approval of minutes:</b></li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Motion of approval of agenda and minutes</p> | <p>Chair, Staff</p>                     |
| <br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                 |                                         |
| <p><b>2. Public comment- Items not on Agenda:</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                 |                                         |
| <p><b>3. General Updates:</b></p> <ul style="list-style-type: none"><li>• 9/26 Planning Dept. 2024 Goals at City Council Work Session</li><li>• 10/3 Lake County P&amp;Z public hearing and referral on <a href="#">Gateway Major Subdivision &amp; PUD application</a> (400 unit, mixed-use, 75% deed-restricted housing development on approximately 43.37 acre parcel divided by Hwy 91 just North and East of Leadville known as 416 Ditch Placer.</li><li>• 10/10 Leadville 7 Annexation Work Session with City Council</li><li>• Railyard Phase 1 SIA enforcement</li></ul>                                                                                                                 |                                                 | <p>Chair, Staff</p>                     |
| <br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                 |                                         |
| <p><b>4. Continued Business:</b></p> <ul style="list-style-type: none"><li>• Title 17 – Zoning, Housing Variety code amendments: follow up discussion from 8/29 Joint Work Session with City Council Tuesday, PUD, Annexation, and Development Agreements</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>*Items for formal vote</p>                   | <p>Chair, Staff, Commission Members</p> |
| <br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                 |                                         |
| <p><b>5. Goal Setting 2023-</b></p> <ol style="list-style-type: none"><li><del>1. Title 17 – Zoning: Definitions, Uses amendments</del></li><li><del>2. STRs – Recommendations to City Council on numerical limit for STR licenses</del></li><li>3. Title 17 – Zoning: Housing Variety amendments</li><li>4. P&amp;Z By-laws and Commissioner terms</li><li>5. Commissioner legal training</li><li>6. Housing (Ex: Pre-approved plans)</li><li>7. Parking District/commercial fee-in-lieu program</li><li>8. 2025 Comprehensive Plan</li><li>9. R-1 Zone assessment</li><li>10. Residential permit parking program</li><li>11. Exterior lighting regulations</li><li>12. Commercial FAR</li></ol> |                                                 | <p>Chair, Staff, Commission Members</p> |
| <br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                 |                                         |
| <p><b>6. Adjourn</b></p> <p>Next meeting – 10/11/23 – TBD agenda</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                 |                                         |



## 2023 Goals Recap: Planning Department

### **Goal 1: Customer service**

Provide timely customer service to applicants by a) codifying a maximum timeframe for the determination of application completeness b) adopting administrative guidelines with reasonable timeframes for permit processing (Example: 7 weeks maximum from submittal of a complete application to a public hearing at Planning Commission), and c) processing all applications within the provided timeframes.

**Status: Mostly accomplished.**

- **Timely customer service and application processing was provided. No issues or complaints. Administrative guidelines were not adopted, continued as a 2024 goal.**

### **Goal 2: Construction compliance**

Protect the health, safety and welfare of the public and occupants of new development through site monitoring and inspection for zoning and permit compliance. Example: When a large subdivision development is approved, the City enters into a Subdivision Improvements Agreement which requires the developer to construct public infrastructure improvements such as streets and sidewalks by certain dates. The Planning Director will inspect the subdivision improvements prior to acceptance in order to verify they have been constructed to City standards.

**Status: Accomplished and in-progress.**

- **The City is diligently enforcing the Railyard Phase 1 SIA (as recently amended) and the storm sewer corrections.**

### **Goal 3: Be a resource and form relationships**

Establish the Planning Dept. as an effective resource for various community organizations and agencies which serve community-wide interests through the establishment and development of both inter-organizational and intra-organizational relationships. Example: The Planning Director will attend the regular meetings of the Housing Coalition's Policy Advisory Team.

**Status: Accomplished.**

- **The Planning Director regularly participated in the meetings of the Housing Coalition's Policy Advisory Team (PAT), Leadville-Lake County Regional Housing Authority (LLCRHA), LLCRHA Development Subcommittee, Leadville-Lake County Community Justice Center design team, and the Leadville Community Center design team.**



## 2023 Goals Recap: Planning Department

### **Goal 4: Support major community projects**

Provide Planning support for high priority community development projects such as the Community Justice Center and affordable housing developments through efficient entitlement and permitting review and processing. Example: The Planning Director will attend the Executive Committee meetings for the Community Justice Center.

**Status: Accomplished.**

- **The Planning Dept. provided a completeness review, public agency referral, public notice, pre-liminary comments, revision review, public comment responses, and a detailed staff report on the subdivision, conditional use, and site plan applications for the LLCCJC within the expected 7-week timeframe, also identifying previously unidentified access and property ownership issues.**

### **Goal 5: Code updates**

Protect and enhance the character of Leadville's built environment through staff evaluation of opportunities for Zoning and Subdivision Code corrections and updates, particularly those identified in the City's adopted long-range plans. The Planning Director will maintain a list of recommended Code changes and present those changes to the Council quarterly.

**Status: Accomplished and in-progress.**

- **The Planning Dept. has processed the following three (3) subdivision and zoning code amendments and is in progress on the fourth.**
  - **Townhouse, Condominium, and Building Footprint Subdivisions,**
  - **Table of Uses, Definitions, Accessory Dwelling Units (ADUs), and Administrative Applications**
  - **National Historic Landmark (NHL) District Amendments**
  - **Housing Variety Amendments (in progress).**



## 2024 Goals: Planning Department

### **Goal 1: Customer service**

Provide quality customer service to the community for subdivision, zoning, and building related inquiries, plan review, public hearings processes, permitting, and inspection.

#### Action items:

- Provide improved Planning services through staffing of a Planner I or Planning Technician position.
- Evaluate creation of, and if appropriate, create a Community Development Department with Planning and Building Divisions, providing all subdivision, zoning, and building permitting and inspection services within the Community Development Department.
- Provide all services in a timely, consistent, thorough, accurate, appropriate and professional manner.
- Provide availability and approachability for all customers through an open door, in-office policy with fully digital plan review and virtual meeting alternatives.
- Adopt administrative guidelines, including application processing.
- Housekeeping:
  - website updates,
  - application form updates,
  - digitization of hardcopy archives, and
  - office improvements.

### **Goal 2: Construction compliance**

Protect the health, safety and welfare of the public and occupants of new development through site monitoring, inspection, and enforcement for subdivision, zoning and permit compliance.

#### Action items:

- Manage existing and any new Subdivision Improvement Agreements (SIA).
- Codify a pre-construction meeting, construction management plan, and post-construction survey requirement for all new construction and major remodels.
- Codify construction hours and noise limitations for construction.

### **Goal 3: Planning**

Anticipate future development and create plans that ensure that development aligns with the envisioned character and identity of the community.

#### Action items:

- Process remaining code updates identified in the 2015 Comprehensive Plan.
- Process a comprehensive subdivision and zoning code “clean-up” code amendment/update.



### **2024 Goals: Planning Department**

- Draft the 2025 Comprehensive Plan for 2025 adoption.
- Obtain cultural resource surveys of structures within the National Historic Landmark District.
- Research funding opportunities for local residential historic structure rehabilitation.

#### **Goal 4: Support the community**

Serve various community organizations and agencies which address community-wide interests, through the maintenance and development of both inter-organizational and intra-organizational relationships.

##### Action items:

- Regularly participate in the meetings of the Housing Coalition's Policy Advisory Team.
- Regularly participate in the meetings of the Leadville-Lake County Regional Housing Authority and the Development Subcommittee.
- Regularly participate in the design team meetings of the Leadville-Lake County Community Justice Center and the Leadville Community Center.



September 19, 2023

Anne Schneider, Director  
Community Planning & Development, Lake County  
505 Harrison Ave PO Box 513  
Leadville, CO 80461

Re: File 23-13/23-14, Gateway Major Subdivision & PUD

Director Schneider,

Thank you for the opportunity to provide initial comments on the proposed Gateway development. The Planning and Zoning Commission (P&Z) briefly reviewed the proposed Sketch Plan and PUD at the September 13, 2023 P&Z meeting. Comments from the P&Z and myself are provided below.

#### Housing

The large quantity of community housing units proposed with this development is supported and applauded. The contents of the restrictive covenants, the schedule for release ratio of market rate units to deed-restricted units, the eligibility requirements, and the various terms and conditions of the restrictive covenants will all be important discussions and decisions for the Leadville Lake County Regional Housing Authority.

#### Transportation and multi-modal connectivity

With 2,102 weekday trips expected to be generated upon full build-out, the P&Z is pleased to see that Summit Stage and ECO Transit have agreed to provide transit service to the development. The P&Z is also grateful that the proposed development accommodates a transit stop internal and integral to the development. Acknowledging the county's ongoing work regarding mobility improvements in Area 1 of the IMTPR project (roundabout, road diets, pedestrian and bike improvements, transit pull-outs and shelters), the P&Z supports any opportunities for the county to partner with owners of land located between this development and the city's sidewalk system to provide future multi-modal transportation options, such as a separated multi-use path.

#### Open Space Dedication: Public Trail Easement

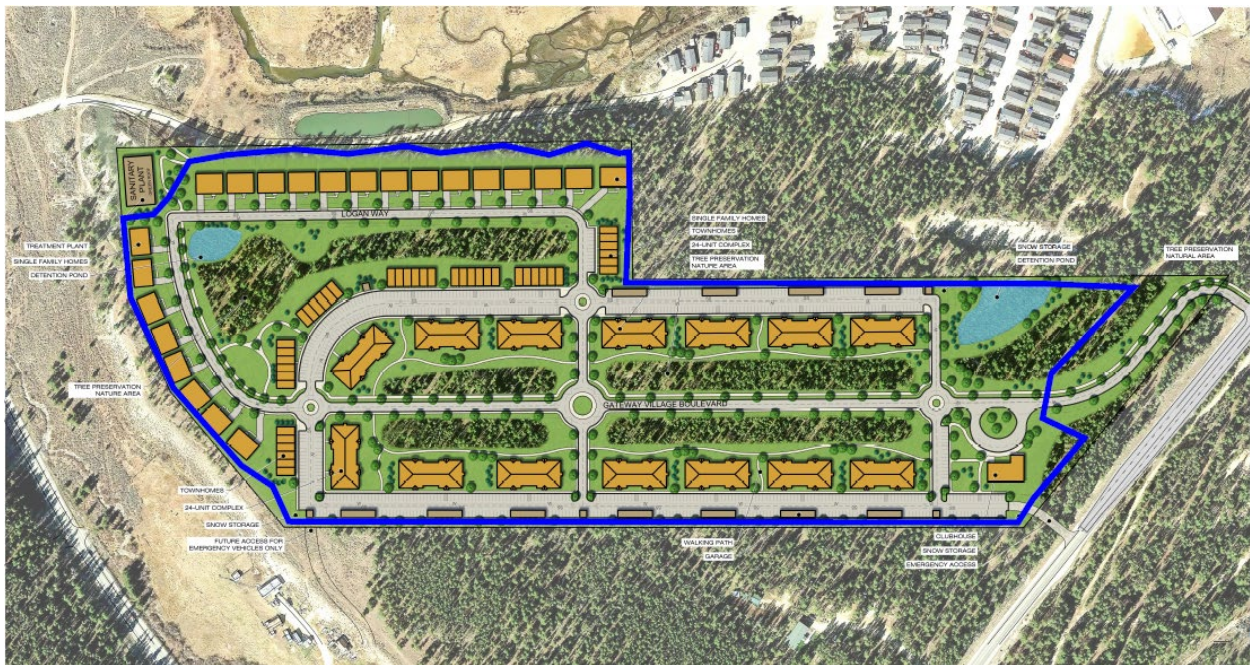
The proposed interior "walking paths" will have amenity and connectivity value for the residents and are encouraged to remain. Considering the forested nature of the site, a perimeter public trail easement would provide an important additional amenity to the community. Many mountain towns and communities in Colorado boast extensive single-track public trail networks that provide local residents and visitors with outdoor recreation opportunities including hiking, trail-running, mountain biking, dog-walking, cross-country skiing, bird-watching, etc. Most of these trail networks are within pre-planned public trail easements across privately owned property, and not exclusively on publicly owned land. These connected public trail easements are often the result of decades of advanced trail, open space, and recreation planning by the local governments, and the provision of public trail and access easements from developers at the time of initial subdivision through the local government's platting process and requirements. Today, these individual subdivision dedications now cumulatively provide connected trail networks across multiple subdivisions and developments, creating immense recreation and connectivity value to those communities.

The county and development team are strongly encouraged to consider dedication of a public trail easement on the final plat along the outer perimeter of the development. Accommodation of a perimeter public trail easement



may require minor adjustments to the sketch plan, but will create immense amenity value. Below are additional reasons to consider dedication of a perimeter public trail easement:

- A public trail easement can be used towards satisfaction of the county's 25% open space dedication requirement.
- A perimeter public trail easement provides opportunity for an extended, contiguous, and safe soft-surface trail on the property. The trails can be longer and have fewer paved vehicular road crossings than an interior walking path system. For example, if a perimeter public trail easement was incorporated into the proposed sketch plan as shown in blue in the image below, the soft-surface single-track trail within that easement would have only one (1) paved road crossing.
- A perimeter public trail easement promotes opportunity for future expanded recreational connectivity for the Lake County community, through future connections to trail easements on adjacent properties, should those properties be developed and/or subdivide in the future.
- A public trail easement can provide opportunity for partnership with local trail organizations, non-profits, and the county's Parks and Recreation Department for future installation and maintenance of public trails.
- A publicly dedicated trail easement provides opportunity for future local, state, and federal grant funding for the installation and maintenance of trails.
- Depending on topography, a public trail easement can be platted with a minimal footprint, often with a width varying between 10 ft. and 20 ft. If located along the outside perimeter of the development, the easement does not further inhibit development of the property than the already proposed 15 ft. – 20 ft. rear yard building setbacks. In other words, the setbacks and the easement can be the same.
- Tree clearing for trail installation within the public trail easement can be combined with wildfire mitigation defensible space, which can also be eligible for future grand funding.



### Childcare

Recognizing that the proposed units will very likely increase the already extreme demand on childcare services within Lake County, the proposed PUD's PA-2 use allowance of a "community center" which would allow a childcare center is supported and appreciated.

### Storage/recreational parking

Colorado mountain community residents and families recreate, and they recreate in the outdoors. With residential development in mountain communities comes an associated demand for onsite residential storage. Many

constructed affordable housing developments in Colorado mountain communities were planned to house the people but not their “stuff”, so the property managers and HOAs are left to manage the resulting storage issues afterwards. Anticipating and planning to accommodate the interior and exterior storage and recreational vehicle parking needs of residents will increase livability, affordability, and reduce property maintenance and enforcement issues. The county and development team are encouraged to consider both interior and exterior storage options and PUD requirements, such a minimum amount of reasonably accessible interior storage floor area per unit, as well as designated exterior storage and parking areas for recreational vehicles and equipment.

Respectfully,

A handwritten signature in blue ink that reads "Chapin LaChance". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chapin LaChance, AICP

Director of Planning and Community Development

City of Leadville

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Leadville, CO 80461

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# MEMO

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**TO:** Planning and Zoning Commissioners

**FROM:** Chapin LaChance, AICP - Planning Director

**MEETING DATE:** September 27, 2023

**SUBJECT:** Title 17 – Zoning Amendments for Housing Variety (PUDs, Annexation Agreements, Development Agreements)

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Commissioners,

At our next meeting, I will provide a brief overview of Planned Unit Developments (PUDs), Annexation Agreements, and Development Agreements.

## Planned Unit Developments

- Development project considered comprehensively at one time and attention to design, compared to separate subdivision and zoning, implying but not requiring that development through PUD will be better than traditional zoning.
- Physical plan and legal concept (includes map and regulations for project).
- Responds to standard zoning not allowing mixed uses.
- Allows for concentration of density to maximize open space, which can reduce infrastructure costs.
- Allows municipalities discretionary review process. Can be arbitrary but fair if fair standards and fairly applied.
- Forms a zoning overlay. Anything not covered by PUD remains regulated by zoning.
- Can be used in combination with an Annexation Agreement and/or a Development Agreement.
- Leadville has a PUD ordinance.

## Annexation Agreements

- Petition to local government from private property owners for annexation - local governments can impose reasonable terms and conditions (public benefits such as affordable housing) in exchange for allowing a property to be annexed into the local government jurisdictional boundary.
- Terms and conditions = Annexation Agreement.
- Authorized by state statute.
- Leadville does not have an Annexation ordinance.

### **Development Agreements**

- Voluntary contract between local government and developer.
- Allows for waiver of code requirements in exchange for public benefits (affordable housing, etc.)
- Authorized by state statute
  - Vested property rights: 3+ years if warranted by:
    - Size, phasing, economy, market.
- Legislative act (ordinance).
- Authorized by state statute.
- Leadville does not have a Development Agreement ordinance.