

January 31, 2018

Members of the Longmont City Council,

350 Kimbark Street

Longmont, CO 80501

RE: Land Development Code Comments

I am writing this letter on behalf of the Historic Eastside Neighborhood Association (HENA) concerning the Land Development Code update working draft dated January 2018. Several HENA neighbors have reviewed and discussed the proposed working draft and have provided these comments. We welcome the zoning updates and appreciate the opportunity to provide our input. Our primary focus is on maintaining the historic character of Longmont's oldest neighborhood. We also wish to remain a safe, walkable neighborhood that has always been economic and culturally diverse, with a strong sense of community. ***The areas of concern we have are listed below along with the section and page found in this draft document.***

15.05.040– Landscape and Open Space Regulations

D.3 (page 11) – Change ‘on either side’ to FRONTING. Clarifies that it doesn’t apply to Kimbark, Terry or Coffman.

15.05.060 – Pedestrian and Bicycle Access and Connectivity

D.4.d (page 37) - Bike racks / parking should not be allowed to replace vehicular spaces but should just add to the opportunities. If incentives are needed to provide these inexpensive amenities for bicycle transportation, it should not replace necessary and already nominal requirements for vehicular parking. Parking is a significant issue in the HENA area with insufficient downtown parking impacting the neighborhood. We strongly feel that parking is an issue in this area that needs to be addressed through multiple means. We encourage bicycle and alternative modes of transportation, but the reality is that most people still prefer their vehicles.

15.05.080 – Off-Street Parking and Loading

Schedule A.2 (page 43 & 44) - This chart shows MAXIMUM parking requirements which would essentially allow 0 parking spaces if so chosen by the developer. While we understand that some parking lots are massive and not the best use of space at most times of the day or week, we also know that lack of parking has significant impact. We suggest adding a Minimum to the maximum chart, showing the range of parking required.

E.3.b (page 46) - Add ‘and off public alleys’ to the end of the first sentence. Alleys are often blocked for loading. A pull-off loading area is a good solution.

F.2.a. (page 46) – Tackling the lack of downtown parking is something that should be initiated by council and also included in this code for new development or redevelopment. Sufficient on-lot parking is the best solution for parking. Where this is impossible, a survey of available spaces within the block of the proposed development should be a requirement of the application and precede approval even when a shared use parking agreement is in place. There is more parking insufficiency on the east side of downtown due to the number of restaurants on this side of Main Street. One possible long term answer to the parking structure cost concern is to require developers to pay into a parking structure fund. Where a proposed development / redevelopment increases the occupancy of their building from existing levels and where there is insufficient daytime parking available on that same block (in public lots or on-street), payment into this fund would allow funding for a future structure.

I.1.b (page 48) - Landscaping should also be clear of this 2' overhang; and adjacent curb attached walks should be required to be made wider. Large vehicles often overhang onto sidewalks making them inaccessible for the disabled and difficult for others to navigate.

15.05.120 - Mixed-Use and Nonresidential Design Standards

5. A.iii (page 65) - Change in roof height is good as long as it is not to exceed the max. building height.

b. (page 65) - Clarify that the top of parapet is the max. building height.

b.i (add new - page 65) - Also in this section clarify that roof top towers (such as elevator towers) should be placed on the interior of the building (such as in a basement) as they are too massive and tall for the roof and to not be considered part of the overall building height. Or these towers should be considered part of the overall building height and shall not exceed the maximum building height. It is our understanding that pneumatic elevators require less room for storage (cables etc.) and are less expensive; so this is an option that could be encouraged.

15.05.200 - Residential Compatibility

C.4 (page 87) - This is a very good requirement! We strongly support this. Also consider including the requirement for screening on windows facing neighboring properties to preserve privacy. Limiting or eliminating outside patios adjacent to residential lots should also be included.

C.5. (page 87) - Who would be on a residential review board? Would it be a sub-group of the Planning and Zoning Commission? A board such as this may be a good thing if it includes the affected neighbors, however since boards change, we prefer strong codes. In non-HOA neighborhoods the zoning code is our best protection against improper development.

C.6. (add new - page 87) - We do not find any provisions to protect solar shading from new tall buildings. Solar access requirements would be consistent with the City sustainability plan and goal for 100% renewable energy in the near future. Shade onto homeowner installed solar panels, or onto vegetable gardens would diminish the City goals for sustainability. Protection of solar access should be added to the document.

D.1 & D.2 (page 87) – The 75’ distance for a reduced height is far too short to make a strong transition area and provide necessary residential homeowner protection. The reduced height should be required for the full depth of the adjacent lot (whether abutting an alley or not). A stepped-up building height should not be allowed for development proposals abutting residential lots. If a distance is needed in this document, then it should be a minimum of 200’ from the back lot line of the abutting residential lots.

Example: Where a 20’ alley abuts an existing residential lot and then is adjacent to a proposed double loaded parking lot (18’+24’+18’ = 60’) results in a total distance of 80’ prior to the building footprint. As you can see by this example none of the building would have a restricted height which is unacceptable.

Additional language is also needed to define where the building height is measured from. Since most lots have a gradient across them, the measurement should be taken from the lowest point of the existing natural grade adjacent to the building. No additional fill to allow for increased building height should be allowed.

Discussion point #37 (page 87 footnote) – This question asks what the appropriate building height transition would be between different uses. As mentioned, a 2 story maximum height is strongly recommended for transition areas.

E.6 (page 88) – Delete this line or clarify that it is not allowed adjacent to residential lots. All parking should be on the lot or on the streets fronting the proposed development unless as noted previously where parking agreements and sufficient supply is in place.

E.7 (add new - page 88) - Add that the building is to fully accommodate the building needs (employees + typical shopping need if retail, or visitors for commercial) and doesn’t impact the adjacent neighborhood. Again, a parking study is needed to determine this properly.

H.3 (page 88) – Hours of use for loading and unloading should be limited to business hours or 7am to 8pm max. as they generate noise and impact the adjacent neighborhood. 10pm is too late and typically not utilized for deliveries so this is not a necessary provision for businesses.

H.6 (add new – page 88) - Reference truck routes to be used for access (they should not be through the neighborhood).

Other HENA discussion and concerns

1. How will later retrofits / remodels be held to these same standards? There are often enforcement issues and lack of accountability for changes made after the initial build. This should become part of the code or a review procedure. Plat notes and red flagged files could assist with long term memory and ensure protection on these issues.
2. It is our understanding that the change from RLE to R1 will eliminate density caps. This could become problematic to quality of life for existing neighbors. The HENA neighborhood includes incredible diversity. The one-size-fits-all intent to simplify all residential to R1 (and eliminate RLE) may result in loss of current protections. This is of significant concern to our neighborhood.

3. How will the Historic Design Guidelines (currently being developed) interact with this code? If there is a conflict, what will take precedence? There should be a cross-reference to the Historic Preservation compatibility codes and there should be continued neighborhood review of plans within 750' of a proposed development.
4. There are currently Conservation, Medical and Enterprise overlay zones in the HENA area or adjacent to our boundaries. Will those remain in place? How will these protections remain?
5. Sufficient parking must be accommodated within the downtown district. Appropriately located, in sufficient quantities, and appropriately sized parking spaces are needed within the downtown area to minimize impacts to the surrounding residential areas. If the intent of this code update includes "Protecting stable neighborhoods" (as noted in the January Cityline), these inclusions are necessary in the development code.
6. What is the enforcement mechanism for this code? Will there be sufficient staff to provide on-going monitoring of a development after the Certificate of Occupancy is issued? If not, later changes and impacts to the surrounding neighborhood will result.
7. When will the zoning map be available? This will clarify areas where 15.05.200 applies.

Thank you for the opportunity to provide our neighborhood comments. If you have questions please contact Paula Fitzgerald at 720-288-2348 or at fitzpaula@gmail.com .

Sincerely,

Paula Fitzgerald (chair HENA Transition Zone subcommittee)

Committee members: Bob Carlson, Dido Clark (HENA chair), Wade Eager, Martha Eager, Anne Knoll, Sarah Levison, Robin McBeth, Bob McLaughlin, Sharon O'Leary, Mike Palmer and Nettie Penman

Cc: Brien Schumacher