

## **ARTICLE 7: PERFORMANCE-BASED REVIEW PROCESS**

**17-7-1. PURPOSE AND INTENT** The Performance-Based Review Process is a framework for residents, property owners, planners, and developers to follow during project review. This framework is designed to promote dialogue, offer flexibility and encourage creativity to facilitate a productive development process. It is also intended to ensure the effective integration of a development or redevelopment project with the surrounding land uses and the community.

The manner in which a particular land use appears, functions and interacts with adjacent land uses is integral and critical in making future land use decisions. Development and redevelopment should ‘perform’ well in a given location for the community. ‘Performance’ within the context of land use refers to the respect a parcel of land and its uses extend to its neighbors. These aspects of “respect” and “performance” identified and described as Performance Elements are key factors in the evaluation of projects during the Performance-Based Review Process.

The City applies a Performance-Based Review Process as a tool early in the development review process to cultivate productive discussions among applicants, neighboring property owners, and the community at large. Active listening and mutual understanding from all perspectives are key objectives of the process. The Performance-Based Review Process is intended to bring all concerned parties together to discuss issues, evaluate ways to mitigate community concerns, and achieve the desired outcomes of a proposed development.

The application of a Performance-Based Review Process is not a quantifiable point system that determines compliance or non-compliance. Rather, it is intended to be a framework that fosters dialogue to offer flexibility and encourage creativity to address land use issues. This deliberate process is designed to facilitate a productive development process, while ensuring the effective integration of a development or redevelopment project within the surrounding land uses and the community.

Special Use Permit, Zoning or Rezoning decisions shall be based on a project’s creativity and responsiveness to the established framework of the Performance-Based Review Process. For example, if a project performs effectively within such a framework, it might be suitable to integrate a mixed-use development into a residential neighborhood. The final determination shall be predicated on the project’s ability to accommodate the Performance-Based Review Process as a means to comply with the Comprehensive Plan.

It is the purpose and intent of this Article to:

- (1) Ensure that land use and development is in compliance with the Lakewood Comprehensive Plan.
- (2) Ensure that a development interacts appropriately with adjoining land uses.
- (3) Encourage desired outcomes through creative solutions rather than meeting minimum requirements.

- (4) Introduce a coherent and consistent set of performance considerations (in the form of questions) early in the development review process.
- (5) Increase the range of options for all parties involved in the planning review and development process.
- (6) Augment the current qualitative Site Development Standards stipulated in Article 15.

#### **17-7-2. APPLICABILITY**

The Performance-Based Review Process shall:

- (1) Apply to any development proposed in an application for a Special Use Permit, Zoning or Rezoning and are in addition to any other development standard which may otherwise be applicable to a particular property or geographic area of the City; and
- (2) Begin at the pre-planning staff comment period.

#### **17-7-3. APPLICATION FORM AND PROCEDURE**

- (1) Special Use Permit applicants shall comply with application form and procedure outlined in Article 6: Special Use Permits of this Ordinance.
- (2) Zoning and Rezoning requests shall comply with the application form and procedure outlined in Article 17: Procedure for Initial Zoning and Rezoning of this Ordinance.

**17-7-4. PERFORMANCE-BASED REVIEW PROCESS** The City of Lakewood will apply the following Performance Elements in evaluating Special Use Permit, Zoning and Rezoning requests. Not all Performance Elements will be pertinent to all proposals. The Planning Commission is authorized to adopt and amend a resolution to establish materials, such as descriptions and clarifying questions, for each of the following Performance Elements. The materials are to be used as a resource for applicants, neighboring property owners, staff, Planning Commission and City Council during neighborhood meetings and public hearings while evaluating Special Use Permit, Zoning, and Rezoning applications.

##### **Element 1: Regional Context**

Foster and advance cooperation regarding regional planning issues.

##### **Element 2: Conformance with the Comprehensive Plan**

Ensure that development is in compliance with the Lakewood Comprehensive Plan and applicable neighborhood, corridor and special area plans. Encourage citizen participation throughout the process.

##### **Element 3: Environmental Sustainability**

Promote community stewardship of natural and man-made resources. Respect and preserve key

wildlife habitat and movement corridors, watersheds, open space, and other natural areas when planning, designing and building projects. Conserve available water supplies and manage water runoff quantity and quality. Integrate open space, trail systems and recreational opportunities into development projects.

**Element 4: Infrastructure**

Approve new developments only if adequate public services are made available and impacts to natural systems and potential hazards are adequately mitigated.

**Element 5: Transportation Connections**

Promote a safe multi-modal transportation system. Encourage connections with all modes of transportation to serve people of all abilities.

**Element 6: Building Design and Function**

Encourage design and construction of energy efficient buildings that can be adapted to accommodate future uses.

**Element 7: Site Design and Function**

Ensure that development interacts well with adjoining land uses and the community. Promote high quality design in new development and redevelopment. Promote the development of mixed-use centers that serve the community.

**Element 8: Community Image and Identity**

Strengthen Lakewood's image and identity with emphasis on livability and vitality. Celebrate the cultures and diversity that exists within the community.

**Element 9: Community Sustainability**

Encourage sustainable development, development that meets the current needs of the community without compromising the ability of the community to support future needs.