

ORDINANCE NO. 2114

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, AMENDING CHAPTERS 17.40, 17.70, AND 18.28 OF THE GOLDEN MUNICIPAL CODE REGARDING SUBDIVISIONS AND LOT, BULK STANDARDS FOR RESIDENTIAL DEVELOPMENTS IN THE R-2 AND R-3 ZONE DISTRICTS, AND SPECIAL USE PERMITS IN THE C1 & C2 ZONE DISTRICT

WHEREAS, the City of Golden wishes to standardize the shape of lots in future subdivisions of real property to match the character of established neighborhoods; and

WHEREAS, the City of Golden wishes to reduce the bulk of future two-family and multi-family residential developments in the R-2 zone district and future two-family developments in the R-3 zone districts; and

WHEREAS, the City of Golden wishes to make future residential developments in the C-1 and C-2 zone districts more compatible with existing residential developments in the R-3 and CMU zone districts; and

WHEREAS, the proposed regulations are in keeping with the goals of the North Neighborhood Plan and with the goals of the Comprehensive Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Sub-section 17.40.020(2), Residential Subdivision Standards, of the Golden Municipal Code is hereby amended to read as follows: ¹

(2) The size, shape, and orientation of the lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

- (a) Corner lots shall have sufficient width to permit appropriate building setbacks and orientation to both streets, and to meet all yard and sight distance triangle requirements.
- (b) Side lot lines shall be at substantially right angles or radial to street lines.
- (c) Lot layouts should address opportunities for solar access as well as significant views.
- (d) In the event that residential lots are adjacent to an arterial street or a major collector, an access control line shall be used to prohibit access from the lot to or from that street.
- (e) *For minor subdivisions, no lot shall exceed six (6) total lot lines, which include the lot's front, rear, and side lot lines. Lot lines may be traditionally aligned to one geometric bearing or curvilinear as needed.*

¹ Additions to the current text of the Code are indicated by *italics*, and deletions are indicated by ~~striketrough~~

Section 2. Sub-section 17.70.130(8), Required Information, of the Golden Municipal Code is amended to read as follows:²

(8) Existing and proposed easements, *including both public and private*, shall be shown by fine dashed lines and labeled as to type. All previously existing easements of record shall be shown, labeled as to type, and dimensioned with recording information given. If any easement already of record cannot be definitely located, a statement of its existence, the nature thereof and its recorded reference must appear on the title sheet. Distances and bearings of lots which are cut by easement lines must be arrowed or shown so that the plat indicates the actual length of the lot lines. The widths of all easements and sufficient ties to definitely locate the same with respect to the subdivision shall be shown. If an easement is being dedicated by the plat, it shall be set out in the owners certificate of dedication and dedicated to the City of Golden.

Section 3. Section 18.28.200, Lot, Bulk, and Setback Regulations for the AG, RE, R1, R1A, R2, R3 and RM districts, of the Golden Municipal Code is amended as provided in Exhibit A³ attached hereto.

Section 4. Section 18.28.210, Bulk and height schedule for the RC, C1, C2, M1, and M2 districts, of the Golden Municipal Code is amended to read as follows:

All RC, C1, C2, M1 and M2 districts shall comply with the following density schedule:

		RC- C1	C2 General Commercial	M1 Limited Industrial	M2 General Industrial
(1)	Maximum height of buildings (feet)	50	50	35	65
(2)	Minimum front setback (ft. from property line)	5	5	5	5
(3)	Minimum side setback (feet)	0	0	0	0
(4)	Minimum rear setback	0	0	0	0
(5)	Minimum rear setback from alley	5	5	5	5

- (a) Where provided in the site development standards of chapter 18.40, the front setback shall be zero feet.

² Additions to the current text of the Code are indicated by *italics*, and deletions are indicated by ~~strikethrough~~

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- (b) When adjacent to a residential zoned area, an additional buffer area as required by chapter 18.40 shall be provided.
- (c) The height limitations of this section shall not apply to church spires, belfries, cupolas, nor to chimneys, ventilators, skylights, water tanks, parapet walls, cornices without windows, antennas or necessary mechanical appurtenances carried above the roof level.
- (d) Setbacks.
 - (1) Cornices, canopies, eaves or similar architectural features may extend into a required setback not more than two feet.
 - (2) Fire escapes may extend into a required setback not more than six feet.
 - (3) The setback along both street sides of a corner lot shall be not less than the required front setback for principal buildings along such streets.
- (e) *Properties for which a special use permit approval is required in C-1 and C-2 zone districts to accommodate increased residential use shall meet the standards of the density schedule listed in section 18.28.200 for the R-3 zone district, except that properties located in Height Zones B and C of the downtown area, as defined in section 18.40.724, shall meet the following setback, building height, and open space standards:*
 - (a) *The minimum side and rear setback shall be 10 feet.*
 - (b) *The applicable height criteria set forth in section 18.40.724.*
 - (c) *The minimum useable open space shall be equal to or greater than 40 percent of the lot area, and a minimum of 50 percent of this required open space shall be located at ground level.*

Section 5. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 6. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 7. The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the

purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 8. This ordinance is deemed necessary for the protection of health, welfare and safety of the community.

Introduced, read and passed as an Ordinance, on first reading, at a regular meeting of the City Council of the City of Golden, Colorado, the _____ day of _____, 2019.

Read, passed and adopted as an Ordinance on second reading, at a regular meeting of the City Council of the City of Golden, Colorado, the _____ day of _____, 2019.

Marjorie N. Sloan
Mayor

ATTEST:

Monica C. Mendoza, MMC
City Clerk

APPROVED AS TO FORM:

David S. Williamson
City Attorney

I, Monica S. Mendoza, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular business meeting of the City Council of said city, held on the 23rd day of May, 2019 and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held on the 13th day of June, 2019, and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published in the aforesaid newspaper, as the law directs on the 13th day of June, 2019.

Witness my hand and official seal of the City of Golden, Colorado, on the 13th day of June,
2019.

(SEAL)

ATTEST:

Monica S. Mendoza, CMC, City Clerk
of the City of Golden, Colorado