

**Lakewood! Zoning Improvement
Community Advisory Group
Session #2
July 7, 2009**

I. Welcome

The Community Advisory Group did an icebreaker involving questions about Lakewood's existing zoning code.

II. An Applicant's Perspective presented by Tom Ragonetti

Tom Ragonetti spoke to the Community Advisory Group for about an hour and shared the following thoughts.

- Lakewood is a prototype for what is difficult about zoning. Aging suburbs are one of the biggest planning challenges.
- In the 1960s, planners declared Saint Louis dead. Planners thought that the era of strong center cities might be over. Since then, most center cities have recovered. The same cannot be said for first generation suburbs.
- It is important to think about what is compelling about suburbs. These things are not the same compelling things for central cities.

What is notable about Denver's 1st generation suburbs?

- Have great locations. Equal distance between job centers.
- Are well established and well run.
- Have mature vegetation. Drive 10th Ave through Lakewood to downtown.

These attributes are not necessarily compelling. So, what will 1st generation suburbs become?

- 1st generation suburbs need development-friendly codes.
- Avoid the "L.E.G.W.O.R." (Long Exciting Game Without Rules)
- Must define the rules of the game and not make up too many of the rules as you go along.

Principles to follow as you write a code

- Simplicity
- Clarity
- Consistency
- Descriptive
- Definitive – need procedures for dealing with holes in the code. Must designate an interpreter, usually a Zoning Administrator or Planning Director. The reason for the code interpreter is to avoid unnecessary review by Planning Commission for items that can be dealt with administratively.

What should a code include?

- A code should address land uses.
 - Old codes tend to be very specific. If you are too specific, uses tend to become obsolete fast.

- Categorical uses are good. Retail Use with outside storage, Retail Use without outside storage.
- Code should designate an interpreter who can address questions about the broader categories. This approach is better than being overly specific.
- A code needs to address physical configurations on a property.
 - Codes should address form - heights, setbacks, building massing, etc.
 - There is a trend toward form-based codes. Few new codes are strictly form-based. Most include something about uses.
 - Euclidean Zoning includes uses and form criteria. Euclidean codes allow for customized developments with planned development zoning (PD). Modern codes should allow for straight zone districts and a zone district that allows for more customized standards.
- A code includes discretionary items. Code administrators and elected officials should not have too much discretion. Providing standards in the code help to give direction and warning to anyone who wants to develop in Lakewood.
- A code should provide an appeal process for some items. An appeal process provides a check to the system.
- Some codes define timeframes. Timeframes are not necessary but a jurisdiction needs to be keeping the timeframe in mind.
- Codes need to be cognizant of the market. Codes that get too far ahead of the market will pose an obstacle to implementing a vision. When developing codes, it is important to use applicable examples and to understand the circumstances of examples used.
 - Airport Gateway in Denver proposed a detailed New Urbanism code with great density. The density did not follow.
 - Lakewood's Transit Mixed-Use Zoning may prove to be ahead of the market.

Lessons Learned:

- A citizens committee writes the worst codes. When everyone's individual good ideas are accommodated in the writing of the code, the result is not effective.
 - Platte River Valley – He served on the committee and was one of the people that helped to write the code. The code has not been effective in bringing the desired change to that area.
 - The lesson learned is to allow folks, who understand codes and understand Lakewood, write the code. That might include consultants working with City staff.
- Be wary of the hottest new tool.
 - Performance Codes are an example of a hot tool that did not last. All of the cities that adopted performance codes in the 1980s have updated their codes already.

- Form-Based Codes are not that different than Euclidean codes. No communities are adopting a pure form-based code.
- Make the code easy to administer.

Questions and Answers:

Q: Are there examples from other parts of the world that Lakewood should consider?

A: Euclidean Zoning grew out of the German tradition of zoning. The latest edition of Planning Magazine has an article that would be of interest to this group. In general, it is difficult to look at examples in other countries because you need to consider the political structure out of which the City developed. One example is Paris. Paris developed the way that it did because Napoleon dictated what would happen.

Q: Your mention of the financial aspect that should be considered when developing a code is interesting.

A: From an economic perspective, it is important that the code is predictable. Making a code that is too visionary can be problematic.

A: It is important to allow for more density to come naturally. It is important to contemplate interim uses.

Q: With the more recent rises in gas prices, there has been a lot of follow up discussion about how we are living. Do you think the increasing cost of gas will determine our development patterns?

A: The kind of car we will drive in the future is changing but cars are not going away.

Q: The Citizens Advisory Group recognizes that they will serve as editors and not authors of a new code. Community Advisory Group does serve an important role.

A: A combination of staff with consultants is a good mix for writing a code. The staff knows the community and the code. The consultants know the new tools.

Mr. Ragonetti finished the presentation with comments about how a City moves forward. He said that you do not move forward by moving backwards. He provided background on a course that he will be teaching by outlining the eight forms of city evolution. The question on the horizon for all planners is what we should be doing next.

III. Zoning Activity

The community Advisory Group shared their results to the zoning activity that included five questions about Lakewood's Zoning Code.

IV. Questions and Next Steps

Staff passed out updates to the Community Advisory Group's binders.

Staff handed out and reviewed a photo exercise that Community Advisory Group members will conduct on their own.

