

# PLAN CONFORMANCE REPORT

## OVERVIEW

*The Plan Conformance Report is an analysis of the City of Brighton's development regulations – Article 17 - Municipal Code. It compares these regulations to the comprehensive plan - Be Brighton (adopted April 2016). The purpose of this report is to evaluate how well the current regulations align with the plan and identify a range of options to consider through the regulation update process.*

*This report is a preliminary step in the process. It provides a critical view of the regulations and is intended to start a dialogue on a wide range of potential strategies and future action. None of the commentary or analysis in this report represents an official direction of the project or a formal recommendation.*

*Also note that this report is focused on key themes or major topics, and many other issues or topics that have been identified by stakeholders and City staff will be discussed in future steps in the process.*

## REGULATIONS GENERALLY

Comprehensive plans are implemented by many proactive policies, strategies and public or private investments, some of which can bring about immediate change or be a catalyst for quick actions. In contrast, regulations influence change incrementally and cumulatively as they respond to future development proposals the City may receive. The regulations will establish a framework for many decisions (public and private), and the influence they have will increase in significance over time. In this regard, a development code tied more specifically to a comprehensive plan should establish a baseline for many future actions, addressing key topics such as:

- Public realm design in varying contexts of the community.
- A collection of zoning districts that together can integrate and add up to valuable neighborhoods and places.
- Standards for streetscapes, open spaces, blocks, lots and buildings that create the physical form of the community; and
- A streamlined process that raises expectations and improves implementation, granting flexibility when necessary and considering alternatives when they equally or better meet Brighton's collective goals.

## BE BRIGHTON

A comprehensive plan has the objective to guide future growth and development. The analysis and recommendations of a plan reflect the long-term vision of the community, and a plan does not necessarily predetermine anything. Rather, it establishes a policy framework with which to manage future change through development. Therefore, development regulations must provide the City with the tools to best manage change, enable different options, and react to many circumstances that cannot be fully anticipated. Rather than simply "codify" the plan, this analysis is organized around the core themes of the Be Brighton comprehensive plan and provides an assessment of how well they prepare the community to address those themes.

The following themes and specific topics were selected as the primary issues from Be Brighton which are most applicable or directly relate to the Land Use and Development Code.

- **Active & Multi-Modal Transportation**
  - Connectivity
  - Streetscapes
  - Transit and Bicycle Networks
- **Heritage & Identity**
  - Vibrant Downtown
  - Productive Agricultural Lands
  - Historic Preservation
  - Gateways and Focal Points
- **Sustainability**
  - Resilient Infrastructure
  - Mixed-Use Employment and Retail Centers
  - Housing Options and Walkable Neighborhoods
  - Open Space and Natural Environment

Some of these themes are more directly impacted by development regulations than others. A section-by-section analysis of the development regulations was conducted to support the general commentary on the core themes in this report.

## NEXT STEPS

This report reflects findings from the “Analysis” phase of the project and is preparation for the “Discussion” phase. The “Discussion” phase will be centered on a collection of in-depth discussions, analysis and issue papers on these topics that will include policy considerations and regulatory strategies. This will provide an opportunity to consider further what some of the themes of Be Brighton mean, how they are applied in specific contexts, how other peer communities may have addressed these topics through regulations, and what our range of options and preferred strategies may be.



Bicycle and Pedestrian Paths



Green Infrastructure



# BRIGHTON REGULATIONS STRUCTURE

## POLICY OVERVIEW

*The current Land Use and Development Code is typical of many outdated codes for smaller communities. It has not been completely updated or unified since the early 1970's, but has had numerous amendments that are not always consistent with other sections of the code. It is Euclidian in nature and contains several sets of design standards. While many of the recent updates have helped to modernize the code, the format and amendment process prevents the code from being user friendly or easy to understand.*

*City of Brighton, Request for Proposal, Land Use and Development Code Update RFP #17-037*

## REGULATORY OBJECTIVES

Development regulations that implement the above policies typically incorporate the following objectives and strategies:

- Use a “plain language” drafting style, avoiding legalese, planning jargon, and unnecessary words.
- Use graphics and tables to support or replace text for maximum user-friendliness.
- Use purpose and intent statements to allow clear ties to the comprehensive plan and aid the administration and interpretation of regulations.
- Build in flexibility, but only through clear, consistent and accurate guidance and criteria.
- Develop a logical framework and structure for all regulations, so future amendments and updates can be easily integrated, and the regulations maintain a long shelf life.
- Develop standards specific to the context, scale and forms that are characteristic of the places you value most and envision in your community.

## ANALYSIS

### **Organization and Plain Language**

- **General Organization.** A number of similar sections are repeated throughout different portions of the code. For instance, definitions, procedures and interpretation methods are scattered throughout the code; standards with similar themes and objectives also appear in several different sections. This type of redundancy can easily add complexity to the code and hinder its usability and ease of interpretation. It also increases the code's length

and can create potential inconsistencies and interpretation issues over time.

- **Procedures.** The procedures tend to blend (1) steps in the review process; (2) long lists of application submittal requirements; and (3) substantive standards. These should be broken out separately, and if possible, application submittal requirements should be implemented through forms administered by the Planning Department, not within the land development code. Separating specific submittal requirements will enable them to be easily updated and revised to adapt to unforeseen changes.
  - A consolidated procedure section should be simplified to make it clear to applicants:
    - When each different procedure applies.
    - The basic review steps and notice are required for each procedure.
    - The expected timeline for the process, including key benchmarks within the process.
    - The review criteria that applies to each type of application; and
    - The effect of decisions, including flexibility available through the process or any post decision steps and if or when any development rights vest.
- The procedures should clearly outline the contexts in which each public process applies:
  - **Extra public involvement.** Situations that require going beyond just the typical public hearing (i.e. provisions requiring a master

plan process or neighborhood meetings in addition to what state statutes require).

- *Public-hearings.* Applications that require notice and opportunities for the public to speak. It is important to consider that only certain types of projects require this by statute.
- *Public meetings.* Applications that are decided on by public bodies, but do not require notice to surrounding property owners or opportunities for the public to comment, but still should be made in a public venue. It is important to emphasize the difference between *public hearing* and *public meeting* in the regulations to set expectations on what the public can and should comment on and how and when public opinions should influence decisions.
- *Administrative.* Applications – whether at staff level or a separate public body – where the review is to check the standards rather than make judgements or exercise discretion.
- *Topical Organization.* Many topical and substantive standards are addressed in multiple places, creating confusion and potential conflicts. These should be consolidated in one section, with differences in how the standards apply in different contexts or situations dealt with in that section. Examples include:
  - Streets and connectivity
  - Access and circulation
  - Parking
  - Landscape and lighting
  - Signs
- *Administration and Interpretation.* A more elaborate “rules of construction” section can better set up a “plain language” drafting approach. Explanations about how regulations will be interpreted or applied are repeated throughout the code, obscuring what the standard is to begin with. These should all be addressed one time in the “rules of construction” section, and then the rest of the code can focus more explicitly on standards.
- *Text to Tables.* The opportunity for converting standards from text to tables can eliminate long sections, and may even be able to consolidate multiple sections into one. For example, all of the

lot and development standards for all zoning districts (currently scattered in several articles, sections and subsections) could be consolidated into one or two tables.

- *Use of Graphics.* The design articles currently make good use of graphics, allowing complex topics or options to be better expressed. Many more opportunities exist to use similar graphics, or in some cases replace text entirely. (This is particularly true for sections that have no substantive or objective standards but are merely describing a desired outcome).

#### **Coordination with Plans**

- Purpose or intent statements should have simple and explicit ties to the themes reflected in the Comprehensive Plan.
- Procedures should have defined criteria, including how the Comprehensive Plan and other more detailed plans should influence certain types of decisions.
- The concept of “master planning” – through major development plans, planned zoning districts (PUD), or the design standards, is prevalent in the current regulations. However, some common procedures for this scale of planning could help focus and coordinate many related standards and how that should trigger alternative standards. Overall, a systematic approach for this intermediate level of planning – between comprehensive plan and site development – should be outlined and clarify how specific planning should influence development standards.

## ACTIVE & MULTI-MODAL TRANSPORTATION

### POLICY OVERVIEW

Brighton residents currently have access to a trail system that will expand along greenways to improve connectivity. The City plans to promote partnerships among agencies to enhance off-street, hard and soft trails along irrigation ditch corridors. The City seeks to ensure that pedestrian and bicycle systems are present, usable and appealing in all commercial areas. The City also intends to establish road standards that improve the mobility of pedestrians and create a multi-modal environment. The transportation system and the quality of the streetscape should be enhanced to create a pedestrian, bicycle, and transit environment consistent with the recommendations of the Transportation Master Plan. The City seeks to employ a “Safe Routes to Everywhere” philosophy and traffic calming measures, and ensure that all neighborhoods have a well-connected, accessible pedestrian and bicycle network.

*Citywide Principles, Policies & Strategies, Be Brighton Comprehensive Plan, (April 2016)*

### CONNECTIVITY

#### Why It Matters

The quality and pattern of public space determines the level of connectivity for vehicles, pedestrians, and bicyclists. Improved connectivity networks have many benefits:

- Lowers travel times and distances for multiple modes of transportation and emergency services;
- Provides a familiar street network, patterns to allow for better wayfinding;
- Enhances accessibility to businesses and other destinations; and
- Provides options for different types of streets to serve different priorities.



Disconnected Subdivision Layout

#### What the Regulations Say

Specific regulations related to connectivity include:

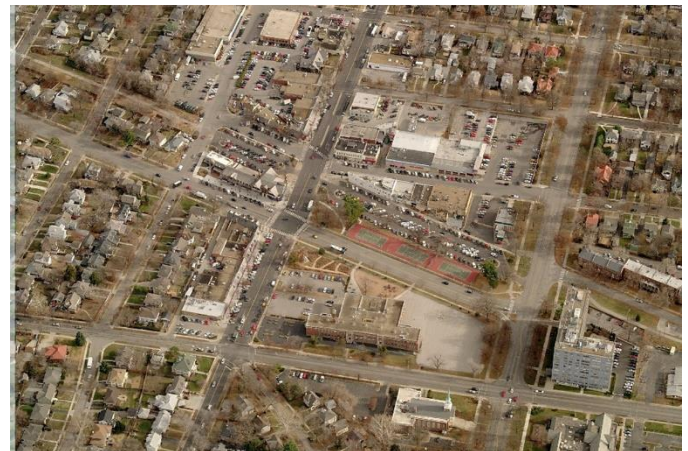
- The Subdivision regulations establish only limited connectivity based on maximum spacing, and are based on an arterial, collector and local street hierarchy. This ignores how the street networks and streetscape designs change in different contexts.
- Block size standards (ranging between 1,000’-1,400’) disable the formation of walkable and well-connected environments.
- The design standards then supplement the code with more specific standards. However, these are tied to specific zoning districts or projects, making it difficult to regulate larger scale development patterns across multiple development projects or through the transitions between compatible zoning districts.
- There are good provisions for alternative connections, such as mid-block crossings on longer blocks, alternative connections for cul-de-sacs, and bicycle and pedestrian connections within sites or larger-scale projects. However, these provisions tend to be an afterthought when buried in the design standards, rather than a fundamental part of the different development patterns in the community.



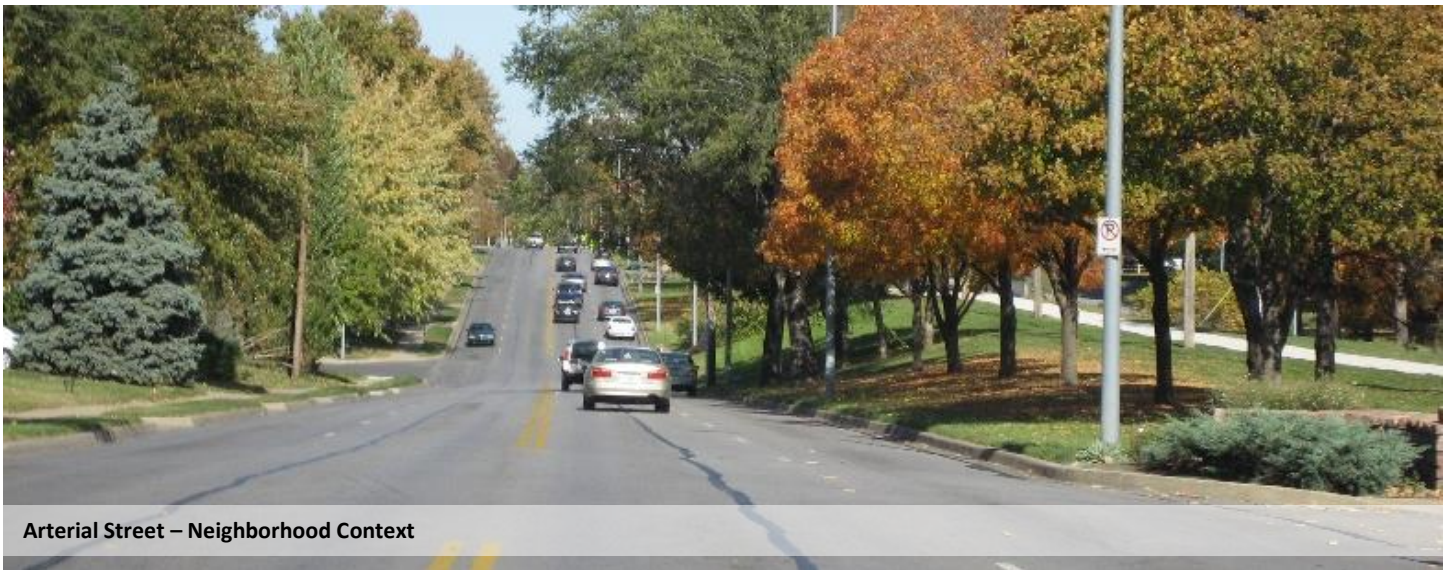
## Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Establish connectivity standards for different contexts in the subdivision regulations, based on different areas of the plan. The more compact and walkable areas should use the block size and connectivity standards currently in the mixed-use or residential design standards, while areas that will remain oriented more around driving could apply the current standards, provided multi-modal policies or redevelopment is not possible. Exceptions for specific anticipated situations or alternatives for different types of connections (trails, mid-block crossings or passages) should also be included here.
- Develop a wide range of different street design types for different contexts, particularly in mixed-use neighborhoods, and do not rely solely on functional classifications (a traffic measure) for street design standards. Different street types should be considered in the context of the Transportation Master Plan.
- Consider retrofitting strategies to improve connectivity for all modes of transportation in various contexts (i.e. mixed-use nodes, walkable neighborhoods) and determine where each transportation type can be prioritized.
- Clearly define and integrate open space provisions into the subdivision regulations and consider these as a component of connectivity – whether for actual connections through the parks and trail systems, or for aesthetic or ecological connections of open spaces and natural systems.
- Coordinate access and circulation standards of the site design standards with connectivity standards; consider different standards for different contexts based on the overall street network and based on the specific street type.



The Zona Rosa (upper image) commercial center is adjacent, but disconnected, from residential lots, hindering access by foot and limiting access into the development to favor automobiles. Brookside (lower image) is a neighborhood commercial center in Kansas City, MO that is well-integrated with adjacent neighborhoods.



## STREETSCAPE

### Why It Matters

Streetscapes establish the character of the public realm, and the design of streetscapes determines how private development should relate to these spaces. Streetscape design also affects different modes of travel based on the broader street network and the development patterns and uses within a specific area. Contextual streetscape design can produce many benefits:

- Establishes the character and perception of the community, and different places within the community.
- Enhances the pedestrian experience with appropriately-scaled sidewalks, buffers for protection, lighting, and other public amenities;
- Balances the interests of mobility and experiences within the public realm, to preserve and create valuable people places;
- Encourages pedestrian activity that can yield economic and health benefits to the community;
- Supports a safer and more appealing public realm for pedestrians, bicyclists, and individuals using public transit.
- Prioritizes different interests on different streets, or even on different segments of the same street.

### What the Regulations Say

Specific regulations related to streetscapes include:

- The street standards in the subdivision regulations are very basic and have very wide minimum standards. Very little details on pedestrian or bike facilities, or how streetscape design should support anticipated abutting development is in the typical standards. The design standards then provide policy statements or design objectives that counter this deficiency, but specific standards are lacking.
- The residential design standards have good standards with regard to street trees. However, this does not translate to the street and right-of-way standards in the subdivision regulations, and is not emphasized in other contexts.
- The Comprehensive Plan addresses the need for expanded street typologies that achieve multiple desired contexts. Defining and illustrating a range of street types will encourage cohesion along corridors and districts while enhancing the community image.
- Many different landscape or general design standards address aspects of the public realm, or site design and access impacting the public realm, but it is difficult to determine which standards apply in which situations.



## Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Overlay the functional classifications of streets (arterial, collector, local) with street design types to enable specific contexts.
- Revise street specifications to better coordinate lane widths with desired speeds.
- Integrate and consolidate landscape and lot access / frontage standards in the site design standards with appropriate designs for different types of streets.
- Prioritize and maximize on-street parking to calm traffic and reduce the need for off-street parking in pedestrian-oriented neighborhoods or commercial / mixed-use districts.
- Require street trees to frame all important streets – particularly in pedestrian-oriented areas, walkable neighborhoods or gateways.



Collector Street – Natural Context



Local Street – Neighborhood Context



Arterial Street – Walkable Context





Multi-Modal Path

### Why It Matters

The City of Brighton has developed a citywide plan for future parks, trails, and open space that can be better supported by improvements to the development code. Improved trails and bicycle networks can produce many benefits:

- Promotes physical activity and fitness;
- Provides alternative transportation routes, making integrated communities more marketable;
- Connects destinations not linked by existing or adequate pedestrian and bicycle infrastructure at a relatively low cost;
- Serves important access and mobility functions on a citywide scale for multiple modes of transportation.

### What the Regulations Say

Specific regulations related to trails and bicycle networks include:

- The importance of open space and the requirements for dedication and fees is prevalent in the code. Some sections begin to address the importance of different types of open space in different contexts, but this does not translate to specific standards for trails.
- The subdivision regulations provide a density bonus for bicycle and pedestrian trails, but it is not clear when or how that may apply. Elsewhere, links to the parks and trails master plan could be more specific.
- Alternative connections, circulation and mid-block passages are accounted for, but more on a site- or project specific basis, rather than a system-wide or broader transportation network basis.
- The street networks standards and streetscape design standards do not emphasize the opportunity to integrate trails and bicycle networks with the street networks.
- The general open space requirements do not provide detail to emphasize different contexts, therefore trails are not clearly called out for application to specific situations.
- The commercial and mixed-use design standards include concepts for bicycle access, but they are generally policy statements, design considerations or performance criteria that are difficult to translate to specific sites or projects. They lack specific standards or clear and practical guidance on when they should apply.
- The commercial and mixed-use design standards provide good criteria and flexibility for bicycle parking, but these standards may be improved by integrating them into citywide parking standards and prioritizing which contexts they are most important.

## Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Create specific standards for trails as part of the range of open space types and integrate these into the subdivision standards.
- Emphasize trails as part of the overall connectivity standards of the subdivision regulations, and particularly as an alternative when street connectivity is not possible or practical.
- Revise street specifications to better coordinate and integrate bicycle networks into multi-modal street systems, particularly for important streets that align with the Parks and Open Space plans
- Ensure that bicycle-oriented amenities are incorporated into site design standards, particularly at common bicycle destinations. Develop specific bicycle parking standards as part of an overall flexible approach to parking generally.



Dedicated Bike Lane



Multi-use Path



Neighborhood Greenway with Path



## HERITAGE & IDENTITY

### POLICY OVERVIEW

*The historic resources located in Brighton provide an opportunity for the development of heritage or educational tourism programs. Brighton agreed to work with Adams County to study the feasibility of a local food district that would link growers with processors and distributors and promote agritourism. The City plans to expand existing zoning regulations to support cottage industries and agritourism that will enhance the identity and preserve the heritage of Brighton.*

***Current Context and Values, Be Brighton Comprehensive Plan, (April 2016)***

*Brighton's Downtown has experienced an accelerating renaissance of redevelopment. Downtown is a mixed-use area to be established as the focal point of the community. Compact development patterns are encouraged in this area, as the City strives to prioritize Downtown as the preferred location of key city government buildings and focus of historic preservation and repurposing. The City aims to develop a Bridge Street, an east-west commercial gateway into Downtown, strategy plan that prepares the corridor for future change and identifies a Downtown gateway distinctive from other commercial areas in the City.*

***Future Land Use Plan & Opportunity Areas, Be Brighton Comprehensive Plan, (April 2016)***

*The City plans to support Downtown reinvestment to create a vibrant, mixed-use urban core supported by higher density. Development shall integrate public spaces that complement the historic qualities of Downtown. Many of Brighton's historic buildings are concentrated in and around Downtown, requiring ongoing financial support to preserve the area's heritage and character. The Downtown is a market strength that is worth preserving and bolstering. The historic Downtown anchors the City's small-town identity and its original neighborhoods.*

***Citywide Principles, Policies & Strategies, Brighton Comprehensive Plan, (April 2016)***

### VIBRANT DOWNTOWN

#### Why It Matters

Downtowns are typically the most identifiable and appealing place in every city. A vibrant downtown in Brighton has many impacts:

- Enhances the marketability of Brighton to support the business community;
- Supports greater density in the existing walkable context;
- Attracts both visitors and new residents that help support and shape the identity of Brighton;
- Promotes continued and lasting investment in the original development patterns of Brighton.
- Creates a diverse place where people share different experiences and culture.



**Vibrant Downtown**

## What the Regulations Say

Specific regulations related to the downtown include:

- The Downtown District relies heavily on planned development process with little guidance and nonspecific review criteria. The performance criteria for the approval process does not set clear expectations for future development in Brighton's Downtown.
- The narrative in the Downtown District mentions the historic nature, which is positive. However, it fails to emphasize the human-scale and fine-grained nature of the development pattern that has generated the most value for this area.
- While the performance criteria could enable human-scale and fine-grained development, they do not specifically enable it, nor do they explicitly prohibit large-format or automobile-oriented development that is contrary to this pattern.
- While parking is not explicitly required, a performance criteria does indicate that parking should be provided. This could result in inappropriate site plans or building formats in some locations of the downtown.
- The Mixed-Use District has not been enabled anywhere near the Downtown District and therefore cannot serve as a transitional buffer between Brighton's Downtown and the more traditional, walkable neighborhoods.

## Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Document and codify a range of building types that are appropriate in downtown.
- Identify specific areas where different building types are required or enabled – by sub-districts, by street type or other mechanism.
- Promote a district-wide parking strategy with flexibility on the site-specific level prioritizing on-street, shared or district parking solutions; certain locations, blocks or streets should be identified as inappropriate for any off-street, surface parking.
- Establish certain basic building types and site standards that enable "by right" development in downtown.

- Promote small-scale uses that add vitality and diversity at the block-level.
- Differentiate between mixed-use in different contexts and consider appropriate building types in conjunction with allowed uses in the Downtown District.
- Invest in an attractive public realm designed at a human scale – particularly for higher density neighborhoods or where walking is to be prioritized.



Downtown Corridor – Pedestrian Scale Streetscape

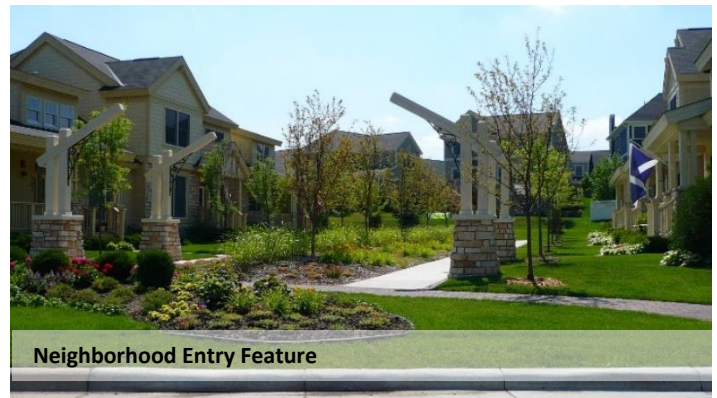


Downtown Corridor – Automobile Scale Streetscape





Public Space



Neighborhood Entry Feature

## GATEWAYS & FOCAL POINTS

### Why It Matters

Gateways are visual indicators of arrival for the community and distinct districts within the community. Focal points are often established within districts to create a center of activity within the context. Citywide gateways and focal points can provide many benefits:

- Define a sense of place by establishing clear boundaries, entrances, exits, and centers of activity for a district or neighborhood;
- Distinguish distinct places with different character within the community;
- Provide wayfinding and directional assistance and helps visitors familiarize themselves with the city;
- Create patterns that distinguish Brighton as a unique place that leaves a lasting impression.

### What the Regulations Say

Specific regulations related to gateways and focal points include:

- Neighborhood features are emphasized in the residential design standards, but are only applicable to very large-scale projects (75 acres; 250 dwelling units).
- Open space options are emphasized in the residential design standards and illustrations, but they do not clearly coordinate with the subdivision regulations or broader open space standards.
- Amenities to enhance wayfinding and provide focal points are recommended within the mixed-use

design standards. However, the guidance is vague and how the mixed-use districts translated into distinct places in the community (as opposed to specific projects) is not clear.

- The open space standards recognize the value of some smaller spaces with different ratios of contribution to the open space requirement, but the small, compact and more formal spaces are not included in this requirement.
- The Subdivision Standards do not integrate gateways into the design of the street networks or right-of-way to support community identity.

### Options to Consider

The following regulatory strategies should be considered to establish a clear relationship between the Comprehensive Plan policies and the development regulations:

- Coordinate the neighborhood feature requirement and open space standards with subdivision regulations, specifically considering networks, block patterns and arrangement of different types of open spaces to emphasize the gateway/focal point opportunities.
- Create a specific hierarchy of different types of open space – from large-scale, district wide spaces to small-scale site-specific spaces – and identify how each of these spaces could serve gateway or focal point goals in different contexts.
- Build on the concepts of different types of spaces serving different value for different contexts, but create contribution margins to open space requirements (i.e. 3 or 4 times the actual area for the contribution to the requirement) for compact and formal spaces in some circumstances.

## HISTORIC PRESERVATION

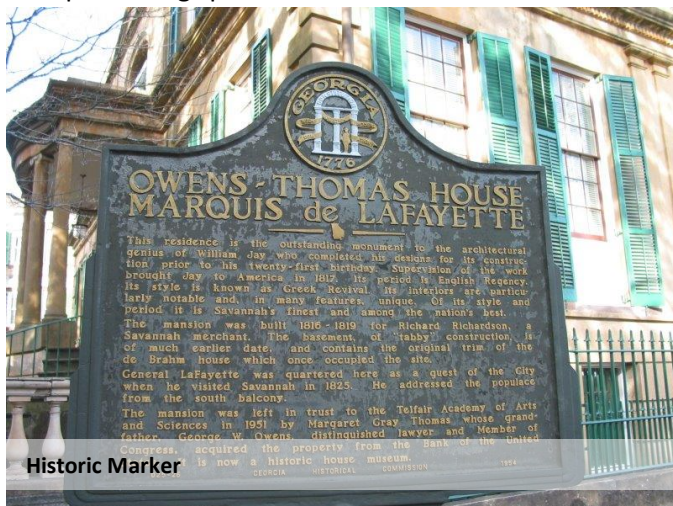
### Why It Matters

Historic preservation is a local and national effort that seeks to avoid the demolition of structures with historic significance. Preservation of the historic context and structures within Brighton can have many benefits:

- Preserves the history and identity of landmarks or districts that are important to the community;
- Provides tax benefits to property owners;
- Establishes a framework for maintenance, investment and better-quality design on a district-scale;
- Creates an impetus for history-oriented education and tourism.

### What the Regulations Say

The current regulations provide rules related to the eligibility, nomination, certification, and demolition of historic landmarks and districts within Brighton. These are typical of most local regulations, providing property owners with the opportunity to capitalize on benefits of State or National Designation, while also providing options for local review of significant historic assets. The Downtown District and 4<sup>th</sup> Street Overlay also mention historic preservation, but this generally refers to the traditional development pattern of human-scale buildings and fine-grained development patterns, rather than preserving specific historic landmarks or districts.



Historic Marker



Community History Recognized

### Options to Consider

The tools that enable historic preservation are already in place but will rely on specific local action by the City or property owners. To encourage historic preservation, implementation strategies could include:

- Ensure the process for historic designation of buildings and districts is clearly defined and user-friendly.
- Increase public knowledge about eligibility, designation procedures, and individual responsibilities.
- Advertise tax benefits and ecological impacts of historic preservation.
- In areas where there is some historic significance or character, regulations for new development that reflects these patterns could be strengthened. For example, requirements for smaller building footprints, human-scale details and design, and other patterns that compliment historic character should be emphasized. (i.e. primarily with infill standards within the "city core.")



## PRODUCTIVE AGRICULTURAL LAND

### Why It Matters

Agri-tourism and other similar production-based land uses can improve the economic productivity of existing agricultural land without significant changes to the character of rural and open areas. Enabling more productive agricultural land can be beneficial in many ways:

- Expands land uses for agricultural districts to improve the viability of local agriculture options;
- Justifies the preservation of undeveloped land by increasing productivity of agricultural districts;
- Allows Brighton to capture new economic markets that do not require significant (re)development;
- Increases tourism in Brighton by allowing property-owners to capitalize on uses that are of public interest.
- Maintains the character of open or lesser-developed areas, preserving part of the community's heritage and identity.

### What the Regulations Say

Specific regulations related to productive agricultural districts include:

- The A/R and A/E districts are most open to agriculture uses and land patterns but are more geared to large-scale farming with 35 acres and 20-acre minimum lot sizes respective.
- The next smallest-scale district – RE is geared more for large-lot subdivisions with a 20,000 square foot minimum lot size.
- The use table identifies several agricultural uses, but they are not clearly differentiated based on scale, intensity or potential impact.
- None of the potentially agriculturally related districts allow other compatible destination-type uses other than a bed and breakfast. Uses such as limited manufacturing, small-scale retail, dining is not promoted.
- Overall, these districts appear more as a pre-development “holding zone” rather than a district that promotes agriculture and compatible agriculture-related service and commercial uses.



Neighborhood Urban Agriculture

### Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Review minimum lot sizes to better promote small farm operations.
- Expand the list of agriculture and agriculture-related uses to promote more business and destination type uses in these areas.
- Consider broader distinctions between the A/R district (larger and more intense agriculture) and the A/E district (smaller and more community-supportive agriculture.)
- Develop special streetscape and open space standards to enhance the rural or rustic character of these areas.
- Consider removal or significant revisions to A/E district, since this large lot pattern is not supported by the plan and conflicts with many other plan policies and goals.

## SUSTAINABILITY

### POLICY OVERVIEW

*The City's efforts to concentrate mixed-use development will reduce single-use sprawl and inefficient infrastructure extensions. New Development should, wherever feasible, build upon the established framework of roads, utilities and other infrastructure investments.*

***Citywide Principles, Policies & Strategies, Be Brighton Comprehensive Plan, (April 2016)***

*Brighton strives to promote neighborhoods that have distinctiveness and character by encouraging projects that enhance the diversity of housing types and costs. By providing housing options that are inviting to various residents, Brighton can become a freestanding city of valuable neighborhoods.*

***Citywide Principles, Policies & Strategies, Be Brighton Comprehensive Plan, (April 2016)***

*The City aims to preserve existing natural features by incorporating them into the design of parks, trail corridors, and open space lands. The growth of agri-tourism will increase the productivity of Brighton's open space.*

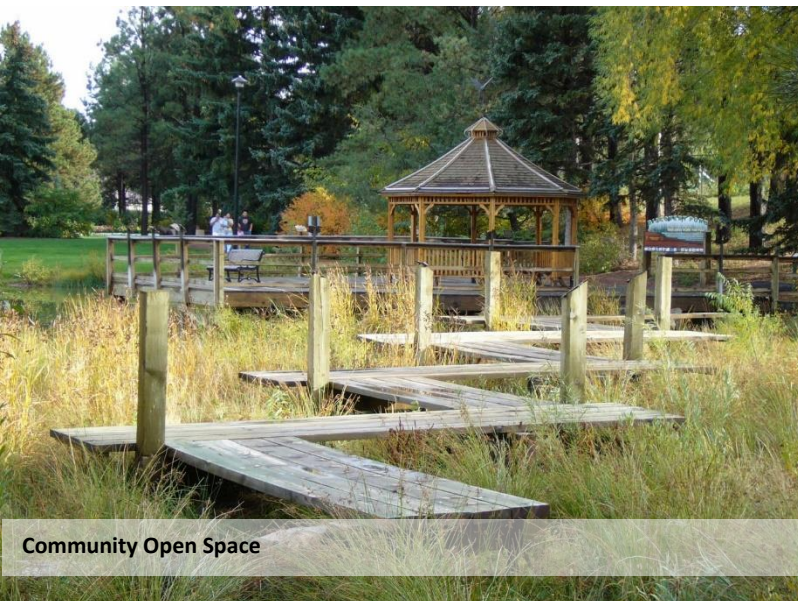
***Citywide Principles, Policies & Strategies, Be Brighton Comprehensive Plan, (April 2016)***

### OPEN SPACE & NATURAL ENVIRONMENT

#### Why It Matters

Brighton has a large amount of open space, including both undeveloped land and public parks. Preserving open space and the natural environment can be beneficial in many ways:

- Expand the public realm context when integrated with streetscape designs, and improves the identity and character of the City and distinct areas within the City;
- Encourages public use and provides space for physical activity;
- Promotes economic development by supporting neighborhoods, work environments and lifestyles that are desirable;
- Reduces impact on public infrastructure by allowing natural systems to support development.
- Protects habitats and ecological functions of the land.







## What the Regulations Say

Specific regulations related to open space and the natural environment include:

- The importance of open space and the requirements for dedication and/or fees is prevalent in the code. Some sections begin to address the importance of different types of open space in different contexts, but this does not translate to specific standards for different types of spaces.
- The same or similar open space requirements are repeated in many sections, which can cause some confusion, interpretation issues or potential conflicts.
- Open space options are emphasized in the residential design standards and illustrations, but they do not clearly coordinate with the subdivision regulations or broader open space standards.
- The open space standards recognize the value of some smaller spaces with different ratios of contribution to the open space requirement, but the small, compact and more formal spaces are not included in this requirement.
- Links to the parks and trails master plan could be more specific.

- Generally, open space is discussed in relation to dedication of land from the development or land used for setbacks, buffers, or landscaping.
- The open space dedication requirements for multi-family residential developments are very high (25% additional for any project over 8 dwelling units per acre) and can penalize small-scale, multi-unit housing types and also discount the value of compact and formal open spaces such as courtyards or terraces.

## Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Review the open space dedication requirements and their past applications to ensure it is promoting the parks and trail master plan goals.
- Create a specific hierarchy of different types of open space – from large-scale, district wide spaces to small-scale site-specific spaces – and identify how each of these spaces supports different contexts.
- Review and refine the ratio contribution for how each of these spaces counts towards the open space requirement (i.e. currently 1:1 for natural areas and 2:1 for parks).
- Incorporate all open space requirements into the subdivisions regulations, including design standards, and emphasize these areas as a connected system – similar to street networks.
- Coordinate site design sections with the larger-scale open space requirements in the subdivision regulations. Design standards, sizes, and service areas for each type of space can help expand their applicability and better coordinate larger development review and specific site plan review.
- Implement a wide range of open space types to support distinct contexts. Create design standards for specific types of open spaces dependent on the context, function or character of distinct areas (i.e. avoid treating all open space the same or measuring it simply based on the amount of space).

## RESILIENT INFRASTRUCTURE

### Why It Matters

Public infrastructure, comprised of street, sewer, and water main networks, and utilities are long-term capital investments that are not easily changed. Measures that support for efficient infrastructure can have the following benefits:

- Provides a long-term asset to the City that establishes the framework for future development patterns;
- Minimizes impact of potential environmental hazards;
- Prevents existing infrastructure from becoming overburdened;
- Promotes on-going maintenance through coordinating investments with productive growth.

### What the Regulations Say

Specific regulations related to resilient infrastructure include:

- The improvements required in the subdivision regulations appear to include all necessary infrastructure components. There is little on the capacity, levels of service or specifications for these improvements so the development code is reliant on outside documents for this information.
- An upsizing option allows coordination between the City and developer in situations where future expansions could be necessary. However, it defers to outside policies for specifics.
- Other outside utilities are the responsibility of the applicant but there are few details on how this is done or what timing and coordination is required.
- The street standards require wide streets, and in some cases, they may be too wide increasing costs, on-going maintenance expenses, and not building long-term value for adjacent property.
- The drainage standards do not emphasize the opportunity to coordinate stormwater service with streets and open space design at the area, block and site level.

### Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Clarify required improvements and make direct links to the City's design and construction specifications for infrastructure.
- Move the drainage development and performance standards to the subdivision regulations, to emphasize stormwater master planning in coordination with street networks, block layout and open space systems. Link site design standards to these larger systems when present.
- Emphasize compact, walkable patterns that provide greater per-increment return-on-investment and put the City and property owners in better position for on-going and long-term maintenance of infrastructure.
- Consider context-specific road standards and explore both narrower streets or street designs that infiltrate some runoff.
- Emphasize "low-impact" site design standards that use landscape and open space as both social/aesthetic improvements and as stormwater improvements.
- Incorporate external policies for design and integration of infrastructure improvements required for typical development projects (i.e. streets, utilities, community facilities).



Natural Systems Open Space



## HOUSING OPTIONS & WALKABLE NEIGHBORHOODS

### Why It Matters

Various housing types are intended to accommodate a diverse range of lifestyles and needs. Walkable neighborhoods with diverse housing stock benefit Brighton in a number of ways:

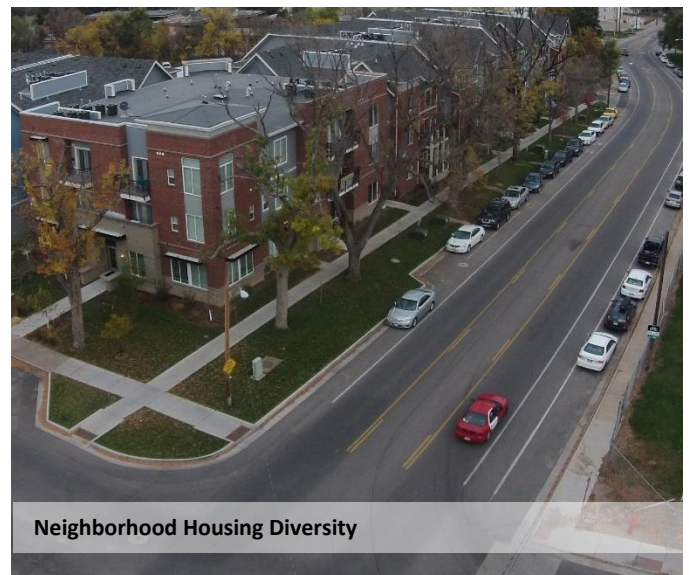
- Supports a variety of lifestyles with different housing needs;
- Creates a more resilient housing supply, and helps communities adapt to changing demographics and societal needs.
- Allows residents to “age in place” as lifestyle needs change;
- Enables more efficient use of space that supports neighborhood retail if homes are nearby walkable destinations;
- Builds valuable, distinguished neighborhoods and sustained investment and reinvestment in housing.

### What the Regulations Say

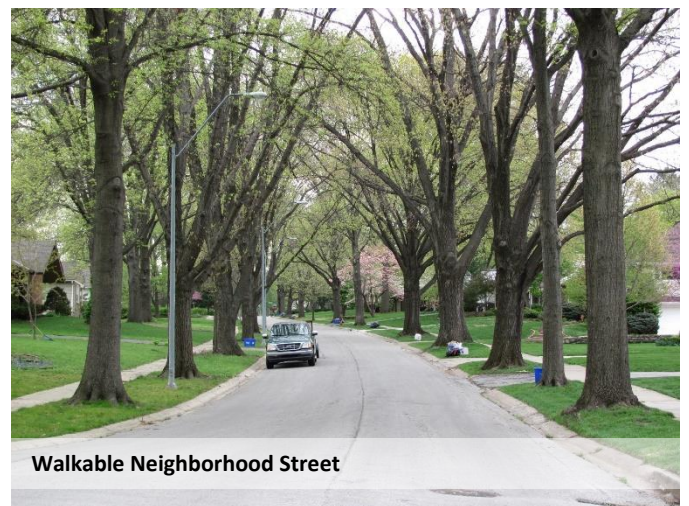
Specific regulations related to housing and neighborhoods include:

- The residential districts and development standards are all based primarily on lot sizes and density, some of which may inadvertently hinder certain housing formats.
- There are some large gaps or “steps” in the continuum of lots – particularly from 25 acres (A/R district) to 20,000 square feet (RE district), and 20,000 square feet and 7,000 square feet (R-1 district);
- Some districts appear set up to facilitate only as single building type – e.g. the R-1-A district is the same as the R-1, except it allows the building to have 2 units, and the PL and O districts are set up to allow civic buildings or open space – each of which should be integrated into all neighborhoods.
- The “city lot” / 5,000 square foot (R-1-B) accommodates the older, in-town lots, however smaller lots with houses on them could be appropriate in certain contexts.
- The R-2 district begins to accommodate small-scale multi-unit buildings (up to 8 per unit), but the lot size escalates for each new unit – some building types with multiple units may be appropriate in certain contexts.

- The R-3 District is the most accommodating to more dense housing, however it relies exclusively on lot density for regulation. This will drive higher-density projects to larger and larger lots, ultimately resulting in buildings that are out-of-scale with their surroundings. In this scenario, multi-family building types are usually only compatible in “pods” or large complexes buffered from the surroundings.
- The Residential Design Standards begin to focus on different building types, and the importance of how these different types relate to the public realm as a measure of compatibility. These regulations are fairly complex dealing with both neighborhood-scale design and site/building scale design.



Neighborhood Housing Diversity



Walkable Neighborhood Street

- The “anti-monotony” standards seek to avoid the sterile appearance of neighborhood streetscapes with varying lot sizes or housing models, however these may be difficult to administer and enforce outside of a large, one-time development proposal (i.e. based on a percentage or projects building several homes at once).
- A density bonus is provided where housing for 55 years and older, affordable housing or accessible housing is developed, but the details of how this is reviewed, approved and managed are not clear.

## Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Organize the residential zoning district and development standards more deliberately by building types to provide a wider range of compatible buildings in certain districts. (R-1-A and R-2 in particular).
- Move large portions of the Residential Design Standards to the subdivision regulations – particularly street networks, connectivity, block and street design, open spaces and neighborhood features. [See comments on Open Space and Streetscapes in other sections.]
- Simplify and reorganize the remaining design standards based on the building types – elements of building massing and scale, building and lot frontages, and human-scale facade details.
- Emphasize and clarify how current density bonuses work in relation to open space or specific housing types; expand on different patterns of housing through combinations of new building types and specific open spaces. (i.e. courtyard housing options on larger lots or deeper blocks.)
- Review and consider key elements of neighborhood “character,” what distinguishes different areas in the community, and which of these should be codified or updated in the residential design standards.







Mixed-use Town Center

## MIXED-USE EMPLOYMENT & RETAIL CENTERS

### Why It Matters

“Mixed-use” refers to zoning techniques that better integrate a variety of compatible and supporting uses. This may be in a single building, single site, or general area. Successful mixed-use centers can have a number of benefits:

- Create valuable places where people enjoy spending time;
- Enhance the identity and marketability of a district;
- Create a focal point for increased housing density and transit-oriented development;
- Achieve more efficient site design practices, such as sharing of parking lots and open spaces;
- Promote walkable development patterns;
- Allow residencies and offices to support more concentrated commercial development with nearby market bases.

### What the Regulations Say

Specific regulations related to mixed-use districts include:

- The Mixed-use zoning district has three sub districts based on scale – neighborhood, community and regional/employment.
- All of the mixed-use zoning districts require a planned district application, making it more

complex to implement and relying on large development proposals under unified control.

- The Downtown District, which promotes increased commercial development near adjacent neighborhoods, is reliant on the planned development process and lacks clear, measurable standards.
- Mixed use Design Standards place a lot of emphasis on walkable patterns and human-scale details, but they are fairly complex, dealing with both district wide master planning and site / building design.
- A number of topics in the Mixed use Design Standards are addressed elsewhere in the code, sometimes in different ways (parking, landscape, open space, connectivity, access). This adds to the complexity and lack of clear expectations, since these guidelines appear to “undo” many of the standards that work against mixed-use projects, but still don’t provide explicit standards instead relying on master plans to refine details.
- The building design standards emphasize human-scale details but use a lot of subjective or vague statements. Some of the more crucial details or patterns seem to get lost in the organization of the standards.
- The block standards, including provisions for mid-block pass through, in the Mixed Use Design Standards are good, but these should be elevated to a larger scale in the subdivision regulations, so this

pattern can blend a number of uses and zoning districts together, rather than be implemented through a project within a zoning district.

- Other districts that could achieve much of what is called for under the City's "mixed use" planning policies include downtown (DT), the South Fourth Avenue Overlays (S4GW and S4CR), Commercial Office (C-O) and Local Retail (C-1). These districts are intended for smaller-scale, more fine-grained development that is walkable and can be more closely related to neighborhoods and housing. However, they do not have development standards that clearly require or enable the building types that work well in these situations.
- Parking, landscape and street standards do not support walkable contexts, and often prioritize vehicle movements in all cases, or assume that space, separation, and landscape is required for compatibility between two sites.
- The use table begins to break some uses down by scale. For example, a grocery store under 50,000 square feet is appropriate in the local retail, while a grocery store over 50,000 square feet is appropriate in restricted retail or general retail. This begins to allow better blending of many uses appropriate to context.
- The same scale is used for "retail store", however this still leaves a very wide gap in format, scale and impact. For example, the use table would treat a 2,000 square foot shoe store in a store front building the same as a 50,000 square foot shoe store in a big box.
- Residences above or behind commercial or office is only allowed in the mixed-use districts and downtown, and not the local retail districts where walkability could be emphasized.
- Reorganize the use table into more simplified categories and types (i.e. "general retail") but introduce more refined distinctions based on scale of use and typical formats of the use (i.e. "micro-retail, under 1,000 s.f.; "neighborhood retail, 1,000 – 2,500 s.f., etc.).
- Consider converting commercial district standards to a building type approach, and then allow a broader mix of uses within each district, including the opportunity for some accessory residential uses.
- Place a greater emphasis of using residential districts in close proximity to some commercial districts, to better integrate uses into a larger "mixed use" neighborhood (See section on Housing Options and Neighborhood Design)
- Streamline the review process for mixed-use districts and/or consider making this a "by right" district subject to the appropriate urban design and building type standards.
- Update the planned development procedures, so that the requirements and criteria for a specific development plan are clear, and expand the opportunity for this to blend a number of different zoning districts into a walkable, or mixed-use context.

### Options to Consider

The following regulatory strategies should be considered to establish a better relationship between Comprehensive Plan policies and regulations:

- Emphasize street networks, streetscape design and smaller formal open spaces in the subdivision regulations, to be used in walkable commercial or mixed-use contexts.
- Add flexibility to the parking standards to allow greater use of shared, on-street or public parking, and less reliance on site-specific parking.



## SUMMARY

The following are initial observations from the preliminary analysis. These issues will continue to be discussed with staff, stakeholders and public officials throughout the Discussion phase of the project and prior to creating the initial draft of the regulations.

- Reorganize the code to consolidate redundancies and better align common topics.
- Consider removing sections of detailed application submittal criteria. These criteria can be delegated to a municipal department that administers forms or an appendix.
- Enable a “plain language” approach to the code by simplifying the language and removing legalese.
- Consolidate and streamline application procedures into a single section.
- Reorganize design standards to coincide with particular scales – for example, broader, planning-level standards can be incorporated into the Subdivision Standards, and site-specific or building-specific standards can be applied to particular zoning districts or to a specific building type.
- Develop a more explicit approach to development in the Downtown District beyond the planned development process to incorporate contextual elements that enhance the area.
- Consider a “building type” approach to development standards in certain districts, so a better mix of compatible-scaled buildings and lots can be developed.
- Create a more refined mix of housing formats between zoning districts (based on building type approach). Consider a greater mix of housing types within certain districts or consider creating a different district to mix housing in more compact and walkable formats.
- Develop a broader range of open space types for different contexts, including size, design, location, and service areas. Review the open space dedication requirements in light of the more specific types, and how they support different contexts, zoning districts and uses.
- Revise the Subdivision Standards to emphasize urban design standards for the public realm, including different standards for different contexts. Street networks, open space systems, block layouts and arrangement of different types of open spaces, and a greater range of street types and streetscape standards should be included.
- Simplify the building and site design standards in the Commercial and Mixed-Use Design Standards; consider refining them based on applicability to different building types.
- Review and reorganize the use table. Create a more coordinated system of use categories and use types but consider making more distinctions between the scale and typical formats of the use types.
- Expand allowed land use types for the Agricultural District to enable uses that can increase tourism and options of landowners.
- Modify the minimum lot sizes to be more appropriate for urban agriculture practices and the District Plan vision
- Improve the planned district procedures in conjunction with the streamlining of all procedures. Make clear the steps and criteria for planned development and draw a more specific distinction between the flexibility and processes for master planned development vs. the flexibility and processes for site-specific projects.
- Incorporate design standards for infrastructure required of typical development (streets, utilities, and community facilities.)