



Memorandum

September 16, 2014

To: Loveland Planning Commission

From: Bob Paulsen, Current Planning Manager

Subject: Code Amendments for Discussion at September 22, 2014 Study Session

Overview

At the September 22nd Study Session, Current Planning staff will be presenting a description of amendments to the following portions of the Municipal Code:

- Title 16, the subdivision code
- Title 17, the annexation code
- Title 18, the zoning code
- Title 19, water rights

These titles form the codified basis for planning and zoning within Loveland. Amendments are located throughout each of these titles; consequently, the volume of material provided to the Planning Commission is extensive. However, most of the amendments are relatively minor adjustments relating to formatting and stylistic consistency. This memo is designed to help Commissioners navigate the code provisions and understand the purpose of the proposed revisions.

Purpose of the Amendments

The amendments are designed to provide procedural clarity and consistency without adding unnecessary regulation. Furthermore, the provisions are designed to provide an appropriate level of flexibility and administrative discretion. These revisions reflect the city's desire to have our review and approval processes follow the sequence of the development process. The revisions address three basic topics:

1. Minor corrections and updates

These amendments run throughout each of the titles and include corrections to capitalization, syntax, naming references, formatting and sequencing designed to create consistency and clarity in these codes.

2. Clarifications and adjustments to Chapter 16.40

The changes to Chapter 16.40 of the subdivision code clarify city oversight of the installation of improvements and the collection of required warranties and other securities associated with street, utility and landscaping improvements. Applicants for development are required

to design and install these improvements based on established city standards. With the revisions, staff has worked to clarify when specific improvements must be installed within the development process and when financial securities must be received. Two flow charts have been developed to help illustrate the overall processes for site development plan review and for subdivision review, particularly as they relate to improvements and the requirements for the payment of financial securities.

3. Site Development Plan requirements and approval procedures

Beginning January 1, 2011, the City implemented a new process for site plan review, called Site Development Plan (SDP) review. SDP review and approval was placed under the authority of the City's development review process, a process coordinated by Current Planning. Although this process been in operation for several years, it has never been incorporated into the zoning code—however, it is not prohibited by existing code provisions. New chapter 18.39 (Development Application Process and Procedures) has been created to specify the review and approval process for all development applications based on the SDP process. Chapter 18.46 (Site Development Plan Requirements and Procedures) has been substantially modified to address procedures and requirements associated with SDP review, including provisions addressing Site Work Permits—which authorize the installation of development-related improvements (ie. chapter 16.40). New definitions have been added to title 18 to facilitate the code changes.

Flow Charts

The two flow charts are included in the materials distributed for Planning Commission review illustrate the review and approval processes for site development plans and for subdivision plats. These charts, while not integrated into the code, are designed to provide applicants with an overall understanding of the city's review and approval process from start to finish. Upon adoption of the 16.40 amendments and the broader SDP amendments, these charts will be made available for distribution to applicants, consultant, contractors and other interested parties.

Site Development, Site Work Permit & Building Permit Process Flowchart

This chart illustrates the city review process for the approval of commercial and multifamily development applications. The process begins with a concept review meeting and is followed by the submittal of a Site Development Plan that is reviewed by the development review team. The next step is the review and approval of a Site Work Permit that authorizes grading and the installation of on and off-site street and utilities. The final, major step is the building permit review and approval process which culminates with the issuance of a certificate of occupancy. Within the latter two steps, there is a sequence in which improvements must be installed in order to provide adequate access and safety as the project is being built. There are allowances for applicants to pay a securities to the city for certain improvements that can be delayed—but must ultimately be completed. The overall process insures a coordinated and complete development that meets city standards.

Final Plat, Development Construction Permit and Building Permit Process Flowchart

This chart illustrates the process for the approval of residential subdivisions. The overall sequence is very similar

Revision Format

Revisions are identified in the conventional redline fashion.

Red, underlined text is proposed to be added to the code

~~Red, struck-out text~~ is proposed to be deleted

~~Grey highlighted text that is struck-out~~ will be moved to another location (explanatory notes are added)

Grey highlighted text that is underlined is shown at its new location (explanatory notes are added)

Yellow highlighted text indicates an important revision

Summary of Revisions

Title 16

Title 17

Title 18

Title 19