



Land Use

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DC-18-0004: Niwot Rural Community District Regulations Update January 24, 2019 Community Meeting Supporting Materials

Summary

Staff is developing proposed changes to the Niwot Rural Community District (NRCD) provisions within the Land Use Code (Article 4-116). The Code update is intended to provide clearer guidance for development that will help maintain community character while accommodating changes associated with preserving and enhancing the community as a thriving, semi-rural village center. The purpose of the January 24 community meeting is to review and gather feedback on proposed Code update concepts prepared by staff. The draft material presented here was prepared drawing on staff analysis, Boulder County Comprehensive Plan policies for the area, and public input gathered through community meetings in October and December, as well as additional channels summarized on the webpage for this docket (<https://www.bouldercounty.org/property-and-land/land-use/planning/land-use-code-update/dc-18-0004/>).

Staff will refine the draft Code update content based on community feedback provided at the January 24 meeting, as well as comments submitted through the docket webpage and from the Historic Preservation Advisory Board and Niwot Design Review Subcommittee. Staff will take proposed regulations to Planning Commission for a public hearing in February. Planning Commission will consider the staff recommendation and public comments at the hearing. Revisions may be needed after Planning Commission feedback. Following Planning Commission action the proposed regulations will be taken to BOCC for review and consideration. Staff is working to develop and obtain approval of the Code updates as expeditiously as possible in the interest of completing the process prior to the March 20, 2019 end to the moratorium on development review activity in non-historic area of the NRCD.

This document provides:

- Guiding principles for the Land Use Code update
- A summary of proposed Draft Code language (excerpts of sections of the updated Code provisions), with explanations embedded in each section
- A comparison of current Code provisions with changes under consideration (Attachment A).
- A summary of community input gathered to date (Attachment B)
- Maps of existing conditions for lot coverage (Attachment C) and Floor Area Ratio (Attachment D)

Guiding Principles and Key Concepts for the Land Use Code Update

The following principles guided staff's development of draft Code language. The principles reflect the objectives for the Land Use Code update, as well as outcomes from community engagement and staff analysis.

- Recognize that issues related to the NRCD are distinct and solutions must allow for change while preserving aspects which help define the district. Each block has a somewhat unique development pattern that contributes to the overall character of the district.
- Regulate impacts directly
 - Bulk regulations (setbacks, height limits, lot coverage and floor area ratio (FAR)) are to assure the physical development of the district is appropriate;
 - Parking requirements are to assure proper traffic management and adequate parking. Parking regulations will not be used as control for bulk.
- Provide regulations that support the safety of both traffic and pedestrians.
- Improve the 2nd Avenue pedestrian experience, including reducing or eliminating curb cuts.
- Allow uses to access the alley – develop requirements for alley improvements and screening.
- Recognize the transition between residential and commercial areas. Considerations include upper floor setback, limits on windows overlooking yards, limits on width of buildings to avoid long expanses of front façade across multiple lots east of Franklin.
- Mitigate impacts but allow flexibility in uses.
- Review parking requirements and allow for flexibility.
- Establish residential density and design parameters, which support commercial uses fronting to 2nd Avenue.
- Discourage dependence on cars, recognizing that rural v. urban parking solutions differ.
- Draw on examples of existing conditions that have been described by the community members as enhancing the character of the NRCD
- Limit the creation of non-conforming structures and uses following the Code update.
- Revise Code section to be more consistent with the overall Code layout and content.

Draft Code Language for Review

This section includes draft updated language to be considered for Article 4-116 of the Land Use Code. The language presented here addresses the primary topics of focus for the Code update. Some sections of Article 4-116 that may still undergo minor revision are not completed at this time and will be included in the complete draft Code language that will be circulated for comments in late January.

The sub-sections below correspond with sections of the draft Article 4-116 Code language. Each subsection includes a brief reader's guide to the changes under consideration, followed by the draft Code language for review. Staff is not presenting a full redline strikethrough of the existing Code given the extent of the changes. See Attachment A for a full comparison of existing Code content with changes under consideration.

Section A. Purpose and District Description

Reader's Guide: These sections would replace the current "Introduction" section of Article 4-116. The current Introduction section includes background information related of the NRCD, as well as process-related information. The proposed updated Code language would start with a statement of purpose, followed by a description of the area covered by the district.

Draft Language:

A. Purpose and Scope

The Niwot Rural Community District (NRCD) was created under Article 4-115 to recognize the unique semi-rural character of the community, and to apply planning tools to help maintain that character. The NRCD includes a historic district (HD) and a non-historic district (NH), each with somewhat distinct character (see Figure 1). Article 4-116, as amended in March 2019, is intended to provide clear guidance for development that will help maintain community character while accommodating changes associated with preserving and enhancing the community as a thriving, semi-rural village center.

All provisions of the Boulder County Land Use Code apply to proposed development within the NRCD I unless otherwise noted in Article 4-116. Provisions in Article 4-116 identify the maximum allowed development footprint for the NRCD I. The applicable review process will evaluate all development proposals and may further restrict development based on the characteristics of a given property and proposal, and review criteria, with particular attention to historic conditions in the district.

District Description:

Block 1 north of 2nd Avenue and west of Murray Street; Block 2 south of 2nd Avenue and west of Murray Street; Block 3 north of 2nd Avenue between Murray Street and Franklin Street; Block 4 south of 2nd Avenue between Murray Street and Franklin Street; Block 5 north of 2nd Avenue between Franklin Street and Niwot Road; Block 6 south of 2nd Avenue between Franklin Street and Niwot Road.

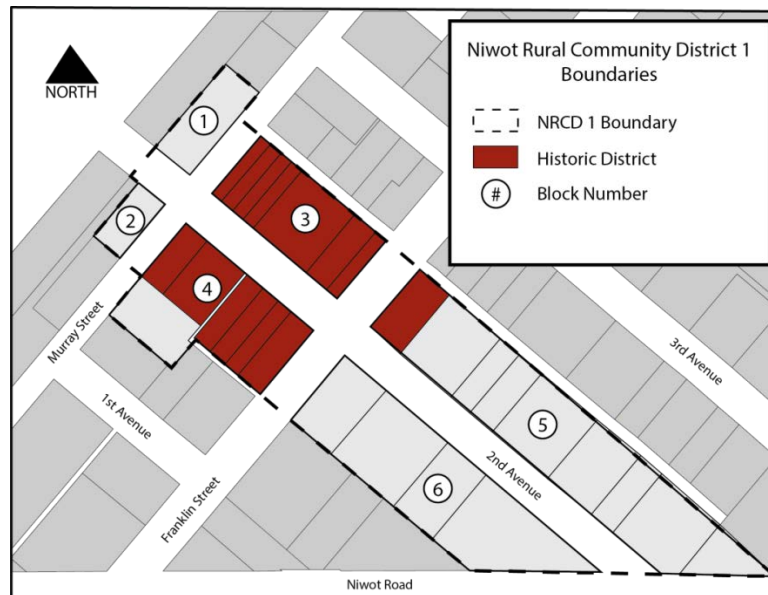


Figure 1 – Niwot Rural Community District 1

Section B. Principal Uses Permitted

Reader's Guide: This section will remain the same as the current version of the Code with two exceptions: 1) use categories will be revised to match current use definitions used elsewhere in the Land Use Code; and 2) there will be a section for "Mixed Use" which will include information on the maximum number of dwelling units that could be allowed depending on parcel size. There will also be a corresponding addition of a definition for Mixed Use within the main body of the Land Use Code (a new Article 4-518).

Draft Language:

- B. Principal Uses Permitted [**NH** = Nonhistoric district only]
 - 1. Agricultural Uses
 - 1. Farm Store [**NH**]
 - 2. Commercial / Business Service Uses
 - 1. Carpentry, Woodworking, or Furniture Making Facility
 - 2. Commercial Bakery (see 4-503D) provided it is limited to no more than 2,000 square feet of floor area and is located on the second floor or in the rear of the property.
 - 3. Vehicle Sales/Rental Lots [**NH**]
 - 3. Community Uses
 - 1. Church
 - 4. Lodging Uses
 - 1. Overnight Lodging Facility (not more than 14 rooms)
 - 5. Office Uses
 - 1. Professional Office
 - 6. Residential Uses
 - 1. Single Family Dwelling [**NH**]
 - 7. Retail and Personal Service Uses
 - 1. Bank
 - 2. Day Care Center [**NH**]
 - 3. Eating or Drinking Place, without drive through service
 - 4. Emergency care facility
 - 5. Mortuary [**NH**]
 - 6. Retail or Personal Service Facility
 - 7. Veterinary Clinic without outside holding facilities
 - 8. Utility and Public Service Uses
 - 1. Public or quasi-public facility other than listed

9. Mixed Use

Table. 1 NRCD Residential Unit Allowance

Parcel Size	Dwelling Units Allowed as part of a Mixed Use	
< 10,000	2	3 if one is 500 sq ft or less
10,000-15,000	4	5 if one is 500 sq ft or less
>15,000	5	6 if one is 500 sq ft or less

Section C. Lot, Building and Structure Requirements

Reader's Guide: Significant changes are proposed for the topics addressed in this section. It is the primary area within Article 4-116 that addresses issues of building bulk, massing, and overall site design that are closely tied to preservation of community character, and it relates to use of the alley north of Block 5.

Changes being considered include:

- Reducing the **Maximum Building Height** within 25 feet of the rear setback in certain cases, to recognize the transition between commercial and residential areas, and to minimize the potential looming effect and privacy concerns of neighbors adjacent to a property that will have a second story addition.
- New provisions for **Lot Coverage** and **Floor Area Ratio (FAR)** are included to address the scale of development, including the relationship of building bulk (volume, shape, and spacing of buildings on the land) to land, and to other buildings in the area. Lot Coverage and FAR mechanisms allow for choice in how floor area will be distributed across the property, within the boundaries provided by setbacks.

Draft Language:

C. Lot, Building, and Structure Requirements

1. Minimum Lot Size
 1. 3,500 square feet
2. Maximum Building Height
 1. 30 feet
 2. 15 feet within 25 feet of rear property line where the rear lot line borders a parcel or right-of-way outside of the NRCD I.
3. Minimum setbacks
 1. Front yard –
 - a. 0 feet in blocks 1, 2, 3, 4 (between the Diagonal Highway and Franklin Street)
 - b. 20 feet in blocks 5, 6 (between Franklin Street and Niwot Road)
 2. Side yard –
 - a. Block 1 to 6 - 0 or 12 feet
 - b. Interior parcel lines perpendicular to 2nd Avenue shall be considered a side yard.
 3. Rear yard –

- a. Blocks 1, 2, 6 - 10 feet
 - b. Blocks 3 and 4 – 0 feet for corner parcels and 15 feet interior parcels except where the rear lot line borders a parcel in the NRCD I or NRCD II
 - c. Block 5 - 0 feet
- 4. Supplemental Setbacks
 - 1. Within the NRCD, no supplemental setback from the center line of 2nd Avenue is required.
 - 2. Along Niwot Road, within the NRCD, the minimum yard requirements for all structures, with the exception of signs, shall not be less than 80 feet from the center line of the roadway.
- 5. Lot Coverage
 - 1. Definition: The percentage of total parcel area that can be covered by structures.
 - 2. Provisions:
 - a. Blocks 1, 2 – 55%
 - b. Blocks 3, 4 - 75% for interior lots and 90% for corner lots
 - c. Blocks 5, 6 – 50%
- 6. Floor Area Ratio (FAR)
 - 1. Definition: The ratio of the total above grade building floor area to total lot area. FAR = above grade floor area / lot area. For example, a FAR of 1.0 means that floor area may equal lot area; a FAR of 0.5 means that floor area may total no more than half the lot area, though it may be distributed entirely on 1 story, or with a portion on the second story.
 - 2. Provisions:
 - a. Blocks 1, 2, 5, 6 - 0.55
 - b. Blocks 3, 4 –1.0 - No FAR – Historic, Site Plan Review, setback, and lot coverage provisions to control.

Section D. Parking

Reader's Guide: Changes to this section are intended to provide greater clarity and flexibility, and to abandon the practice of using parking requirements as a mechanism to control the scale of development. The changes under consideration would use other mechanisms for those purposes (e.g., lot coverage, FAR, and setbacks) and parking would more directly reflect the needs of the use on the property. The updated parking requirements would reflect the county's values related to sustainability and a diversity of housing types by providing potential parking reductions to properties promoting use of multi-modal transportation, those with small residential units, and those with shared parking agreements.

Draft Language:

D. Parking Requirements:

1. Any additional square footage built over that which legally existed on July 1, 2012 will require 1 parking space per 500 square feet of non-residential floor area, and residential parking at:

Number of dwelling units	Parking Requirement*
1	2
2	3
3	5
4	6
5	8
6	9
* Units less than 600 sq ft may be granted a reduction in parking.	

2. A change of use within an existing structure or the addition of at grade, uncovered outdoor seating will not require additional parking.
3. Parking may be provided on the lot or on another lot within the NRCD, or in an approved community lot. A county approved parking agreement is required if the parking is provided on another lot.
4. Parking Reduction Plan - A parking reduction plan must be submitted with any application for review and approval. The County Engineer and Zoning Administrator shall consider the plan and measures proposed and may approve up to a 40% reduction in required spaces per the following criteria:
 - a. The applicant demonstrates the proposed use(s) do not generate the parking demand the standards were designed to accommodate.
 - b. The reduction in parking will not increase the demand for on street parking in the adjacent residential neighborhood.
 - c. A contingency parking plan shall be submitted that graphically illustrates where additional parking spaces can be constructed in the event that parking demand for the proposed use increases or a new user with typical parking demands requiring more parking spaces occupies the site. The total number of additional parking spaces in said parking contingency plan, and the proposed number of parking spaces, shall equal the number of parking spaces required pursuant to Article 4-116.E. The design and layout of said parking contingency plan shall comply with all applicable development standards.
 - d. The reduction in parking shall not be contrary to the purpose of this Code.
5. Contingency Parking – The Niwot Transportation and Connectivity Plan (NTCP) recognizes the potential future need for additional parking within the district. At the time of adoption of 4-116, as amended, parking demand does not warrant the construction of a common parking area as there is adequate supply to accommodate existing uses and a surplus to accommodate a moderate level of additional use. An applicant may propose as part of a parking reduction plan to utilize the current surplus

of district parking with a commitment to utilize the common parking area when, and if, it is constructed.

6. Multi-Modal - A reduction of up to 10% of the required parking may be approved by the County Engineer for implementing multi-modal strategies such as bike racks, bus pass or ride share benefits.
7. Existing Shared Parking –The County Engineer may require the applicant to submit sufficient data to demonstrate compliance with the general use classifications and/or the time of use distribution for shared parking. If one (1) or more of the uses proposing to utilize shared parking spaces do not conform to one (1) of the general use classifications and/or the time of use distribution, the applicant shall submit sufficient data to indicate that there is not substantial conflict in the principal operating hours of the uses and that the various uses sharing parking have peak parking demands at different periods of the day or week. The County Engineer may require said data to include information from a professional publication such as those published by the Institute of Transportation Engineers (ITE) or the Urban Land Institute (ULI), or by a professionally prepared parking study.
 - a. The property owners involved in an approved shared parking request shall submit a written agreement approved by the Zoning Administrator requiring that the parking spaces be maintained as long as the uses requiring parking exist or unless the required parking is provided elsewhere in accordance with the provisions of this article. Prior to the issuance of a building permit or, for existing buildings, prior to the issuance of Certificate of Occupancy, such written agreement shall be recorded by the property owners with the Boulder County Clerk and Recorder and a copy filed with the Land Use Department.
8. Provision or availability of passenger loading and staging areas for ridesharing and autonomous vehicles. The applicants must submit evidence that the staging areas are sufficient to meet demand, and that transportation behaviors and technology warrant a reduction in parking.
9. Credit will be given for on-street parking at a ratio of 1 space per 15 feet of street frontage in the area west of Franklin and 1 per 25 feet of frontage in the area east of Franklin Street.
10. Small car spaces may be used to meet on-site parking requirements provided they are designated for employee parking. In no case shall the designated small car spaces exceed 40 percent of the required on-site parking spaces.
11. No loading space is required unless determined to be necessary through the zoning review or site plan review process.
12. Parking must be located in rear or side of the lot. There must be no parking within the front building line of the property.
13. All parking must be adequately screened from views from 2nd Avenue. Where properties abut the alley, parking must be screened from the alley. Acceptable screening tools include, but are not limited to, fences and vegetation.

Section E. Design Requirements

Reader's Guide: Changes under consideration include:

- Adding provisions related to access and mobility to address safety and the community's desire for improved walkability
- Encouraging dedication of lot area to landscaping and low-water use greenspaces, particularly on Block 5 where that is identified as an important character element
- Limiting use of stucco
- Establishing a maximum building width for structures on Block 5

Draft Language:

E. Design Requirements

1. Access and Mobility

- a. Safety and pedestrian experience shall be considered during review. Additional curb cuts along 2nd Avenue should be discouraged and when possible reduced through shared access.
- b. Building design and scale should enhance the walkability and pedestrian experience.
- c. Streetscapes and public areas including alleys shall be improved and landscaped to enhance the pedestrian experience and to help buffer residential areas.

2. Signs

- a. Wall mounted signs per building face shall not exceed 32 square feet total.
- b. Wall mounted perpendicular signs may not exceed 12 square feet per sign face.
- c. One ground sign (not raised on a pole) per building lot of no more than 32 square feet or 16 square feet per sign face is permissible.
- d. Items may be displayed outside of a structure provided they are displayed for no more than 48 hours and not more than once per week or have received the approval of the Old Town Niwot Design Review Subcommittee. Such objects shall not obstruct pedestrian traffic on sidewalks.

3. Landscaping

- a. In Blocks 5 and 6 -with the exception of a driveway, patios, and walkways, paving shall not be permitted in the front yard within 10 feet of the front property line.
- b. Only deciduous trees shall be permitted in the front yards. Any type of shrub shall be allowed.
- c. Grass, turf-block, or organic mulch are permitted;
- d. In Blocks 5 and 6 a minimum of 20% of the area within each parcel must consist of landscaping, which may include hardscaped plazas, outdoor seating/serving area, walkways within on-site open space areas, and other

- similar hardscaped on-site amenities. Hardscaped elements shall account for no more than two-thirds of the minimum landscaped area requirement.
- e. Low-water use landscaping approaches are encouraged, along with use of green roofs on non-historic structures.
- 4. Lighting
 - a. Any lighting shall be low intensity to provide for safety and security where needed. Install recessed lights, footlights, lights on posts of human scale, or directional lights in unobtrusive locations.
 - b. Freestanding lighting shall be no more than 12 feet in height with the exception of street lights. Lighting operation/hours may be further limited through applicable review process to assure neighborhood compatibility and safety.
 - c. Lighting attached to a building must be directed at the building facade and directed down
 - 5. Building Materials in the Non-Historic area
 - a. Front facades shall be composed of brick, wood or a non-organic wood facsimile siding, stucco, or stone; or, a material approved by the Old Town Niwot Design Review Subcommittee.
 - b. Preapproved paint colors listed in Appendix A may be used; If a color not listed in Appendix A is requested, approval by the Old Town Niwot Design Review Subcommittee is required.
 - c. Fences shall be wood or wrought iron and shall be no higher than 4 feet in the front yard.
 - 6. Building Form
 - a. Roofs should conform with the existing roof forms on Second Avenue
 - b. Expanses of building façade visible from 2nd Avenue or side facades longer than 25 feet shall incorporate design variations to break up the continuity of the wall in an attempt to reduce the possibility of a long monotonous wall.
 - 7. Mix of Uses
 - a. For properties supporting both commercial and residential uses on the same lot; commercial-serving retail, service, office and other commercial uses should be located on the ground floor. Residential and/or office uses should be located on the second floor or behind any commercial units on the first floor.

Section F. Process and Review Requirements

Reader's Guide: This section will assemble all process-related provisions into one place within Article 4-116. All review requirements for projects seeking development approval will remain unchanged. Changes under consideration pertain to increased requirements for community engagement for projects larger than a certain scale. Not included here are the design review requirements for projects in the Historic District. Those requirements will remain unchanged.

Draft Language:

F. Process and Review Requirements

1. Special Review will be necessary for any use which:
 - a. Generates traffic volumes in excess of 500 average daily trips; or
 - b. Has a total floor area greater than or equal to 35,000 square feet.
2. Site Plan Review is required when building on a vacant parcel or adding 1,000 square feet of floor area or more to a property. Site Plan Review is not required for a change of use. A Site Plan Review waiver process is required when demolishing any square footage or adding less than 1,000 square feet.
3. Community Engagement

Boulder County requires applicants to schedule and hold a meeting with the local community, residents, and other stakeholders prior to submitting the application to the Land Use Department for development, which triggers Site Plan Review, Special Review, or other planning review process. The purpose of this engagement is to provide sufficient opportunity for public comment on development plans, and for the applicant to listen to and address, as reasonable, the community's concerns and recommendations related to the proposed development. When public, applicants shall:

 - a. notify adjacent property owners and Land Use staff of public meeting at least seven days prior to the meeting which shall be held at least 14- days and not more than six months prior to application;
 - b. hold meeting;
 - c. prepare a final report summarizing comments and information received and how any concerns are being addressed or are not applicable to project; and
 - d. submit report with application
4. Niwot Design Review Committee and Historic Preservation Advisory Board Engagement

Boulder County requires applicants to schedule and hold a meeting with the Niwot Design Review Committee and, if applicable, the Historic Preservation Advisory Board prior to submitting the application To the Land Use Department for development, which triggers Site Plan Review, Special Review, or other planning review process.
5. Referral

As part of any development application in NRCD I the following will be included as additional referral agencies:

 - a. Niwot Design Review Committee per Article x-xxx of this Code
 - b. Property owners and residents within 1,500' of the proposed development
 - c. The Local Improvement District Advisory Board
 - d. Niwot Downtown Business Association
 - e. Niwot Community Association
 - f. Niwot Historical Society

6. Amendments

Proposed amendments to the boundary of the Niwot Rural Community District shall be referred to all property owners within the NRCD as well as the Old Town Niwot Design Review Subcommittee. Referral comments from NRCD property owners and the Subcommittee shall be considered by the Planning Commission and the Board of County Commissioners when reviewing rezoning requests in or adjacent to the current boundary of the NRCD as shown in Figure 1 of 4-116.

Section G. Review Boards

Reader's Guide: This section will include a revised description of, and requirements for the Niwot Design Review Committee, and reference to the role of the Historic Preservation Advisory Board (HPAB).

Draft Language:

G. Review Boards

1. Niwot Design Review Committee
 - a. Duties and Responsibilities. The committee's primary role is to act as a referral agency for proposals within the NRCDI. The committee does not have legal authority to grant Certificates of Appropriateness. However, the Historic Preservation Advisory Board (HPAB) shall consider the committee's recommendation as well as other public testimony in decisions pertaining to the historic district.
 - b. Selection. Niwot Design Review Committee will consist of 5 members. Members will be appointed by the BOCC, and the selection process will be completed with the intent to include representatives of the Niwot Business Association, the Niwot Community Association, the Niwot Historical Society, at least one member of the HPAB, and members of the community who have lived or worked in the community for more than five years.
 - c. Term. Members shall serve three-year terms, and no member may serve more than three consecutive terms.
 - d. The Niwot Design Review Committee is authorized to hold meetings on an as needed basis and may adopt official bylaws for the conduct and procedures of its meetings.
2. Historic Preservation Advisory Board (HPAB)
 - a. The HPAB reviews proposals within the Historic District of the NRCD I and on parcels with structures 50 years of age or greater

Topic	Current Condition	Code (and Related) Changes Under Consideration												
Purpose and District Description – Section A														
		These sections would replace the current “Introduction” section of Article 4-116. The current Introduction section includes background information related of the NRCD, as well as process-related information. The proposed updated Code language would start with a statement of purpose, followed by a description of the area covered by the district.												
Principle uses permitted – Section B														
Mixed Use	Mixed use and residential density is not defined in the Code.	<p>Define mixed use and the number of residential units allowed:</p> <table border="1"> <thead> <tr> <th>Parcel Size</th><th colspan="2">Dwelling Units Allowed as part of a Mixed Use</th></tr> </thead> <tbody> <tr> <td>< 10,000</td><td>2</td><td>3 if one is 500 sq ft or less</td></tr> <tr> <td>10,000-15,000</td><td>4</td><td>5 if one is 500 sq ft or less</td></tr> <tr> <td>>15,000</td><td>5</td><td>6 if one is 500 sq ft or less</td></tr> </tbody> </table>	Parcel Size	Dwelling Units Allowed as part of a Mixed Use		< 10,000	2	3 if one is 500 sq ft or less	10,000-15,000	4	5 if one is 500 sq ft or less	>15,000	5	6 if one is 500 sq ft or less
Parcel Size	Dwelling Units Allowed as part of a Mixed Use													
< 10,000	2	3 if one is 500 sq ft or less												
10,000-15,000	4	5 if one is 500 sq ft or less												
>15,000	5	6 if one is 500 sq ft or less												
Lot, building, and Structure Requirements - C														
Minimum lot size	3,500 square feet.	Same as current.												
Height Maximum	30 feet.	Same as current, with the exception of a 15 foot maximum building height within 25 feet of a rear property line where the rear lot line borders a parcel or right-of-way outside the NRCD I.												
Front yard Setback	0 feet in blocks 1, 2, 3, 4. 20 feet in blocks 5, 6.	Same as current.												
Side yard setback	0 or 12 feet.	<p>Same as current.</p> <p>Interior parcel lines perpendicular to Second Avenue shall be considered a side yard.</p>												
Rear yard setback	0 feet with an alley. 10 feet without an alley.	<p>For blocks 1, 2, 6 - 10 feet.</p> <p>For blocks 3, 4 - 0 feet for corner parcels and 15 feet for interior parcels except where the rear lot line borders a parcel in the NRCD I or NRCD II.</p> <p>For block 5 – 0 feet</p>												
Building lot coverage Maximum	No requirement	<p>For blocks 1, 2 - 55%</p> <p>For blocks 3, 4 - 75%</p> <p>For blocks 5, 6 - 50%</p>												

Floor Area Ratio	No requirement	Same as current (no FAR) for blocks 3, 4. Historic, Site Plan Review, setbacks, and lot coverage control. For blocks 1, 2, 5, 6 - 0.55 FAR
Parking Requirements - D		
Parking	<p>Any additional square footage built over that which legally existed on July 1, 2010 will require 1 parking space per 500 square feet of floor area. Existing square footage is grandfathered in as the property is currently configured and is not recalculated at the rate of one space per 500 square feet of floor area.</p> <p>Parking may be provided on the lot or on another lot within the NRCD. A county approved parking agreement is required if the parking is provided on another lot.</p> <p>All other requirements currently in the Code will remain.</p>	<p>Same as current except removal of grandfathering.</p> <p>Residential parking at: 1 dwelling unit = 2 parking spaces 2 dwelling unit = 3 parking spaces 3 dwelling unit = 5 parking spaces 4 dwelling unit = 6 parking spaces 5 dwelling unit = 8 parking spaces 6 dwelling unit = 9 parking spaces</p> <p>*Units less than 600 square feet may be granted a reduction in parking.</p> <p>An approved community lot as an option for parking.</p> <p>Parking reduction Plan - up to 40% in required spaces per criteria.</p> <p>Required parking in the rear or side of the lot. There must be no parking within the front building line of the property.</p> <p>Parking screening</p>
Design Requirements – Section E		
Access and mobility	No requirement	<p>Added access and mobility to design requirements:</p> <p>Safety and pedestrian experience shall be considered during review. Additional curb cuts along 2nd Avenue should be discouraged and when possible reduced through shared access.</p> <p>Building design and scale should enhance the walkability and pedestrian experience.</p> <p>Streetscapes and public areas including alleys shall be improved and landscape to enhance the pedestrian experience and to help buffer residential areas.</p>

Landscaping	<p>With the exception of a driveway, patios and walkways, paving shall not be permitted in the front yard within 7 feet of the front property line.</p> <p>Only deciduous trees shall be permitted in the front yards. Any type of shrub shall be allowed.</p> <p>Grass, turf-block, or organic mulch are permitted;</p> <p>The grade may be raised no more than 2 feet above existing grade to create a berm within the first 10 feet of the front property line</p>	<p>Same as current, except paving shall not be permitted in the front yard within 10 feet of the property line.</p> <p>In Blocks 5 and 6 a minimum of 20% of the area within each parcel must consist of landscaping, which may include hardscaped plazas, outdoor seating/serving area, walkways within on-site open space areas, and other similar hardscaped on-site amenities. Hardscaped elements shall account for no more than two-thirds of the minimum landscaped area requirement.</p> <p>Low-water use landscaping approaches are encouraged, along with use of green roofs on non-historic structures.</p>
Lighting	Any	<p>Any lighting shall be low intensity to provide for safety and security where needed. Install recessed lights, footlights, lights on posts of human scale, or directional lights in unobtrusive locations.</p> <p>Freestanding lighting shall be no more than 12 feet in height with the exception of street lights. Lighting operation/hours may be further limited through applicable review process to assure neighborhood compatibility and safety.</p> <p>Lighting attached to a building must be directed at the building facade and directed down</p>
Mix of uses	Mix of uses is not defined in the Code.	<p>Define mix of uses under design requirements:</p> <p>For properties supporting both commercial and residential uses on the same lot commercial-serving retail, service, and other commercial uses shall be located on the ground floor. Residential and/or office uses shall be located on the second floor or behind any commercial units on the first floor</p>
Process and Review Requirements – Section F		
		<p>This section will assemble all process-related provisions into one place within Article 4-116. All review requirements for projects seeking development approval will remain unchanged. Changes under consideration pertain to increased requirements for community engagement for projects larger than a certain scale. Not included here are the design review requirements for projects in the Historic District. Those requirements will remain unchanged.</p>
Review Boards – Section G		
		<p>This section will include a revised description of, and requirements for the Niwot Design Review Committee, and reference to the role of the Historic Preservation Advisory Board (HPAB).</p>

Key Findings Summary

Topics	Concepts with Substantial Support	Contrasting Perspectives	Additional Observations
Lot Access and Alley	<ul style="list-style-type: none"> • Reduce or eliminate curb-cuts, consolidate driveways • Make the community more bike friendly and walkable • Better alley maintenance needed • Focus of use: minimal delivery, trash and occasional residential use combined with a pedestrian / bike path • Use vegetative and other buffering on the residential side of the alley • If the alley does not connect through on each end, 2-way traffic should be allowed • Apply design best practices to address safety concerns where driveways cross roads (as applicable) 	<ul style="list-style-type: none"> • Some don't want any alley access for commercial businesses due to safety concerns • Some seek alley improvements while others prefer current state to maintain Niwot character 	<ul style="list-style-type: none"> • Some neighbors don't abide by rules for alley (e.g., fences encroaching) • Niwot Inn and Slater work well and should be replicated • Power lines in the alley may make it difficult to do vegetative buffering and screening along the 3rd St side of the alley • Some would like clarity on how much traffic the alley can handle
Site Design, Structure Size, Density and Lot Coverage	<ul style="list-style-type: none"> • If increase rear setbacks then allow greater use of front of lot • Either step back 2nd floor setback, or require bulk at an angle to achieve larger rear setback on second level; must reduce bulk on the northern property line closest to 3rd St residential area • Break up massing through design and building articulation • Optimal lot coverage - 30-60% (both west and east of Franklin) • Appropriate number of structures on parcels – no more than 2 (both west and east of Franklin) • Allow up to 30' building height both in front and rear 	<ul style="list-style-type: none"> • Some think additional density is ok while others seek to limit it • Some concerned about nuisance caused by the proximity of tall structures to the alley as well as the possibility of increased residential and commercial traffic • Neighbors want setbacks to avoid blocking light for properties behind • Developers/commercial property owners want historic / no setback requirements to make it 	<ul style="list-style-type: none"> • Some are more interested in number of buildings than floor area ratio

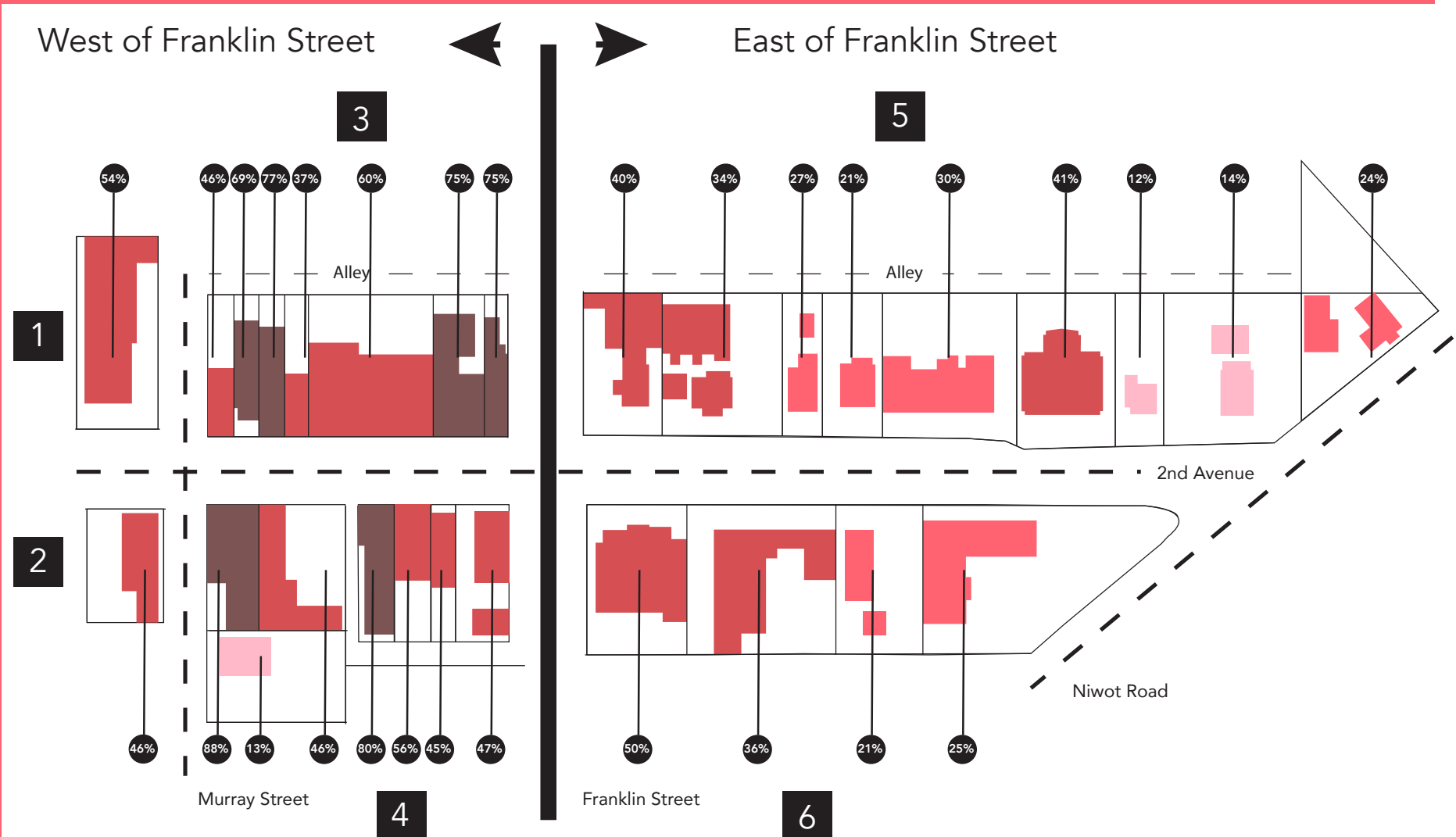
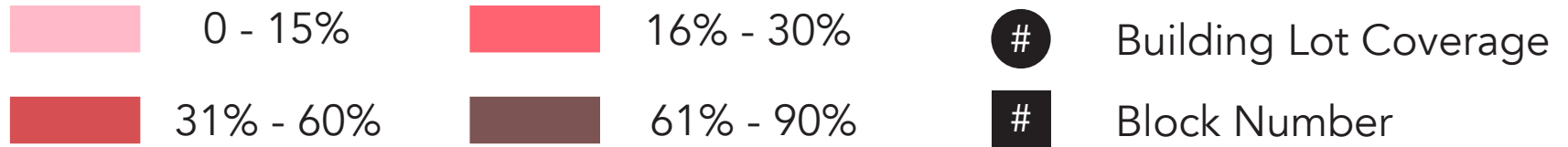
		easier to preserve existing buildings	
Parking	<ul style="list-style-type: none"> • Parking should be in the rear; provides for both setback and buffer (like Slater and Niwot Inn buildings) • Parking is a major concern (Colterra lot is full even with restaurant shut down) 		<ul style="list-style-type: none"> • Some concerned residential development may heighten parking problems
Commercial / Res Mix	<ul style="list-style-type: none"> • Mixed use development generally contributes to Niwot's vibrancy and unique community character • Mixed use allows for continuous activity and encourages walkability • Ground floor and front should be commercial; residential upstairs or in the back • Support for mix with commercial accounting for slightly more than residential • 2-3 units of residential density per lot is appropriate east of Franklin; more mixed opinions for west of Franklin 	<ul style="list-style-type: none"> • Some don't like the use of downtown for residences because it forces alley-related constraints. • Some believe the percentage mix should be determined by the property owner, others advocate for a 50-50 split 	
General Character	<ul style="list-style-type: none"> • Focus on walkability and de-emphasize cars • Measures that would most improve walkability: location of parking, followed by traffic calming strategies (strong preferences not discernible from responses) • Promote diversity in site design across lots so not every lot looks the same, and can accommodate site-specific conditions; modulate setbacks • Niwot must find the balance between being a quaint town and one that supports a thriving business community • Maintain what makes Niwot different from Boulder and Denver; maintain community character; aesthetics of new structures should complement that of existing buildings; keep it 		

	<p>charming amidst development</p> <ul style="list-style-type: none"> • Design guidelines should ensure buildings don't look like boxes • Balance hardscape/ landscape in parking areas • If fences allowed in front lot, provide a height limit 		
Processes and Communications	<ul style="list-style-type: none"> • Staff should attend LID and Business Assoc. meetings and do more to keep community informed of land use activity • There needs to be better, earlier business-community relations (Lefthand Animal Hospital – model for community collaboration) 		

Data Sources (listed in general order of importance, as the community workshop and Pop-Up meeting gathered the most specific feedback on concepts to inform draft regulations):

- December 17 community workshop
- Pop-up Meeting booth comment forms
- October 17 community meeting
- Written comments (submitted through online comment form and sent as emails direct to staff)
- October 30 public hearing comments

Building Lot Coverage - Existing Conditions



Floor Area Ratio - Existing Conditions

