

**Lakewood! Zoning Improvement
Community Advisory Group
Session #4
August 11, 2009**

I. Welcome

The Community Advisory Group took a few minutes to greet each other before the evening's session.

II. The Comprehensive Plan and Land Use Relationship, presented by Bob Watkins, Planning Director for the City of Aurora and Roger Wadnal, Manager for Comprehensive Planning and Research, City of Lakewood

Bob Watkins and Roger Wadnal spoke to the Community Advisory Group for about an hour and shared the following thoughts. Bob opened the presentation by discussing the legal context for comprehensive plans and zoning.

- Daniel Burnham developed the Chicago Plan based on the McMillan Plan for Washington, D.C.
- In 1916, New York City adopted the first zoning code followed by Los Angeles.
- In 1923, Herbert Hoover passed the State Zoning Enabling Act.
- In 1926, The US Supreme Court ruled that zoning was a valid police power in the *Euclid v. Amber* case

Frederick County, VA - Population 90,000

- Design With Nature by Ian McHarg used the environmental characteristics of a landscape to determine suitability for land uses.
- The Potomac River Basin Study identified 3 distinct areas in Frederick County – shale belt, limestone, and water
 - The shale belt was the logical place for development because it does not produce good soils for agriculture. The limestone area was the recharge area for the river and had fertile soils for agriculture.
- Planning for Frederick County is very straightforward and follows the results of this study.

Aurora, CO - Population 315,000

- Aurora is a home rule city.
- Rezonings and site plans are required to be consistent with the Comprehensive Plan.
- The comprehensive plan is a strategic planning that provides strategies not land uses.
- The comprehensive plan uses development review strategies that address street network, mix of housing types and TOD.
- The comprehensive plan identifies strategic areas i.e. areas change and growth. Each area has different issues and character. Unique approaches were used.
 - E-470 Corridor – Identified specific areas with a rezoning and a comprehensive plan must accompany a rezoning which would adopt a map, identify subareas, and set specific standards.

- Fitzsimmons and south side of Colfax were identified for redevelopment. A plan was adopted then the area was rezoned. The new zoning employed form-based zoning with some use limits.
- Havana Overlay District adopted a plan then rezoned to a retail corridor. The City worked closely with business owners along the corridor.
- TOD areas provide for a mix of uses and densities. The TOD Zoning District refers to adopted station area plans for strategies.

Roger Wadnal opened the second portion of the presentation by discussing the City of Lakewood Comprehensive Plan.

- The City of Lakewood is land locked by development so most of the opportunity is redevelopment. Area of change includes the Rooney Valley and NE Lakewood.
- The Comprehensive Plan and zoning ordinance are mismatched. A zoning ordinance should implement the vision of the Comprehensive Plan.
- Much of Lakewood was developed prior to incorporation in 1969. The 1969 incorporation of Lakewood was the largest incorporation in the country at the time, with a population of 70,000. Zoning for the city was still from Jefferson County.
- In 1975, Lakewood adopted its first comprehensive plan and in 1980 rezoned and remapped the city.
- In 1987, a second Comprehensive Plan was adopted and identified a town center at Alameda and Wadsworth. Since this time there have been 17 plan amendments.
- The most current Comprehensive Plan was adopted in 2003.
- The Comprehensive Plan is a vision and framework for land use and transportation.
- The Comprehensive Plan is land use, a map, and it is an advisory document. The comprehensive plan outlines goals, policies, and action steps to implement the plan.
- The Comprehensive Plan introduced the concept of performance review, which was to provide for creativity and flexibility.
- The Comprehensive Plan is forward thinking and contains an element on community sustainability.
- The Community Resources' Park Master Plan was adopted as an amendment to the Comprehensive Plan.
- The comprehensive plan identified urban centers for infill development i.e. Belmar, Colorado Mills, and the Union corridor; employment centers such as Academy Park, Community mixed use centers; transit station areas; and neighborhood centers.

III. Community Advisory Group Discussion:

Julia Burroughs, Community Advisory Group Chair, opened up a discussion of the group's reactions to the speaker presentations regarding the comprehensive plan and zoning issues. Comments and discussion included the following:

Questions and Answers with Bob Watkins and Roger Wadnal:

Q: Aurora's zoning is closer to form-based than Lakewood's zoning, has it opened or closed the door on development?

A: It varies. Fitzsimmons is a "no brainer" and has been very successful. Other places have been more difficult to develop and we often get the response we "do it in

Denver, but not Aurora.” Southland’s was the first urban center on the E-470 corridor and could have done a better job at integrating land uses.

Q: You mentioned at larger intersections you have commercial and three “other” corners, what are the other corners single-family behind fences?

A: We try to get multi-family and school uses at these other corners and do other types of vertical development, but since we have over-zoned for commercial this makes these types of development more difficult to get.

Q: What do you mean by over zoned for commercial?

A: Aurora has commercial at every major intersection and commercial strips in between. In Lakewood, Roger pointed out that Jewell and Wadsworth was an example of where the commercial area was having difficulties sustaining its self.

Q: The comprehensive plan and zoning how do they work together?

A: There is continuity between the plans and they carry over concepts from the previous plans.

Q: There are areas in Lakewood with the potential for higher densities and other areas that will need higher densities how are we addressing this?

A: Lakewood first looked at the light rail station areas with parking and created zoning for these areas, then addressed the Colfax corridor, and is now looking at plans for the neighborhood-serving stations of Lamar and Garrison.

Q: The TOD areas have been identified for change and single-family area as places of stability.

A: Garrison is a stable neighborhood. Lamar is stable but has lots of vacant property. If the area is rezoned, it may not stay the same.

Q: This group is looking at the zoning language not specific properties correct?

A: Yes, this group is looking at the more general zoning ordinance. We are looking at the zoning text.

Q: When it comes to the zoning ordinance what future stumbling blocks do you foresee that may cause issues for implementing future plans?

A: The biggest obstacle is ensuring that the single-family areas are kept stable and providing for standards that allow for redevelopment in areas that are undergoing changes.

Q: Fitzsimmons had very optimistic plans what types of support and/or opposition did you get?

A: At first the property owners said that we were overly restrictive but changed their tune with success of the project and the neighborhoods all wanted the area redeveloped.

Q: If you annex property how do you enforce rezoning if the property is already developed?

A: Many times covenants, second party agreements, architectural control committees, or HOA’s regulate existing development.

IV. Questions and Next Steps

Staff noted upcoming community event on August 25 and reminded the group about the photo exercise.