CITY OF CHEYENNE – CITY COUNCIL AGENDA ITEM SHEET

DATE OF COUNCIL MEETING: June 24, 2013
TYPE OF DOCUMENT: (X_ORDINANCE) (_RESOLUTION) (_PRELIMINARY PLAT/ PRELIM PUD ZONE CHANGE) (_LEASE/CONTRACT) (CHANGE ORDER/CONTRACT
MODIFICATION) (_CONSIDER BID) (APPLICATIONS/LICENSES/PERMITS)
(APPOINTMENTS) (_ANNOUNCEMENTS/REPORTS/MOTIONS) (_X OTHER)
SPONSORs: (ORDINANCE OR RESOLUTION) Sean Allen
EXACT WORDING FOR AGENDA: "An Ordinance amending the Cheyenne Unified Development Code (UDC), as approved by Ordinance No. 3943 on January 23, 2012, to adopt amendments identified as High Priority Quick Fixes from the 2013 Annual Review."
(10/ Salas Tay Francis a Wasse)
(1% Sales Tax Funding/Years) N/A
(Other Funding (Grant)
CONTACT PERSON: <u>Brandon Cammarata</u> PHONE: <u>638-4303</u> DEPT:
Planning/Development OTHER CITY DEPARTMENT APPROPRIE
OTHER CITY DEPARTMENT AFFECTED: Engineering
OTHER GOV'T AGENCIES AFFECTED: N/A
FINANCIAL IMPACT PROPOSED OR CONDITIONS WHICH AFFECT CITY: N/A
CONTRACT TERM: N/A STARTING DATE: N/A
Were Bids called for? Affected parties notified of Council procedure and dates? Has bond, insurance or other security been arranged? Have legal descriptions been checked? YES NO N/A (
Agenda Item approved / reviewed by : Risk Mgr () City Attorney () Dept. Head (X_)
General Comments: These are amendments to the UDC generated by the 2013 Annual Review process as High Priority Quick Fixes and were recommended for approval by the City of Cheyenne Planning Commission. See the attached Staff Report for more information.
Submitted by: <u>Brandon Cammarata</u> Title: <u>Planning & Dev Director</u> Date <u>June 19, 2013</u>
UPON PASSAGE OF THE AGENDA ITEM, COPIES SHOULD BE SENT TO:
Engineering City Clerk's Office
Development Office

	Approved as to
	form only:
ORDINANCE NO.	GYT

ENTITLED: "AN ORDINANCE AMENDING THE CHEYENNE UNIFIED DEVELOPMENT CODE (UDC), AS APPROVED BY ORDINANCE NO. 3943 ON JANUARY 23, 2012, TO ADOPT AMENDMENTS IDENTIFIED AS HIGH PRIORITY QUICK FIXES FROM THE 2013 ANNUAL REVIEW."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That on December 5, 2011 the Cheyenne Planning Commission unanimously recommended approval of the "Cheyenne Unified Development Code".

Section 2. That on January 23, 2012 the Governing Body of the City of Cheyenne unanimously approved the Unified Development Code (Ordinance No. 3943) with an effective date of April 30, 2012.

Section 3. That on February 19, 2013 the City of Cheyenne Planning Commission held a public hearing to satisfy the Unified Development Code Annual Review Requirement (ref. UDC 1.1.7)

<u>Section 4.</u> That on May 20, 2013 the Cheyenne Planning Commission recommended approval of the amendments, referred to collectively as High Priority Quick Fixes revisions 1 and 3-7 with revision number 2 postponed.

<u>Section 5</u>. That on June 17, 2013 the Cheyenne Planning Commission recommended approval of revision number 2 of High Priority Quick Fixes as amended.

Section 6. That UDC "Figure 4-18: Corner Site Distance (on-street parking)" is amended so the distance identified between the "Edge of Parking Lane" and "Curb" is changed from 10' to 15'.

Section 7. That UDC Section 4.3.6c is amended by adding a new paragraph after the words "be designed as street intersections"; RESIDENTIAL LOT ACCESS WIDTH WITHIN THE LR-1, LR-2 MR-1 AND MR-2 ZONING DISTRICTS FOR DETACHED DWELLING AND SEMI-ATTACHED LOT TYPES SHALL BE LIMITED TO A MAXIMUM DRIVEWAY WIDTH OF UP TO 50% OF THE LOT FRONTAGE AND NOT MORE THAN 36' WIDE AND A MINIMUM SEPARATION FROM SIDE LOT LINES GREATER THAN OR EQUAL TO THE SIDE BUILDING SETBACK AS AN ALTERNATIVE COMPLIANCE FOR ACCESS WIDTH STANDARDS DESCRIBED IN TABLE 4-13 WITH THE FOLLOWING EXCEPTIONS:

- LOTS ON CUL-DE-SACS WITHIN THE LR AND MR ZONING DISTRICTS ARE LIMITED TO 75% OF THE FRONT LOT LINE BUT NO MORE THAN 36' WIDE AND THERE IS NO SIDE SETBACK REQUIREMENT
- DRIVEWAYS MAY BE CONSTRUCTED WITHIN THE SIDE SETBACK WHEN THE DRIVEWAY WIDTH IS A MAXIMUM OF 50% OF THE LOT FRONTAGE AND NOT MORE THAN 20-FEET WIDE. WHEN THIS EXCEPTION IS APPLIED TO DETACHED DWELLING LOT TYPES, THE GARAGE MUST EITHER BE FACING THE SIDE LOT LINE OR BE SETBACK 10' BEHIND THE FRONT BUILDING LINE.

And that Note number 2 associated with "Table 4-13: Lot Access Width" is eliminated, Width standards in Table 4-13 are optional in the LR 1, LR 2, MR-1, and MR-2 zoning districts. Any lot that does not elect to use these standards shall have a 10' - 36' access width, which shall be separated from the adjacent side lot line by a minimum of 10'.

Section 8. That UDC "Table 4-17: Minimum Pavement Sections" is amended so the row "Local" is changed from 32,850 to 320,850 under column ESAL and row "Residential Collector" is changed from 6.9 to 6.0 under column "Full Depth Asphalt (inches)".

Section 9. That the following "Residential Building and Lot Types" identified in section 5.1.5a and b, Types DD5, DD6, DD7, DD8, SD1, SD2 and SD3 change the rear setback for the "Principal Building" from 25' to 20'.

Section 10. That UDC Section 5.4.3d is amended by adding: THE LOT AND BUILDINGS STANDARDS IN THE CBD DISTRICT SHALL BE A COMBINATION OF THOSE ALLOWED IN THE NR-3 DISTRICT AND THOSE ALLOWED BY TYPE CBD.

And that a new subsection 5.4.3f is added reading:

SITE AND BUILDING DESIGN STANDARDS. DUE TO THE MORE COMPACT DEVELOPMENT PATTERN, AND THE IMPORTANT RELATIONSHIP AND INTEGRATION BETWEEN USES, SITES AND BUILDINGS IN THE CBD DISTRICT, THE FOLLOWING SITE AND BUILDING STANDARDS SHALL APPLY:

- 1. COMMERCIAL OR MIXED-USE LOTS AND BUILDING TYPES SHALL APPLY THE SMALL-SCALE MIXED-USE AND COMMERCIAL DESIGN STANDARDS IN SECTION 6.7.
- 2. RESIDENTIAL LOTS AND BUILDING TYPES SHALL APPLY THE RESIDENTIAL DESIGN STANDARDS IN SECTION 6.6.

And that the related section "6.7.2 Applicability" is updated to insert subsection "d. CBD" and to reletter existing subsection "d. PUD, but.." to subsection "e" and existing subsection "e. The City Council may..." to subsection "f".

Section 11. That a citation reading "SOURCE: SMITH AND KNOBLAUCH, AAA TRANSPORTATION RESEARCH RECORD 1141 AS REPRINTED IN THE ITE MANUAL, DESIGN AND SAFETY OF PEDESTRIAN FACILITIES." Added to UDC "Figure E-8: Guidelines for the Installation of Marked Crosswalks at Uncontrolled Intersections and Mid-block Crossings"

Section 12. That UDC "Table 1-1: Summary of Review Authority" is amended by adding checked boxes for the "Variance" row under columns "Pub." And "Post".

Section 13. That UDC "Table 5-1: Zoning District Uses" is amended changing "P" to "P/C" for row "Multi-dwelling Building ("Apartment")" under columns NR-2 and NR-3.

Section 14. That this ordinance shall be in full force and effect upon its approval and publication

FIRST READING:	
SECOND READING:	
THIRD AND FINAL READING:	
	RICHARD L. KAYSEN, MAYOR
(SEAL) ATTEST:	
CAROL INTLEKOFER, CITY CLERK	
publish date:	

UDC 2013 Annual Review:

High Priority—Quick Fixes

June 19, 2013

The Unified Development Code contains an Annual Review Requirement (1.1.7). This requirement was added by the Critical Path Committee to fine tune the code over time. The 2013 Annual Review process has resulted in a work plan of improvements and actions related to the UDC.

Public Comment was taken on the Work Plan at a public hearing on February 19, 2013. The work plan was updated based on the public input and recommendations from Planning Commission and presented to the City Council at a work session on April 23, 2013. This proposal contains the first set of items identified in the work plan identified as High Priority Quick Fixes which are relatively simple items to produce in terms of complexity and been accompanied by general consensus throughout the numerous processes to date. Other High Priority Items will be brought forward individually in the upcoming months.

PLANNING COMMSSION UPDATE

Planning Commission held a public hearing on May 20th and recommended approval of the High Priority Quick Fixes 1 & 3-7. Revision 2 on residential driveway access was postponed for additional input. Following additional input from homebuilders and the Critical Path Committee, Planning Commission recommended approval as amended on June 17, 2013 (included in this report).

STAFF RECOMMENDATION

Approve the UDC amendments described as the High Priority—Quick Fixes as presented.

STAFF CONTACT

Brandon Cammarata | Planning & Development Director (307) 638-4303 | bcammarata@cheyennecity.org

UDC 2013 Annual Review: High Priority—Quick Fixes Table Of Contents

Revisions 1-6 where items identified through the annual review process and recommended for immediate action by the Planning Commission. Item 7 is two additional table corrections to match the text.

Revision # 1 Figure 4-18 adjustment (Section 6 of Ordinance)

(ref. 4.3.5c, Figure 4-18: Corner Site Distance, page 4-29) Adjust a calculation number to increase site distance and reduce on-street parking. (UDC Annual Review Item g1)

Revision # 2 Low Density residential driveways AS AMENDED 061713 (Section 7 of Ordinance)

(ref. 4.3.6, Table 4-13: Lot Access Width, page 4-31) Update the residential driveway width option described in note 2. (UDC Annual Review Item e1)

Revision # 3 Table 4-17 correction (Section 8 of Ordinance)

(ref. 4.5.2a, Table 4-17: Minimum Pavement Sections, page 4-43) Correct typographical error in the table. (UDC Annual Review Item e1)

Revision # 4 Residential Rear Setbacks correction (Section 9 of Ordinance)

(ref. 5.1.5a&b, pages 5-9 to 5-13) correct rear setback to 20' from 25'. (UDC Annual Review Item m)

Revision # 5 Central Business District (Section 10 of Ordinance)

(ref. 6.7.2, page 6-35) Add CBD to the Design Standards that apply to NB and MUB and MUR. (UDC Annual Review Item q)

Revision # 6 Figure and Diagram citations as needed (Section 11 of Ordinance)

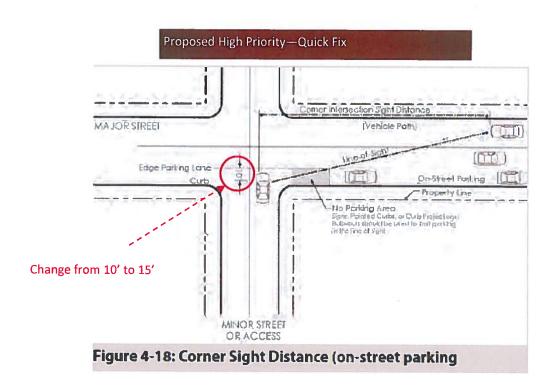
(ref. Figure E-8, page E-9) Add citation (UDC Annual Review Item T)

Revision #7 Table Corrections (Sections 12 & 13 of Ordinance)

Table 1-1: Summary of Review Authority correction (ref. 1.2.1, Table 1-1: Summary of Review Authority, page 1-4) Correct summary table for Variances to match the full requirements in Article 2. **Table 5-1 Zoning District Uses correction -**(ref. 5.1.4, Table 5-1, page 5-4) Update the Use table to match the uses described in Table 5-2: Summary of Residential Zoning Districts and Lot and Building Types.

Revision # 1 Figure 4-18 adjustment (Section 6 of Ordinance)

(ref. 4.3.5c, Figure 4-18: Corner Site Distance (on-street parking), page 4-29) Adjust a calculation number to increase site triangle visibility, but reducing on street parking. (UDC Annual Review Item g1)



General Information

Change the 10' to 15'.

This item was requested by the City Engineers Office

Residential Drive Access Amendment 6/17/13 (Section 7 of Ordinance)

High Priority Quick Fixes Revision #2 2013 Annual Review Process

<u>Purpose</u>: Adjust the current standard for residential driveway width, which was carried forward from the previous Road Standards (2006), primarily relating to driveway separation from the side property lines.

<u>Intent</u>: In general access management has implications to traffic flow, multimodal goals and policies, on street parking, aesthetics and generally balancing public street functions with private access on streets that are usually publically maintained. Multimodal streets refer to the development of streets that balance the needs of all users including cars, trucks, bicycles, pedestrians and transit.

Background: This standard is applicable to Single Family and Twin home development in the LR and MR zone districts and resides in Section 4.3.6c of the UDC on pages 4-30 and 4-31. The primary changes with this amendment apply to driveway spacing, reducing the spacing requirement from 20-feet to 15-feet in the LR zone district and 10-feet in the MR zone district. The amendment allows the side setbacks of the driveways to be the same as the side setback of the buildings (5' in MR and 7.5' in LR). Special exceptions were identified for cul-de-sacs to work the limited street frontage on cul-de-sac lots, 75% or 36' maximum width, no spacing requirements. Additional flexibility was identified by the Homebuilders and Critical Path Committee which includes greater width allowances for twinhomes and side setback flexibility for garage doors facing the side lot line rather than the street.

Appeals & Relief: Within the UDC these standards may be varied by the Subdivision Standard Waiver (2.3.1) which is an administrative adjustment approved by the City Engineer.

Activities to Date: An initial proposal was brought forward to Planning Commission on May 20 as part of the package of High Priority Quick Fixes. Planning Commission recommended approval of all Quick Fixes except for Revision #2, relating to residential driveway width which was postponed until June 17 for additional review. The need to clarify the side setbacks for driveways and requirements for cul-de-sacs was identified and those items have been updated. Staff met with homebuilders and the Critical Path Committee and on June 12th to discuss the amendment. This meeting produced the additional amendments for combined twinhome drives and drives associated with side facing garages. These amendments are incorporated into the proposal on the following page were recommended for approval by the planning commission on June 17, 2013

PROPOSAL

Section 4.3.6

c. Access Width. Lot access width shall be limited based upon the lot frontages subject to the standards in Table 4-13. Standards for specific street classifications or street design types may supersede these general allowances. Where maximum access widths in Table 4-13 limit or prohibit individual lot access points, shared access easements, or rear and mid-block access alley easements shall be used. [See Design Standards in Article 6 for related lot access types and design standards and circulation requirement applicable to lots and private site design.] Where a Traffic Impact Study or Traffic Impact Assessment indicate traffic counts at the lot access that warrant wider access dimensions, these access points shall be designed as street intersections.

Residential lot access width within the LR-1, LR-2 MR-1 and MR-2 zoning districts for Detached Dwelling and Semi-Attached Lot Types shall be limited to a maximum driveway width of up to 50% of the lot frontage and not more than 36' wide and a minimum separation from side lot lines greater than or equal to the side building setback as an alternative compliance for Access Width standards described in Table 4-13 with the following exceptions:

- Lots on cul-de-sacs within the LR and MR zoning districts are limited to 75% of the front lot line but no more than 36' wide and there is no side setback requirement
- Driveways may be constructed within the side setback when the driveway width is a maximum of 50% of the lot frontage and not more than 20-feet wide. When this exception is applied to single family units, the garage must either be facing the side lot line or be setback 10' behind the front building line.
- d. Minimum Access Point Separation. Lot access points shall be separated from other access points along a single block face and from the street edge of intersections as specified for each specific street design type in sub-section 4.3.4.c. Where minimum access point separation distances according to these standards for any cross section limit or prohibit individual lot access points, shared access easements or rear and mid-block access alley easements shall be used. [See Design Standards in Article 6 for related lot access types and design standards and circulation requirement applicable to lots and private site design.]

Notes: The first sentence of Footnote "2" to Table 4-13 is amended as follows: Width standards in Table 4-13 are optional in the LR-1, LR-2, MR-1, and MR-2 zoning districts. Any lot that does not elect to use these standards shall have a 10' - 36' access width, which shall be separated from the adjacent side lot line by a minimum of 10'.

The above deletion effectively eliminates what was previously on the books.

Revision # 3 Table 4-17 correction (Section 8 of Ordinance)

(ref. 4.5.2a, Table 4-17: Minimum Pavement Sections, page 4-43) Correct typographical error in the table. (UDC Annual Review Item e1)

Proposed High Priority—Quick Fix

			Comp	osite*	Full	Portland Cement Concrete (Inches)		
Classification	EDLA	ESAL	Asphalt (inches)	Base (Inches)	Depth Asphalt (Inches)			
Principal Arterial	720.0	5,256,000	6.0	8.0	8.0	8.0		
Minor Arterial	270.0	1,971,000	5.0	8.0	7.0	8.0		
Non- Residential Collector	113.0	821,000	4.0	8.0	6.0	8.0		
Residential Collector	113.0	821,000	4.0	8.0	6.9	8.0		
Local	5.0	32,850	3.0	6.0	4.5	8.0		
Paved Alley	5.0	292,000	3.0	6.0	4.5	8.0		

^{*}A composite section can only be used where the R-value of the subgrade soil is 30 or lower or the CBR value is 5 or lower.

General Information

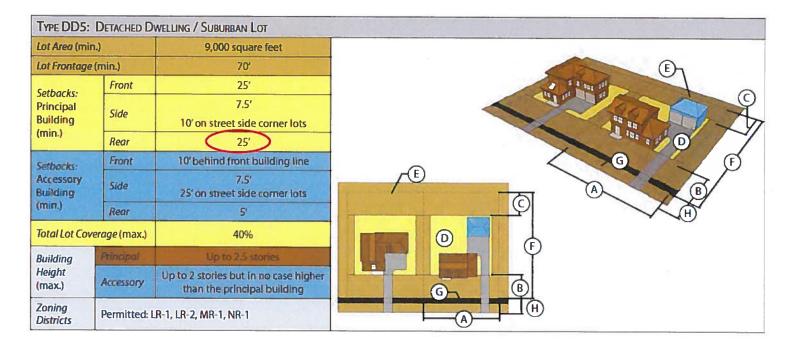
Change 32,850 to 320,850

Change 6.9 to 6.0

These were typographic errors.

Revision # 4 Residential Rear Setbacks correction (Section 9 of Ordinance)

(ref. 5.1.5a&b, pages 5-9 to 5-13) correct rear setback to 20' from 25'. (UDC Annual Review Item m)



<u>Change the Rear Setback for the Principal Building from 25' to 20' for Lot Types: DD5, DD6, DD7, DD8, SD1, SD2 & SD3. This was a typographically error</u>

Revision # 5 Central Business District (Section 10 of Ordinance)

(ref. 6.7.2, page 6-35) Add CBD to the Design Stanrds that apply to NB and MUB and MUR. (UDC Annual Review Item q)

Proposed High Priority—Quick Fix, Part A

Lot and Building Standards. The lot and buildings standards in the CBD district shall be a combination of those allowed in the NR-3 district and those allowed by Type CBD.

Type CBD: (Standards	ENTRAL BUSINESS DIST	RICT LOT AND BUILDING
Lot Area		n/a
Lot Frontage		n/a
	Front	0'
Setbacks:	Side	0'
	Rear	0'
Building Heig	ht	n/a
Maximum Cov	rerage	100%

- f. Site and Building Design Standards. Due to the more compact development pattern, and the important relationship and integration between uses, sites and buildings in the CBD district, the following site and building standards shall apply:
 - 1. Commercial or mixed-use lots and building types shall apply the Small-scale Mixed-use and Commercial Design Standards in Section 6.7.
 - 2. Residential lots and building types shall apply the Residential Design Standards in Section 6.6.

General Information

As you can see from the applicability state in 6.7.2 this requirement only apply to new construction. The Design objectives of section 6.7 are described in 6.7.1

Existing as Adopted January 2012, Part B

6.7.2 Applicability

These standards apply to mixed-use activity centers, small scale commercial districts near neighborhoods, or other similar areas where diverse, walkable environments are desired. Specifically, they apply to new construction and additions to buildings in the following zoning districts:

- a. NB
- b. MUR
- c.MUB
- d. PUD, but subject to modification through the planning and review process.

The City Council may elect to apply all of the Small-Scale Mixed Use and Commercial Design Standards in Section 6.7 as a condition to rezoning to the CB district if it is located in an Activity Center designated in the Comprehensive Plan or if a pedestrian oriented environment is desired.

Proposed High Priority—Quick Fix, Part B

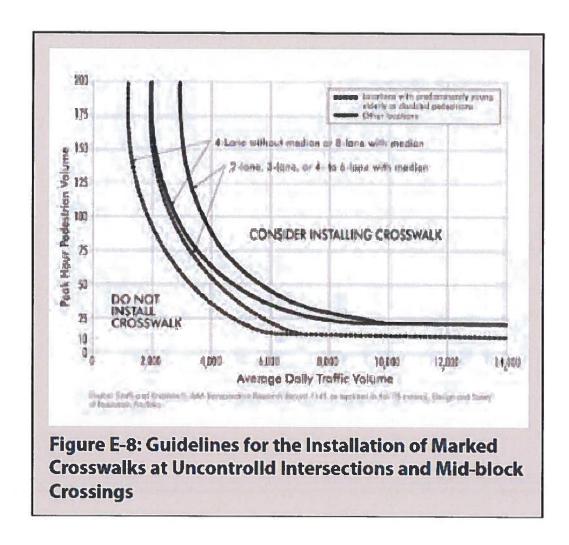
6.7.2 Applicability

These standards apply to mixed-use activity centers, small scale commercial districts near neighborhoods, or other similar areas where diverse, walkable environments are desired. Specifically, they apply to new construction and additions to buildings in the following zoning districts:

- a. NB
- b. MUR
- c.MUB
- d. CBD
- <u>e.</u> PUD, but subject to modification through the planning and review process.
- f. The City Council may elect to apply all of the Small-Scale Mixed Use and Commercial Design Standards in Section 6.7 as a condition to rezoning to the CB district if it is located in an Activity Center designated in the Comprehensive Plan or if a pedestrian oriented environment is desired.

Revision # 6 Figure and Diagram citations as needed (Section 11 of Ordinance)

(ref. Figure E-8, page E-9) Add citation



Add the following citation <u>"Source: Smith and Knoblauch, AAA Transportation Research Record 1141 as reprinted in the ITE manual, Design and Safety of pedestrian Facilities."</u>

Revision # 7, Table Corrections. #1(ref. 1.2.1, Table 1-1: Summary of Review Authority, page 1-4) Correct summary table for Variances to match the full requirements in Article 2. **#2** (ref. 5.1.4, Table 5-1, page 5-4) Update the Use table to match the uses described in Table 5-2: Summary of Residential Zoning Districts and Lot and Building Types. (Sections 12 & 13 of Ordinance)

Proposed Table Correction #

. roposed rabie	COTT COLIOTT II I

Application Type	Pre-app meeting	N'hood meeting		Review	Body		Notice					
			Staff	PC	CC	BoA	Pub.	Mail	Post			
Text Amendment		Filling	R	R/H	D/H				Maile			
Man Amendment ("rezoning")	0		R	R/H	D/H		Ø	Ø	Ø			
Administrative Adjustment			D			Α						
Appeal of Administrative Decision	0					D/H						
Variance	0		R			D/H	0	Ø	0			
Subdivision Standard Waiver	Ø	REMAI	D	Α	A							
Annexation	0		R		D			Ø	☑			
Street Vacation	0	10 E & E	R	R	D							

R = Recommendation

CC = City Council

D = Decision

BoA = **Board** of Adjustments

A = Appeal

☑ = Required

H = Public Hearing

O = Recommended or Optional

(Above) Add check boxes where the red circles are. This will match the correct process identified in 2.3.2 Zoning Variance.

Proposed Table Correction #2

TABLE 5-1: ZONING DISTRICT USES																					
Zoning Districts	AG	AR	RR RR	LR-1	LR-2	MR-1	MR-2	HR-1	HR-2	NR-1	NR-2	NR-3	NB	80	CBD	 Ŧ	۵	MUR	MUB	MUE	AD
▼ CATEGORY OF USES / SPECIFIC USES																					
Residential Uses																					
Detached Dwelling	P	P	Р	P	P	P	P	Р	P	P	P	Р			P			Р	Р		
Semi-attached Dwelling ("Duplex")			A	Р	P	P	Р	Р	Р	Р	P	Р			P			Р	Р		
Attached Dwelling ("Townhouse")						p	Р	Р	P		Р	Р			P			Р	Р		
Group dwellings				С	C	С	c	C	C												
Dormitories						С	С	C	A						Р			P	Р		
Multi-dwelling Building ("Apartment")						c	c	С	A	(F(P						A/C	NC		
Live/Work						C	c	P	P		C	A	P		P			Р	Р	P	

(Above) Change the "P" to P/C in order to make this table consistent with Table 5-2. An apartment complex requires a "conditional use" approval as compared a to a single small apartment is a use by right or "permitted"