



# **FBZ Scrub Overview and Update**

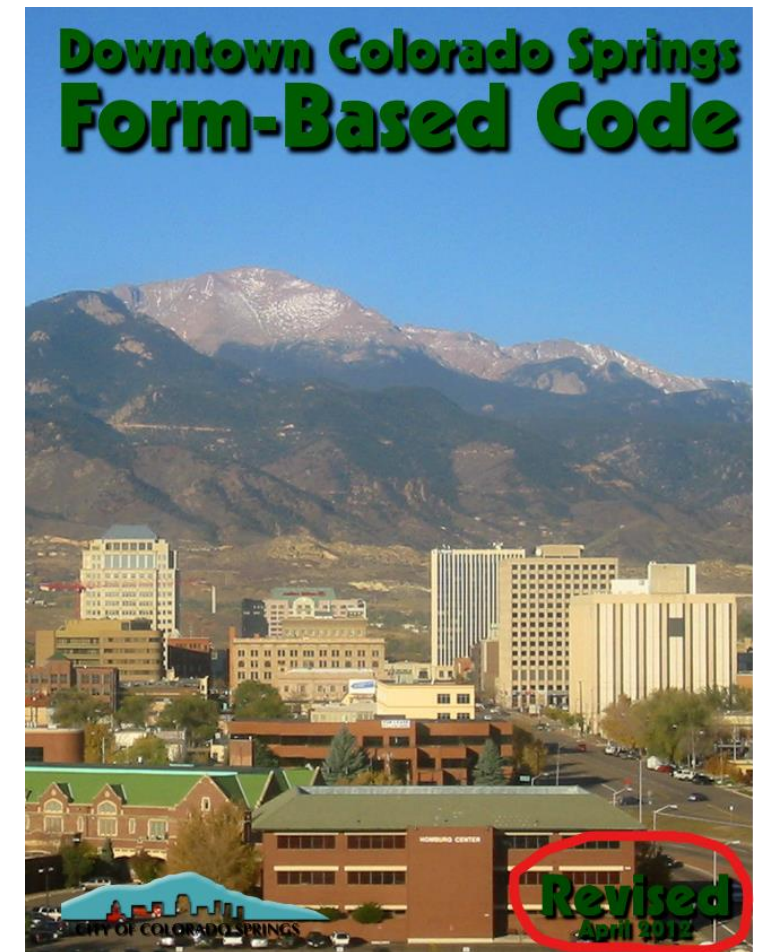
Downtown Review Board

Work Session – May 7, 2024



## Early History

- Form-Based Code (FBC) adopted in 2009
  - Established the Form-Based Zone (FBZ)
  - Established development standards, guidelines, and procedures
  - Established the Downtown Review Board
- FBC was updated in 2012
  - Added MMJ considerations
  - Clarified sign standards
  - Clarified Minor Improvement Plan applicability
  - Clarified glazing calculation methodology
  - Added ability to use Administrative Relief application
  - Expanded parking exempt area
  - Other minor clarifications



# FBC Scrubs

## History



### Since 2012:

- Successful implementation of code for many projects
- Staff has gained better understanding of issues needing clarification or improvement
- Better understanding of issues not currently addressed

### Application Tracking:

- Staff has tracked application data throughout FBC implementation

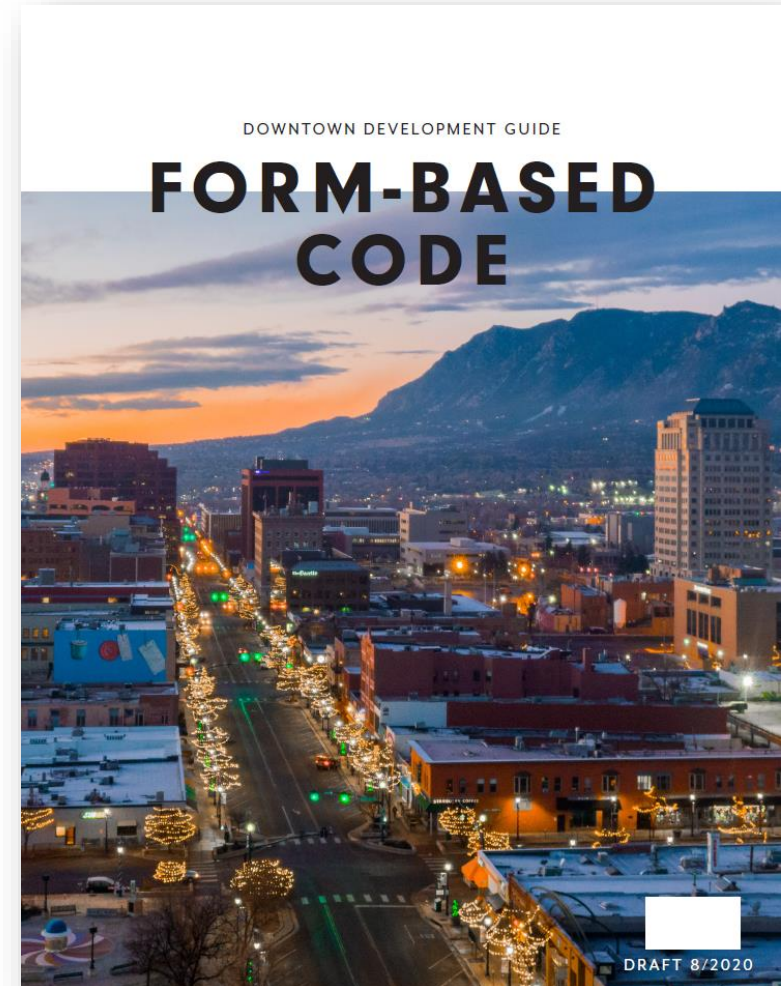
# FBC Scrubs

## Progress



### Internal Staff Efforts

- Over the recent years, Staff has made significant progress in drafting updates to the FBC
- Address a wide range of code issues
- Also compiled updates into improved layout
- Improved maps, photos, and graphics
- Multiple work sessions with DRB



## Major Topics



### Section

### Detail

2 – Standards, Public Space

Many changes needed to add clarity and document direction away from pavers

2 – Standards, Signs

Allow wall-mounted EMCs; specific standards for A-Frame signs; adjust separation requirements for projecting signs

3 – Density Bonus

Administrative authority to grant points; adjust threshold for a for market rate residential

4 – Design Guidelines, Multiple issues

Design Guidelines updates and improvements, including:

- Tall building design
- Street level activation
- Building design relative to City-wide code
- Public Spaces

5 – Process

Multiple updates and clarifications

This is where we left off at the conclusion of the April 2<sup>nd</sup> DRB Meeting

Picking up discussion here



### Section 5 of the FBC includes:

- 5.1 Authority for Approval
- 5.2 Pre-Application
- 5.3 Development Plans
- 5.4 Warrants
- 5.5 Non-Conformities
- 5.6 Minor Improvements
- 5.7 Interim Uses
- 5.8 General Considerations

Some Sections are proposed to stay as written. Sections with proposed changes are described on the following slides



### Section 5.1 Authority:

- 5.1.2.5 Composition of the Downtown Review Board
  - Currently one member represents either the Mill Street Neighborhood Association or the Shooks Run Neighborhood Association
  - Proposing to add the Historic Uptown Neighborhood Association as an entity eligible for this seat.
  - Also clarifying that the downtown “property owner” seat can be filled by downtown “owners, tenants or residents”
- 5.1.3.1 and 5.1.3.2. updating terms for items that Planning Commission acts on to be consistent with new UDC terminology

### Section 5.3 Development Plans:

- Numerous changes to Section 5.3 to reflect UDC code citations and procedural changes
- Office location
- Website

#### 5.3 Development Plans

- 5.3.1 Projects Subject to Development Plan Review – A Development Plan shall be required prior to issuance of building permits for all proposed projects within the regulating plan area with the following exceptions:
- 5.3.1.1 Interior remodel work – this exemption is applicable even if the proposed use of the building is to change.
  - 5.3.1.2 Façade renovations or improvements including signage replacement, window/door replacement and other similar work.
  - 5.3.1.3 Minor additions to existing structures - to qualify as a minor addition, the new square footage must be either less than 1,000 square feet in size or less than a 50% addition to the existing structure whichever is smaller.
- 5.3.2 Development Plans shall be submitted, and amended using the procedures described in the City Code Section 7.5.503.B and 7.5.503.C
- 5.3.3 All development plans for properties with the Historic Preservation overlay shall be reviewed by the Historic Preservation Board in accordance with Section 7.3.505 of the City Code. While the Downtown Form-Based Code standards and guidelines are applicable to all properties within the zone, flexibility through the granting of warrants is available in order to fulfill the objectives of the Historic Preservation Overlay.
- 5.3.4 Required Information – The full list of required materials for Development Plan submittal is included in the Downtown Form-Based Code zone application available from the Land Use Review Division located at 30 S. Nevada Street Suite 105. For further information you may call the Land Use Review Division at 719-385-5905 or visit the Division's website at [www.springsgov.com](http://www.springsgov.com). In general, the following information is required for development plan review, as applicable:
- 5.3.4.1 Application Form
  - 5.3.4.2 Project Statement
  - 5.3.4.3 Site Plan
  - 5.3.4.4 Elevations
  - 5.3.4.5 Landscape Plan
  - 5.3.4.6 Plans and Specifications for Proposed Signs
  - 5.3.4.7 Wastewater Facilities Master Report
- 5.3.5 Additional Information – Occasionally, larger, more complex or unique projects may warrant additional submittal materials. Need for the following materials should be communicated by the Planner or Manager at the pre-application stage.
- 5.3.5.1 Material Descriptions
  - 5.3.5.2 Geo-Technical Hazard Report or Exemption
  - 5.3.5.3 Traffic Study as required by the City Engineer
  - 5.3.5.4 Drainage Report as Required by the City Engineer (this is a required item when the project includes a subdivision plat.
- 5.3.6 Development Plan Review – Development Plans consistent with all applicable development principles and that conform to all standards may be approved administratively by the Manager as described in the City Code Section 7.5.104.
- 5.3.6.1 The Manager shall review projects that require interpretation with respect to the project's compliance with the standards.
  - 5.3.6.2 Those administratively reviewed projects that are found to be consistent with this regulating plan, meet all submittal requirements and standards, are found to be acceptable to other City agencies should be approved within 28 days of submittal. For the purpose of development plan review, the review criteria found in Section 7.5.502 of the City Code do not apply.
  - 5.3.6.3 Those projects that do not comply with The Code's standards shall be referred to the Downtown Review Board.
  - 5.3.6.4 All projects developed under the Form-Based Code shall be reviewed and approved by Springs Utilities prior to City Planning approval. The review criteria shall include conformance with all Utilities Code, Rules and Regulations, Line Extensions and Service Standards and other project specific utility requirements.
- 5.3.7 Appeal – An applicant may appeal a decision of the Community Development Director, the Downtown Review Board, and/or the Planning Commission to the City Council as described in Section 7.5.906.
- 5.3.8 Length of Validity – An approved Development Plan will expire in accord with City Code Section 7.5.504.C.
- 5.3.9 Enforcement – Enforcement of the standards included in this Code shall comply with the policies and procedures in Chapter 7, Article 5, Part 10 of the City Code.





### Section 5.4 Warrants:

- Current code requires all Warrants to go to DRB for action
  - 15% relief is allowed through Administrative Relief (a.k.a. Administrative Adjustment)
- Proposed change to 5.4.1. to allow Administrative Action on two specific Warrant types:
  - Parking – relief from 2.6 for change in use in existing buildings (not new construction).
  - Signage – relief from 2.9 for size allocation (not prohibited sign types)

# FBC Scrubs

## Section 5 - Process



### Section 5.5 & 5.6 Non-Conformities & Minor Improvements:

- 5.5 – corrected code citations for new UDC
- 5.6 – No change proposed, but there has been discussion from stakeholders in the past requesting new standards to restrict / affect design of roof-top uses.



## Section 5 - Process



### Section 5.7 Interim Uses:

- Allows 5-year approval of a use / design that is not consistent with FBC
- DRB has approved 4 Interim Use applications since 2009.
  - 2 are long expired but still operate
- Staff recommends eliminating this tool but values DRB and stakeholder input





### Section 5.8 General Considerations:

- Numerous minor changes to reflect UDC citations and terms

### Section 6 Definitions:

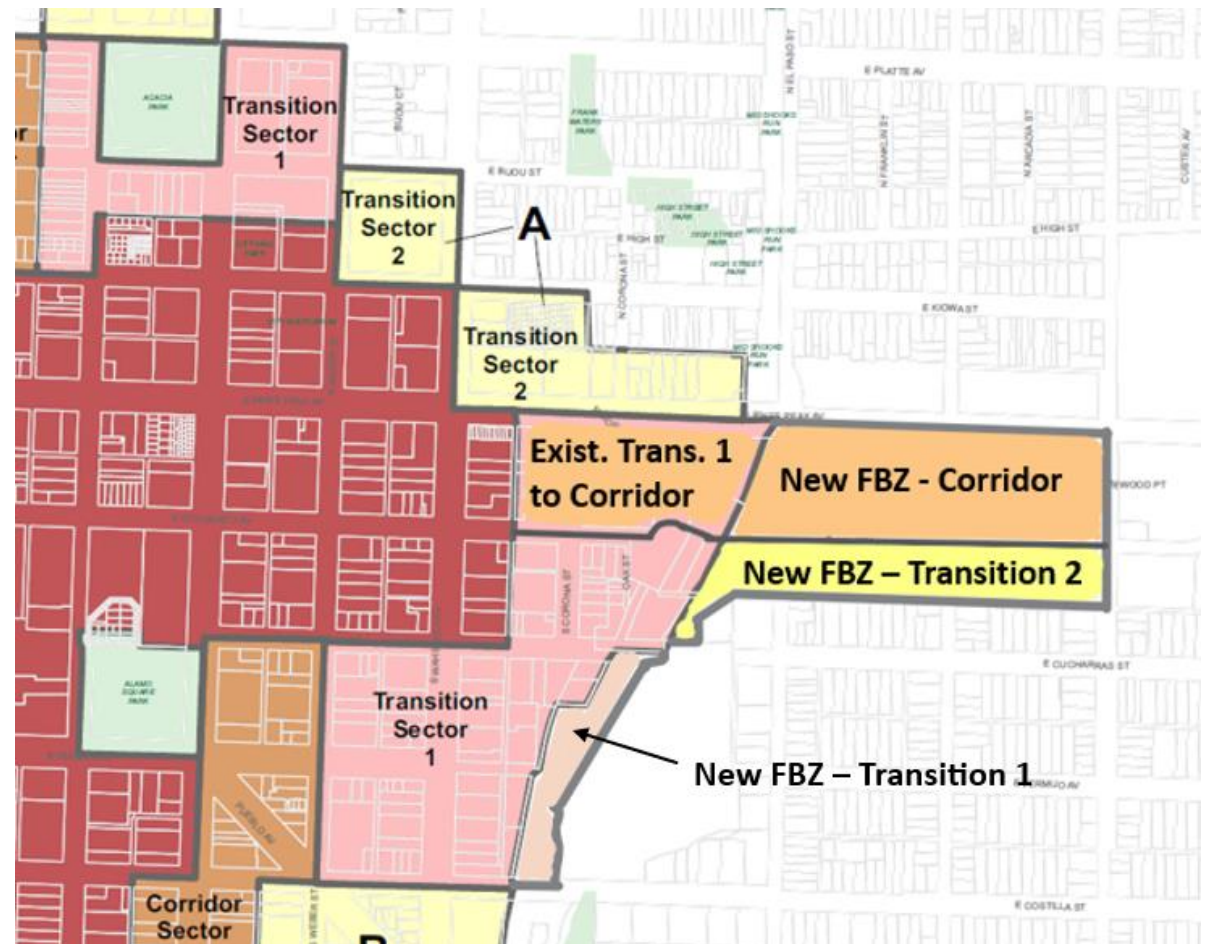
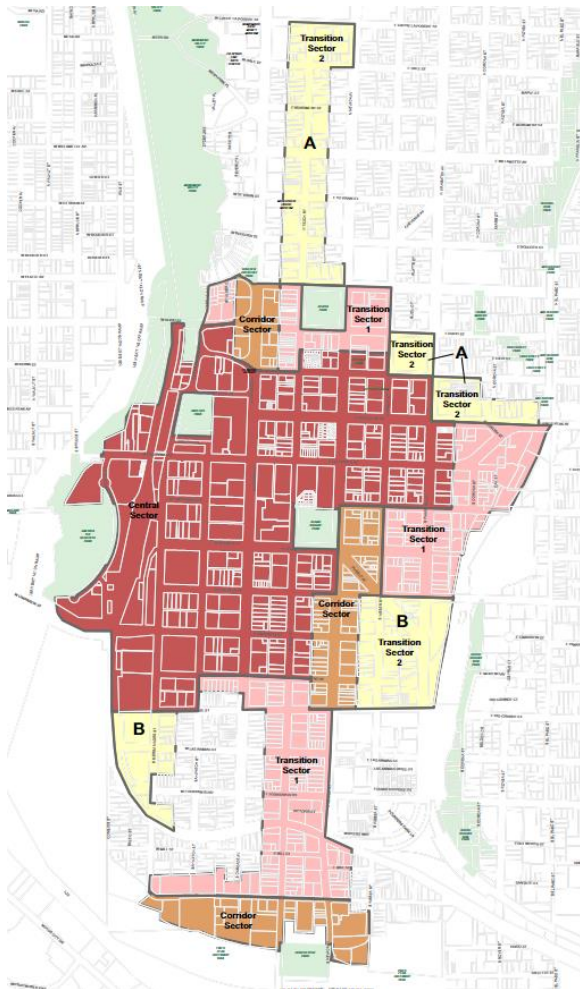
- Add definition for Artisan Manufacturing / Makerspace: “Establishments engaged in on site production of goods, arts, or crafts using hand tools, non-industrial power tools, or high tech equipment (e.g. 3D printer). These establishments may be collaborative or operate as a cooperative, or they may be comprised of individual users. Products created on site are typically sold directly to consumers.”

# FBC Scrubs Map Issues



## Existing

## Proposed



## Next Steps



### Future Actions

- Additional Work Sessions to DRB
  - Others, as needed
- Stakeholder outreach and coordination
- Legal review
- Public hearing at DRB
- Possible hearing at CPC (if enlarging FBZ)
- City Council hearing



# Questions?

