

**PLANNING AND ZONING BOARD  
WORKSESSION AGENDA  
Friday, August 2, 2013, noon to 5 pm  
281 N. College Conference Room A**

<p><b>Web users:</b> Documents for the Consent and Discussion Items shown below can be found under August 8, 2013 hearing agenda.</p> <p><b>Consent: 20 minutes</b></p> <ul style="list-style-type: none"><li>• FC Veterinary Emergency and Rehab Hospital Expansion PDP (Levingston)</li><li>• Rigden Farm 14<sup>th</sup> Filing Extension of Vested Rights (Holland)</li></ul> <p><b>Discussion: 1.5 hours</b></p> <ul style="list-style-type: none"><li>• Feeders Supply PDP (Shepard)</li><li>• Prospect &amp; Timberline ODP (Ex)</li><li>• Integrated Recycling Facility PDP (Ex)</li><li>• Co Water Conservation Board Regulation Adoption (Sampley)</li><li>• LUC –TOD Minimum Parking Requirements (Lorson)</li><li>• LUC –Definition of Large Base Industry (Shepard)</li></ul> <p><b>Worksession Topics: 1 hour</b></p> <ul style="list-style-type: none"><li>• PDOD (Planned Development Overlay District) Update (Bolin)</li><li>• Residential Parking Program Update</li></ul> <p><b>BOARD TOPICS: 2 hours</b></p> <ul style="list-style-type: none"><li>• Debrief of July 18 Hearing:<ul style="list-style-type: none"><li>▪ Citizen Participation topics:<ul style="list-style-type: none"><li>➤ South College Corridor Plan Implementation Update</li><li>➤ APU Feedback</li><li>➤ Citizen Participation</li></ul></li></ul></li><li>• Invitation to have September 6 Worksession at Traffic Operations, 626 Linden</li><li>• iPads Training</li><li>• Brainstorm New Ideas</li></ul>	<p style="text-align: center;"><b>City Council</b></p>
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July 24, 2013

To: Members of the Planning and Zoning Board

Th: Laurie Kadrich, CDNS Director

Fm: Megan Bolin, Redevelopment Specialist

Re: August 2, 2013 Work Session – Planned Development Overlay District Pilot

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Work Session Purpose

At the work session, staff will provide a comprehensive update regarding the Planned Development Overlay District (PDOD) pilot. The pilot is scheduled to expire on September 9, 2013, but City Council has the option to extend it if there have been insufficient projects to adequately evaluate the PDOD. Since no projects have applied to use the PDOD and there are none anticipated within the remaining pilot timeframe, the option is available to ask Council to extend it. In order to better understand the lack of PDOD projects to-date, staff has reached out to local planning/development professionals for input. Based on this information and input from the citizen PDOD Taskforce, staff seeks direction from the Planning and Zoning Board (P&Z) regarding whether or not to ask Council to extend the PDOD pilot.

Direction Sought

1. Should the PDOD pilot expire or be extended? The following are options to consider:
  - a. Extend the pilot as-is
  - b. Extend the pilot with modifications
  - c. Do not extend the pilot, but engage in additional work to develop the PDOD concept
  - d. Do not extend the pilot and cease additional work to develop the PDOD

Background

To address the challenges of infill and redevelopment, staff worked collaboratively in 2011-2012 with P&Z to develop the Planned Development Overlay District (PDOD), a unique zoning mechanism that blends the concepts of Planned Unit Developments and performance-based zoning. The PDOD provides flexibility on certain development regulations in the Land Use Code without having to use the existing Addition of a Permitted Use or Modification processes. In return for this flexibility, projects must achieve at least 60 points on a supplemental performance matrix that is designed to reward projects for going beyond minimum standards. The PDOD has a defined boundary, which was drawn to be consistent with the City's targeted

infill and redevelopment areas and Transit Oriented Development (TOD) Overlay District (see attached map). One final characteristic to note is that all PDOD projects are processed as Type 2.

Being an untested concept for the City, the PDOD was proposed first as a pilot to allow for real-world test cases. The pilot was unanimously recommended by P&Z and ultimately adopted by City Council on February 26, 2013; it provides a six-month window where PDOD submittals will be accepted, but the number of applications accepted is capped at five. The pilot began immediately after adoption and is set to expire on September 9, 2013. According to the PDOD Ordinance, City Council has the option to extend the pilot “in the event that, during the six-month term of its existence, there have been insufficient development proposals presented to the City within the boundaries of the PDOD map to adequately inform the City Council as to the viability of the District” (see attached Ordinance No. 024). There have not been any PDOD submittals to-date; only one potential project has expressed interested in participating in the pilot, but it remains questionable whether it will be ready to submit before the pilot is set to expire.

#### What has happened since the pilot began?

##### *Pilot Marketing*

In order to make applicants and the development community aware that the PDOD pilot was in effect, the following efforts were made:

- The PDOD website was updated with the latest information about the pilot.
- A one-page PDOD Pilot fact sheet was created to succinctly provide basic information that could be handed out to applicants.
- A press release was sent on April 9, 2013.
- An article on the pilot was included in the April Economic Health e-newsletter.
- Staff had informal conversations with applicants and local design/planning consultants.
- Staff attended Conceptual Reviews for projects that could be eligible for the PDOD.

##### *Citizen Taskforce*

A diverse group of eight community stakeholders was convened with the purpose of assisting staff with the evaluation of any PDOD pilot projects that were submitted. The Taskforce was not to evaluate the merits of the projects, but rather ensure that the City was collecting the right type of information that would ultimately allow City Council to evaluate whether the PDOD was working as intended. The first two meetings of the Taskforce were focused on evaluation criteria in anticipation of a PDOD project. As the pilot timeframe approached the end, the Taskforce met a third time to discuss reasons why no projects had come forward and whether the pilot should be extended (discussed further below).

##### *Applicant Feedback*

In addition to evaluating PDOD projects, a goal of the pilot was to understand why eligible projects would choose *not* to use the PDOD. In an effort to gather this information, two

questionnaires were developed; one for projects within the PDOD boundary, and one for projects outside the boundary. Questionnaires were provided to applicants that submitted a Project Development Plan (PDP) within the pilot timeframe. Unfortunately, there were not many PDPs submitted, and those that did receive a questionnaire were not prompt about returning them in time for this update. Therefore, our information from this particular source is limited.

To supplement the questionnaires, staff met separately with eight representatives from local planning/design/development firms to understand what, if anything, they were hearing from their clients regarding the PDOD, and any general observations they had on why no PDOD pilot projects had been submitted. A similar conversation was had with City Planning staff based on input heard from recent applicants.

### Pilot Feedback

The following summarizes input received from representatives of the local development community:

- PDOD does not provide enough incentive to warrant perceived additional process.
- PDOD is viewed to add complexity without adequate incentives.
- For clients that value sustainable design practices/LEED, they pursue those objectives for their own reasons, not for PDOD incentives.
- A density bonus could be very valuable to some projects, particularly in Midtown.
- The flexibility adds subjectivity, meaning higher risk for developers.
- Most developers want to avoid Type 2 reviews whenever possible.
- In general, there is a lack of acknowledgment that building (redeveloping) to current code is a huge gain in terms of site and building sustainability.
- Performance Matrix is geared more towards new buildings – doesn't make sense if someone only wants to remodel/add on (too burdensome).
- There is no incentive to try it – we have the modification and addition of a permitted use processes, and with those, you don't have the matrix to contend with.
- Unproven, no one wants to be the guinea pig.
- PDOD does not address the appeal process – provides no additional degree of certainty for developers.
- The “ask” (matrix) is not proportional to the “gain” provided by PDOD (limited code flexibility).
- Pilot boundary is too limiting.
- PDOD would be most useful for sites with legitimate land use issues, e.g., a parcel with two different zonings, but the boundary currently applies only to the City's most liberal zone districts.

The input above was provided to the Taskforce, and the following summarizes input from the ensuing discussion:

- The perception that PDOD does not provide enough incentive to outweigh the risk is not surprising. Elements of PDOD were changed for the pilot that stripped away some of its

usefulness, e.g., increasing the minimum matrix points to 60, reducing the boundary, and eliminating the opt-in process.

- As a counterpoint, some felt the changes that narrowed the pilot, e.g., eliminating the opt-in process, were good changes, particularly for neighborhoods.
- Modifications are not so difficult to get approved that a developer would use PDOD to avoid that process.
- The City should really make an effort to quantify the differential in terms of costs between the existing development review process and PDOD.
- The pilot boundary is too limiting.
- Both neighbors and developers are nervous about using an untested process.
- There may be a disconnect between what the City wants in terms of established urban infill policies, and what general public wants.
- Seems like a general misunderstanding that using the PDOD automatically means you'll get a higher density project.
- East Mulberry would be a great area for the PDOD, but it is not currently within city limits.

#### Should the pilot be extended?

The options for the future of the PDOD pilot include the following:

- 1. Extend the pilot as-is.**
- 2. Extend the pilot with modifications.** Such modifications could include:
  - a. *Expanding the pilot boundary.* This could be accomplished by either adding area that had been previously removed from the pilot boundary, or bringing back the opt-in process whereby a property outside the boundary could choose PDOD provided certain criteria are met. The opt-in process may need to be tightened-up from what had originally been proposed.
  - b. *Lowering the minimum point requirement on the Performance Matrix.* Staff originally recommended 45 as the minimum points to be considered for approval, but that number was increased to 60 upon the recommendation of P&Z and City Council. The matrix plays a significant role in the perception of PDOD projects “asking too much” from development, and lowering the point requirement may make the process seem more reasonable. After a few projects have tried the PDOD, the City could consider reevaluating the point system and potentially increasing the point requirement.
- 3. Do not extend the pilot, but engage in additional work to develop the PDOD concept.** This option suggests that the need for a flexible tool for infill and redevelopment projects still exists, but perhaps the PDOD in its current form is not quite right. The City could engage in additional outreach through a public process to consider other methods of accomplishing the goal.
- 4. Do not extend the pilot and cease additional work to develop the PDOD.**

Although the Taskforce was in unanimous agreement that #4 above is *not* preferred, the group was divided between whether to extend the pilot as-is (#1), or whether it should be modified (#2). Those that thought the pilot should be extended as-is did so out of the belief that the PDOD is sufficient in its current form, could be a benefit to the “right” project, and that market timing has been a major factor in why no PDOD projects have come forward (meaning, if the pilot was extended, eventually the PDOD might be used). Those that thought it should be modified did so based on the belief that there is not enough incentive for a project to choose the PDOD, and regardless of market timing, it is not effective. The group did not spend much time considering option #3, except to say there was concern about engaging in a lengthy public process.

Although the group generally supported extending the pilot, how long it should be extended was not discussed. Those that thought it should be extended as-is seemed okay keeping the pilot until a project comes forward. However, if the pilot was modified to make it more enticing to try, it might be best to consider a limited timeframe similar to the original pilot structure.

#### Next Steps

If P&Z recommends that the pilot be extended, staff will begin preparing immediately to take the necessary Ordinance to City Council in order to eliminate, or minimize to the greatest extent possible, any gap between the existing pilot and the extension. However, if an extension with modifications is recommended, clarifying the details of the modifications may take additional discussion which could prevent a seamless transition; this will need further discussion with the City Attorney’s Office.

If P&Z recommends letting the pilot expire, no further action is required.



## Planning, Development & Transportation

### Parking Services

215 North Mason Street, 1<sup>st</sup> floor, South Wing  
P.O. Box 580  
Fort Collins, CO 80522.0580

970.221.6617

970.416.2452 - fax

[www.fcgov.com/parking](http://www.fcgov.com/parking)

### **Residential Parking Permit Program Implementation Notes**

1. **Implementation Steps.** Several areas in the City could be candidates for a residential parking permit program (see list below). Not every area or neighborhood can be implemented at the same time. A phased approach is necessary due to the amount of work involved. Implementation steps include:
  - outreach and education
  - public meetings and citizen input
  - occupancy and inventory studies to define the problem
  - definition of boundaries, time limits and other neighborhood-specific characteristics
  - installation of signs
  - issuance of permits
  - establishment of a “go live” date including when enforcement will begin
  
2. **Criteria.** Several criteria will be used to determine the order of implementation:
  - severity of the problem as determined by an occupancy study
  - neighborhood engagement, interest, and potential level of participation
  - proximity/severity of external factors, such as development, the new stadium, campus issues, businesses and other factors that create parking pressures in neighborhoods
  
3. **Neighborhoods.** The following is a list of areas that have either expressed an interest in the program, or where parking problems have been reported that could be addressed by a residential permit program. **Note that this list IS NOT in priority order.** The order of implementation will be determined using the criteria above.
  - Neighborhood around Centennial High School (Laurel and Mathews)
  - Parker Street
  - Bennett neighborhood (west of Shields, south of Elizabeth and north of Prospect)
  - Spring Court and Johnson Drive (south of Spring Creek and west of College)
  - Sheely subdivision
  - Mantz subdivision
  - Area around Dunn Elementary School
  - Neighborhoods around the old Fort Collins High School
  - University North, area west of College and north of Laurel
  - Area west of Shields between Elizabeth and Mulberry
  - Neighborhoods west of Downtown, including West Mountain, Meldrum, and Canyon

## **City of Fort Collins Residential Parking Permit Program (RPPP)**

The City of Fort Collins wants to preserve the livability of our residential neighborhoods by providing solutions to neighborhood parking problems. The Residential Parking Permit Program will improve parking availability for neighborhood residents. This will be a collaborative effort led by the City's Parking Department to improve residential on-street parking convenience, access, and service for City motorists, residents, businesses and visitors.

The Parking Services Department will designate certain areas in the City as residential parking zones. Parking zones will be based on increased demand for parking, particularly in Old Town and residential areas of the City near Colorado State University. This program will prevent non-residents from parking on neighborhood streets without a permit, and will benefit residents who live in areas that experience high levels of on-street parking by non-resident vehicles.

### **1. What are the goals of the RPPP program?**

A. The creation of residential parking permit zones is intended to promote the health, safety and welfare of residential areas in the City by reducing unnecessary vehicle travel, noise, pollution, litter, crime and other adverse impacts. By limiting parking in neighborhoods to residents, the program will contribute to improvements in air quality and reduce congestion. These parking restrictions will also contribute to an increase in the use of public mass transit; protect residents from unreasonable burdens in gaining access to their property; preserve neighborhood livability; maintain the convenience and attractiveness of urban residential living; preserve property values and the residential character of neighborhoods; and safeguard the peace and tranquility in residential areas.

### **2. What qualifies a neighborhood to be eligible for RPPP?**

A. RPPP's maybe created in neighborhoods where over 50 percent of the responding residents are in favor of the program and there is measurable verification that non-residents create parking problems for residents. The City's decision about whether to grant residents' requests for parking permits will be made after a parking evaluation of that neighborhood is completed. The following steps of action will be followed before a RPPP can be implemented:

1. Citizen contacts Parking Services about their neighborhood parking problem.
2. City verifies that a parking problem exists.
3. City defines boundaries and other characteristics of the program for the neighborhood.
4. The City contacts residents to give them the opportunity for input and to indicate if the program will work in their neighborhood.
5. If more than 50% of responding residents are in favor of the program then the implementation process will begin.