



City of
Golden

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Council Memorandum

To: The Honorable Mayor and City Council

From: Cory Miller, City Planner

Through: Steve Glueck, Director of Community and Economic Development
and Jason Slowinski, City Manager

Date: April 30, 2019

Re: Ordinance (No. TBD) -- Title 18 Code Changes Pertaining to the R-2 and R-3 Zone District

Purpose of Agenda Item: This item is presented pursuant to guiding future residential development in response to public feedback related to new two-family and multi-family developments. This effort is in conformance with the goals of the North Neighborhoods Plan which states that new and infill development should:

- Complement existing character and enhance existing amenities and pedestrian connections.
- Seek to maintain the character and integrity of the existing single-family areas.
- Facilitate form-based infill residential development based primarily upon design, scale, and character, allowing for the diversity of density permitted in adjacent or nearby portions of the specific sub areas.

These proposed code changes represent Phase 1 of this effort, and include updates that are considered straightforward, represent broad agreement amongst both the public and Planning Commission members, and can be implemented in a timely manner. Phase 2 of this effort, which will be presented at a later date, will likely include potential changes related to the development of elevated decks (rooftop decks), lot consolidation and divisions, and issues related to residential development in commercial zones, amongst other considerations. Planning Commission felt that the topics identified in Phase 2 (see below) needed more research and discussion prior to making a proposal to Council and, therefore, have chosen to move the Phase 1 updates forward at this time.

Background: Early in 2018, a group of residents met with members of the planning division and City Council to discuss concerns related to the design of recent duplexes and multi-family structures in the North Neighborhoods. In a memo provided to the City of Golden Planning Division (dated 6-4-18), the citizen group expressed compatibility concerns

and provided a list of concepts for the planning division to explore as potential updates to the R-2 zoning district in the area.

In the fall of 2018 and into the spring of 2019, planning staff conducted a survey, as well as a community meeting, to evaluate new, performance-based standards that could be applied to new two family and multi-family developments. Several topics were surveyed for feedback from this neighborhood's residents and the results were discussed with the neighborhood during a community meeting held on March 14th.

Planning staff met with Planning Commission on three separate occasions to discuss potential zoning amendments, their impacts, and the results of the community outreach. A report, delivered to the Planning Commission in March, is attached to this memorandum that provides an in-depth summary of the process, the survey and its results, the neighborhood meetings, and study sessions with the Planning Commission.

During the process, the residents of Golden had several interactions with Planning Commission to discuss concerns and ideas about potential code amendments. A moratorium against future two-family and multi-family development was approved by Council in April of 2019 to provide staff time to develop proper regulations that would address the community's concerns.

Moratorium: Residents from the Golden community met with staff, Planning Commission, and individual Councilors on numerous occasions to discuss both the bulk concerns on new residential development as well as the moratorium that was enacted by Council in March (Ordinance 2104).

Since the Phase 1 code changes now before Council specifically address the concerns with duplex development, staff recommends that the moratorium on two-family development be lifted upon approval of these changes, which includes the phase 1 zoning amendments. This would allow development for two-family structures in the R-2 and R-3 zone districts to proceed once the changes have taken effect.

At the direction of City Council, staff will include language that authorizes the restriction on two-family development, as described above, be lifted from the active moratorium.

Proposed Zoning Amendments / Phase 1 Changes: During the April 3rd study session, Planning Commission discussed the results of the survey as well as staff's zoning recommendations before offering specific zoning amendment recommendations to City Council. Prior to the commencement of this meeting, Planning Commission took public comment from the audience as requested by the residents of the north neighborhoods. Those who provided comment were unanimously in favor of the proposal offered by staff at the March 14th community meeting.

Upon completion of the study session, the Planning Commission offered the following recommendations to be considered as part of the proposed ordinance:

Maximum Lot Coverage

The Planning Commission recommends a 50% maximum lot coverage on a two-family and multi-family developments in the R-2 zone district. A 50% maximum lot coverage is also recommended for duplex (two-family) developments in the R-3 zone district as well.

Multi-family 35' Building Height Bonus

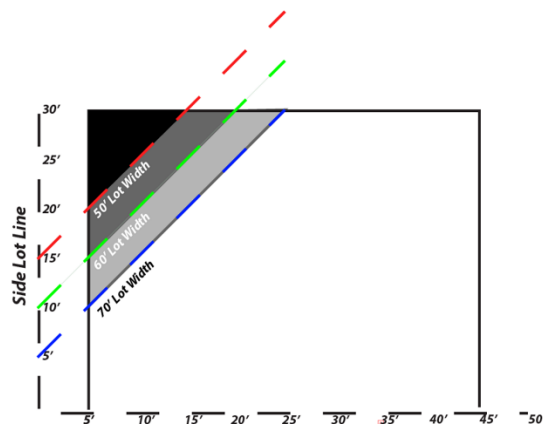
The Planning Commission recommends elimination of the 5 foot height bonus on all two-family and multi-family developments in the R-2 zone district.

Front Porch

Planning Commission recommends requiring front porch elements on all future two-family and multi-family developments in the R-2 zone district and for future two-family developments in the R-3 zone district.

Graduated Setbacks

Graduated Setbacks are proposed by Planning Commission as a result of the April study session/public comment hearing. The current proposal triggers a bulk plane slope of 45 degrees to be applied to the side property lines at a height of 15'. Per the regulation, no structural improvements shall be permitted above the bulk plane slope. 15' shall be the requirement for initiating the bulk plane slope on traditional 50' wide lots. For every 10' additional feet in lot width, it is proposed to lower the graduated setback initiation point by 5' above the property line. Lots with widths greater than seventy feet will be required to initiate their bulk plane slope at 5' above grade.



Considerations for the May 16th discussion:

- Is the stricter graduated setback regulation for wider lots too restrictive? Larger lots are not common in the neighborhood. The stricter option may preclude even a one story building from being built close to the traditional setback on a wider lot. One option could be to have the restriction stop at the 60' lot width or greater (10' above

side lot line), instead of at the 70' lot width or greater (5' above side lot line). This would allow a height of 15' at the traditional 5' setback line, and a taller structure with greater setback.

Additional Code Updates: Two additional changes are proposed for the Ordinance. They are the following:

Variance Appeals

Section 18.30 will be updated to allow applicants and residents to appeal a variance determination from the Planning Commission to City Council. This appeal shall be made prior to any additional appeal for judicial review.

Site Plan Review

Section 18.40 will be updated to require a site plan approval for the following scenarios:

- Groupings of two duplex household dwellings or more located on adjoining lots under a single owner or common ownership.
- Groupings of two duplex household dwellings or structures or more permitted on an individual lot to be subdivided upon approval of a building permit.
- Groupings of two duplex household dwellings or structures or more on adjacent lots or parcels when such groupings function as a unified project or site plan

Section 18.40 will be updated to require a neighborhood meeting prior to site development plan approval. This process shall follow the regulations established in other sections of the Code where neighborhood meetings are required. The requirement for a neighborhood meeting for site development plans may be waived by the director of planning.

Phase 2 Items: As mentioned, Planning Commission would like to continue discussion on some performance standards into the summer. A study session is set with Planning Commission on the 15th of May to discuss additional regulations. These regulations include the following:

- Rooftop and inset decks
- Allowable encroachments to the bulk plane, such as: dormers, chimneys, gutters, mechanical equipment etc.
- Lot assemblages
- Lot splits
- Administrative subdivisions
- Preservation of existing homes (second story additions)
- 100% residential SUPs and "horizontal mixed use" design requirements

Fiscal Impact: These updates are intended to address neighborhood concerns related to the zoning code to improve compatibility with neighborhood character, while remaining consistent with Golden Vision 2030, the Comprehensive Plan and the North Neighborhoods Plan and should not result in a measurable negative fiscal impact to the City.

Community Impact: These updates are intended to addressing neighborhood concerns related to the zoning code to improve compatibility with neighborhood character, while remaining consistent with Golden Vision 2030, the Comprehensive Plan and the North Neighborhoods Plan.

Community Outreach: Many residents of the North Neighborhoods have been actively involved in this process, which includes written comments, meetings with staff, and attendance at Planning Commission meetings.

Alternatives: Any action by Council on this request is discretionary. Council may wish to consider adoption of any of the proposed code changes, or direct further review or discussion.

Recommendations: Staff recommends that City Council have first reading on May 23rd and conduct a public hearing on an ordinance enacting the above Phase 1 changes on June 13, 2019 and based upon that hearing take appropriate action regarding this matter.

Attachments:

- Bold/~~strike through~~ changes to Title 18 (Attachments A,B, and C)
- Memorandum to the Planning Commission, dated March 20, 2019