



**DC-18-0004:**  
**Update to Land Use Code for Niwot Rural Community**  
**District (Article 4-116)**

Planning Commission

Feb. 20, 2019

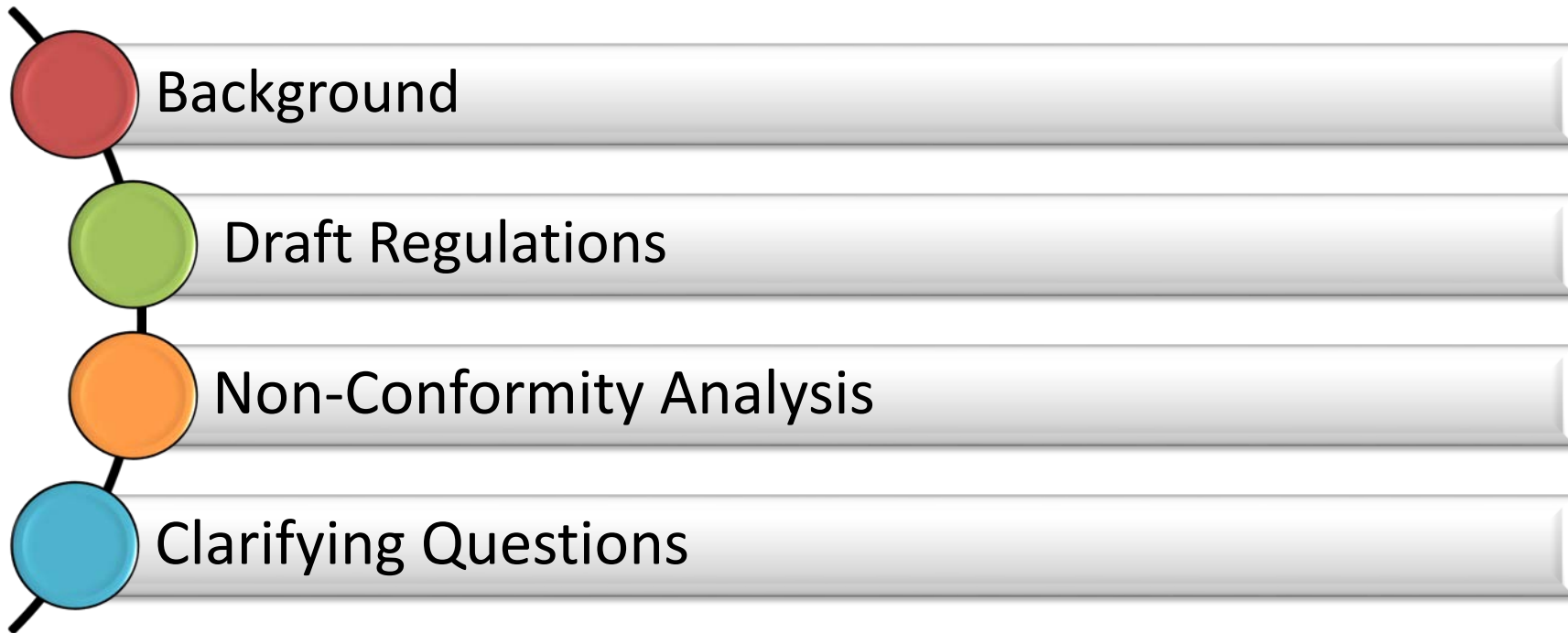


## Purpose

Staff requests Planning Commission's recommendation to the BOCC for approval of the text amendments to Article 4-116 as presented in Attachment A.



# Agenda





# Code Update Objectives

**Objective of Code Update** (updates to Article 4-116 of the Land Use Code) –

Provide greater guidance in the following areas:

- **Density and design** parameters
- **Appropriate mix** of residential, retail, and office uses
- **Interface, connections, and access** to and between commercial and residential areas
- Tools to provide guidance in determining the **appropriate mix of uses and site layout** for properties in the NRCD
- **Process Improvements**



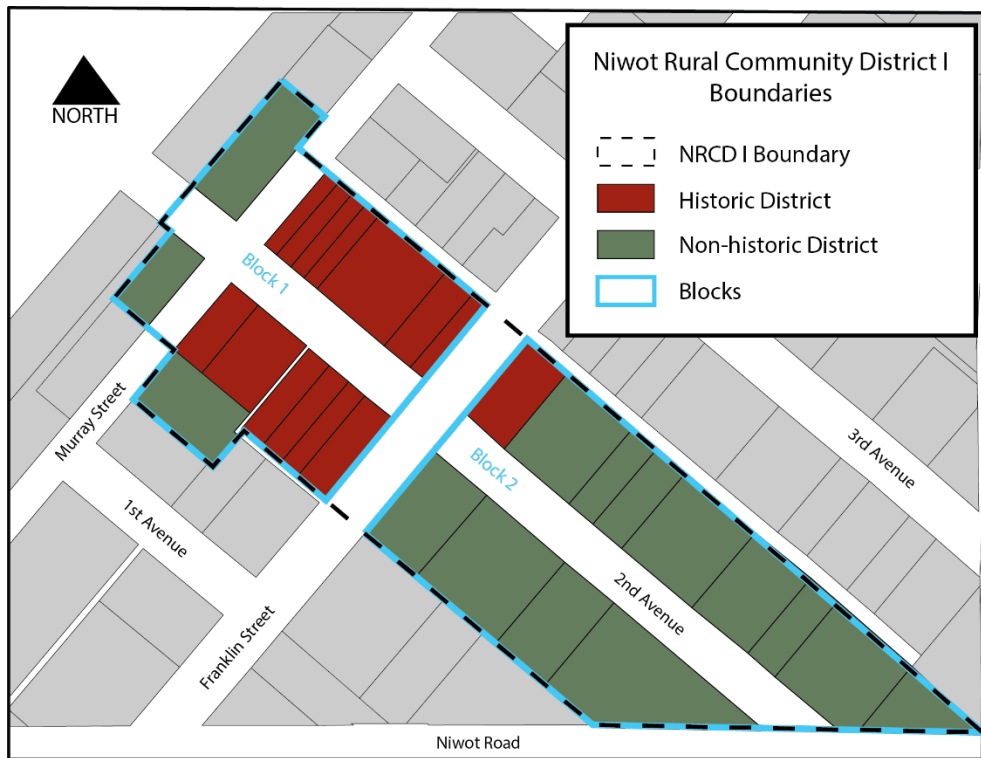


# Code Update Timeline

Activity	Timeframe
Moratorium Resolution	Sept 20, 2018
BOCC Hearing to review/confirm moratorium	Oct 30, 2018
Community Meetings	Oct 17, Dec 17, Jan 24
Review and Input from HPAB, Niwot Design Review Committee	Jan 29, 2019
Planning Commission hearing	Feb 20, 2019
BOCC hearing and decision	Mar 12, 2019



# Areas Addressed by the Code Update





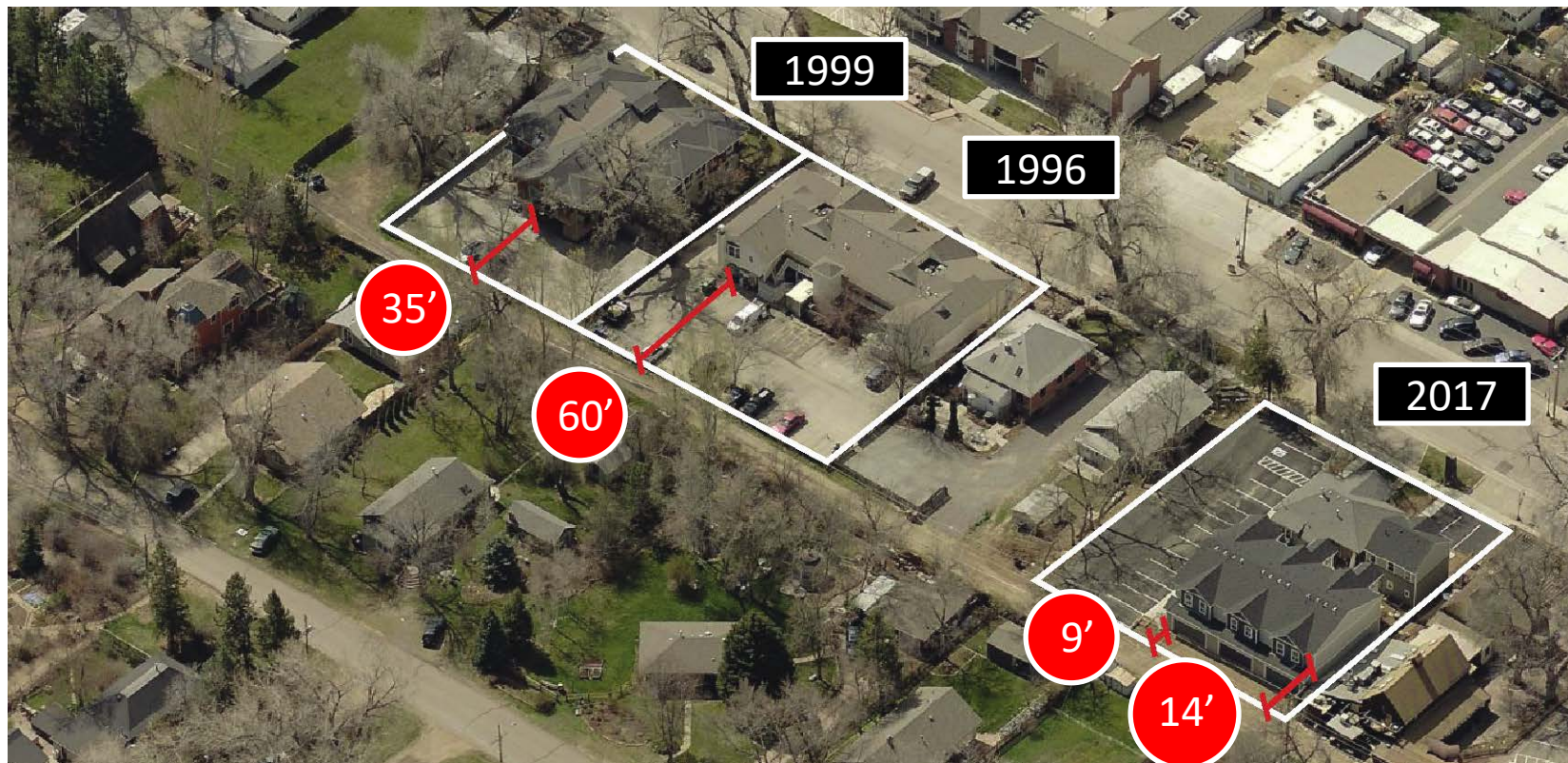
## NRCD History & Context

*“Unlike mainstreet commercial districts in larger towns that have a continuous facades [sp.] running along an entire block, the rural community often had vacant lots, detached buildings, and a variety of heights. Second Avenue has vacant lots and one and two story buildings, which break up the mass of the block.”*

Niwot Landmark Nomination Form



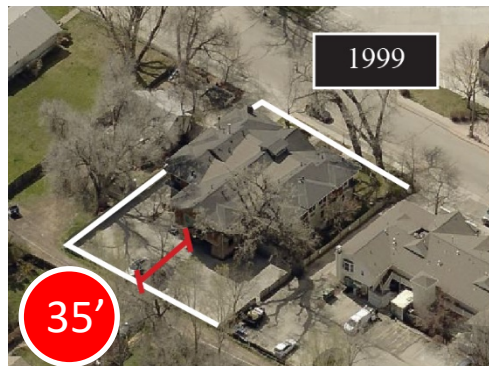
# Recent Developments / Additions: Block 5 – South View







# Recent Development / Additions: Block 5 – North View





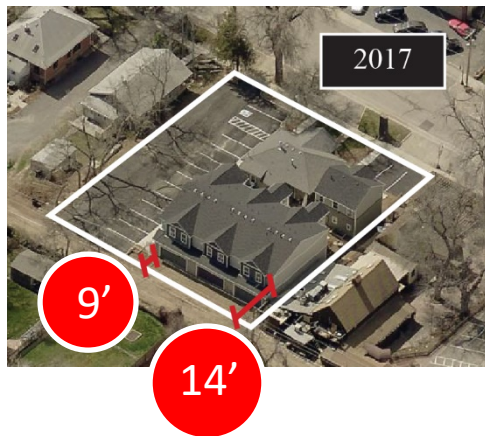
# Recent Development / Additions: Block 5 – North View







# Recent Development / Additions: Block 5 – North View





# Alley: Block 5 – South View







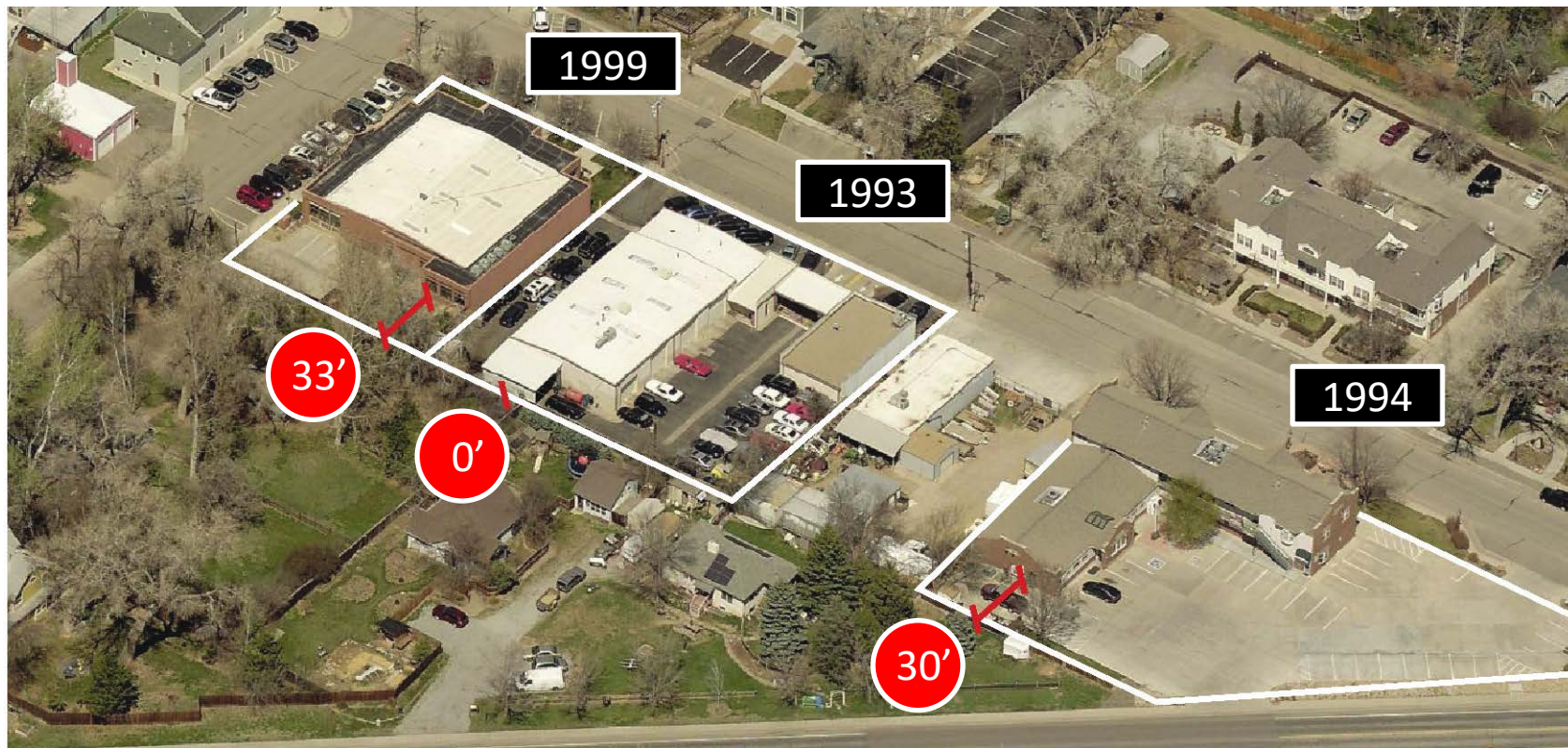
# Alley Conditions: Block 5 – East View







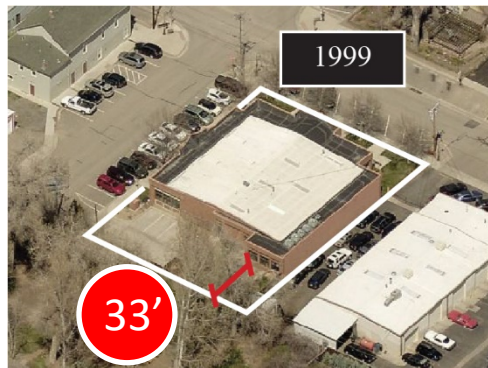
# Recent Development / Additions: Block 6 – North View







# Recent Development / Additions: Block 6 – South View





# Recent Development / Additions: Block 6 – South View







# Recent Development / Additions: Block 6 – South View View





# Guiding Principles

- Allow for change while preserving the district character.
- Each block has a somewhat unique development pattern.
- Support the safety of both traffic and pedestrians and improve the 2<sup>nd</sup> 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 and mitigate impacts.
- Allow for more parking flexibility.
- Establish residential density and design parameters for mixed uses.
- Limit the creation of non-conforming structures and uses.



# Draft Regulations:

## Section A. Purpose and District Description

- This section will replace the current “Introduction” section of Article 4-116.
- Current Introduction section includes:
  - Background information
  - Process-related information
- Proposed updated language would include:
  - Statement of purpose
  - Description of the area covered by the district



# Draft Regulations:

## Section B. Principal Uses Permitted

This section will remain the same with two exceptions:

1. Revise use categories to match current use definitions used elsewhere in the Land Use Code
2. Add a section for “Mixed Use” which includes the maximum number of dwelling units that could be allowed depending on parcel size
  - Will also add a definition for Mixed Use within the main body of the Land Use Code (new Article 4-518)

### NRCD Residential Unit Allowance

Parcel Size	Dwelling Units Allowed as part of a Mixed Use	
< 10,000	2	3 if one is 600 sq ft or less
10,000-15,000	4	5 if one is 600 sq ft or less
>15,000	5	6 if one is 600 sq ft or less





## Draft Regulations: Section C. Lot, Building and Structure Requirements

- 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.
- Proposed lot coverage and Floor Area Ratio limits - allows for choice in how floor area will be distributed across the property, within the setback boundaries.



# Draft Regulations:

## Section C. Lot, Building and Structure Requirements

Changes being considered:

- **Reduce Maximum Building Height within 25 feet of the rear setback** in certain cases to:
  - Recognize the transition between commercial and residential areas
  - Minimize the potential looming effect and privacy concerns of neighbors
- **Allow a reduced front setback in Blocks 5 & 6 with greater buffer along alley.** No less than 10 feet in front (single story only up to 20 feet.) Total front/rear must be 20 feet.
- **Add new provisions for Lot Coverage and Floor Area Ratio (FAR)** 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.



## Draft Regulations:

# Section C. Lot, Building and Structure Requirements

**Lot Coverage:** The percentage of total parcel area that can be covered by structures.

Proposed limits:

- i. Blocks 1, 2: 55%
- ii. Blocks 3, 4: 80% for interior lots and 90% for corner lots
- iii. Blocks 5, 6: 50%

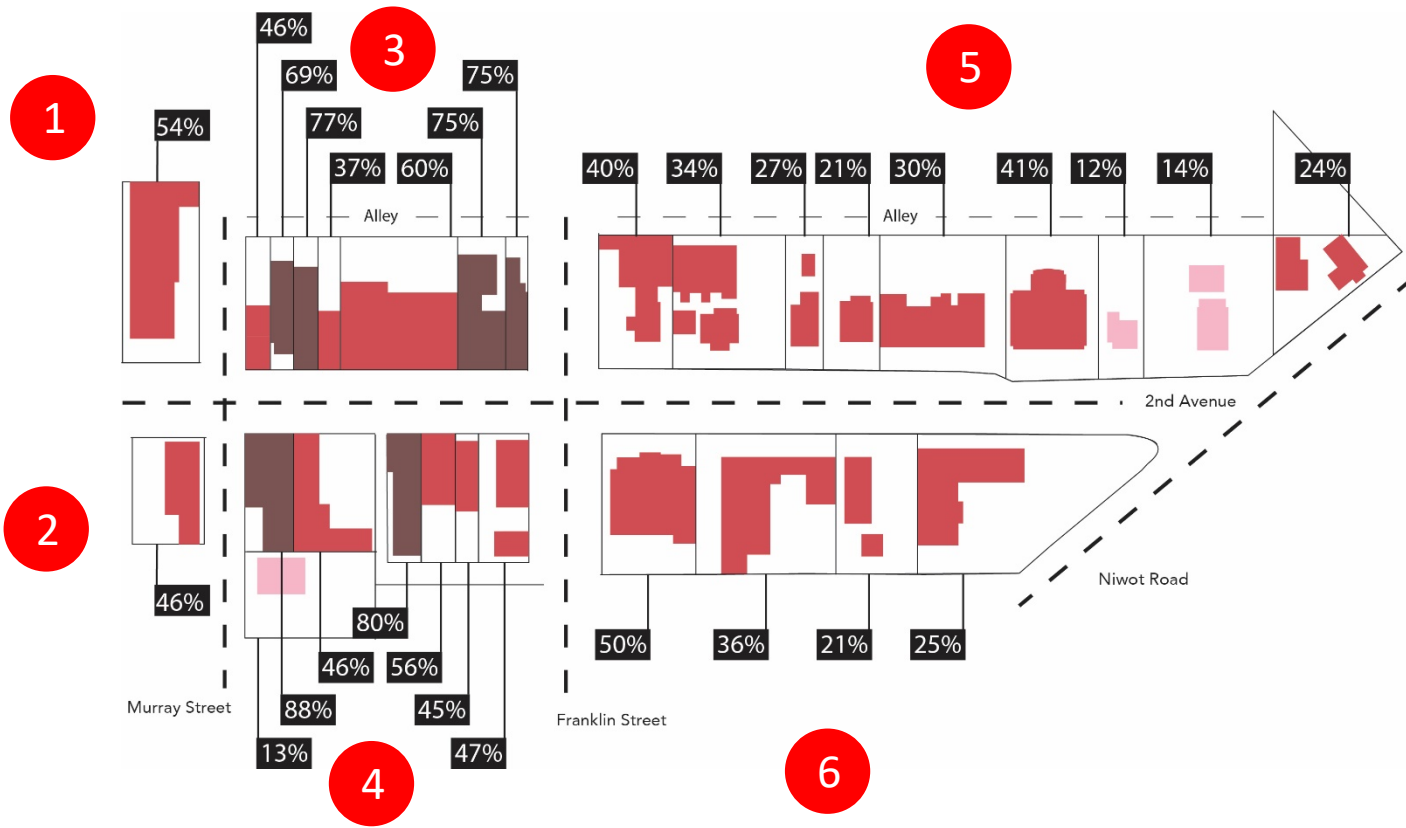
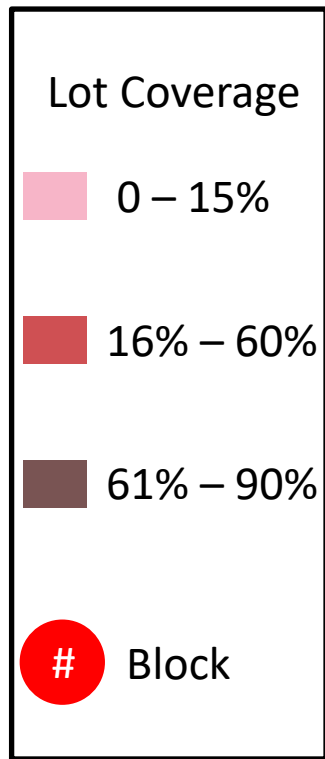
**Floor Area Ratio (FAR):** The ratio of the total above grade building floor area to total lot area.

Proposed limits:

- i. Blocks 1, 2, 5, 6: 0.6
- ii. Blocks 3, 4: No FAR – Historic, Site Plan Review, setback, and lot coverage provisions to control.

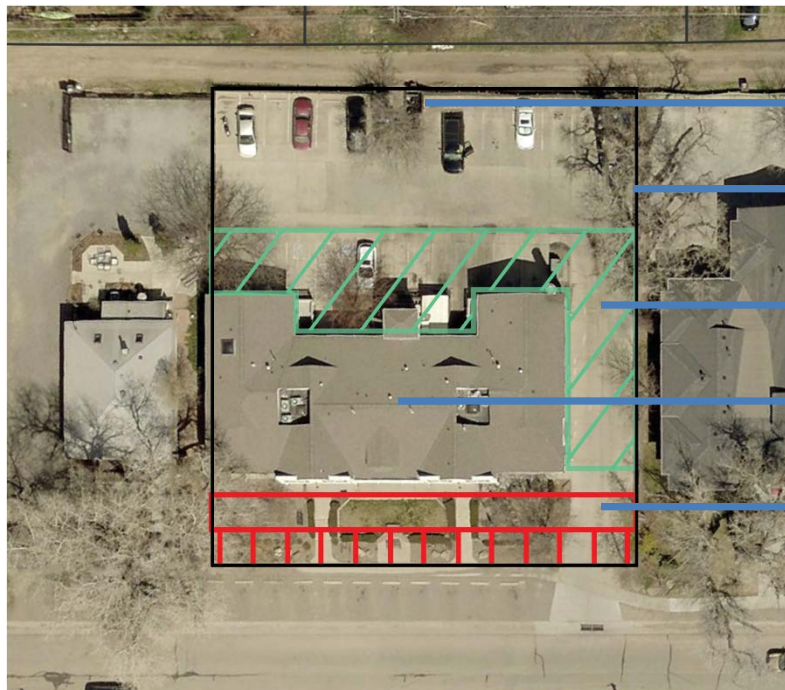


# Lot Coverage— Existing Conditions





## Lot Coverage – Block 5



0' Rear Setback

0' Side Setback

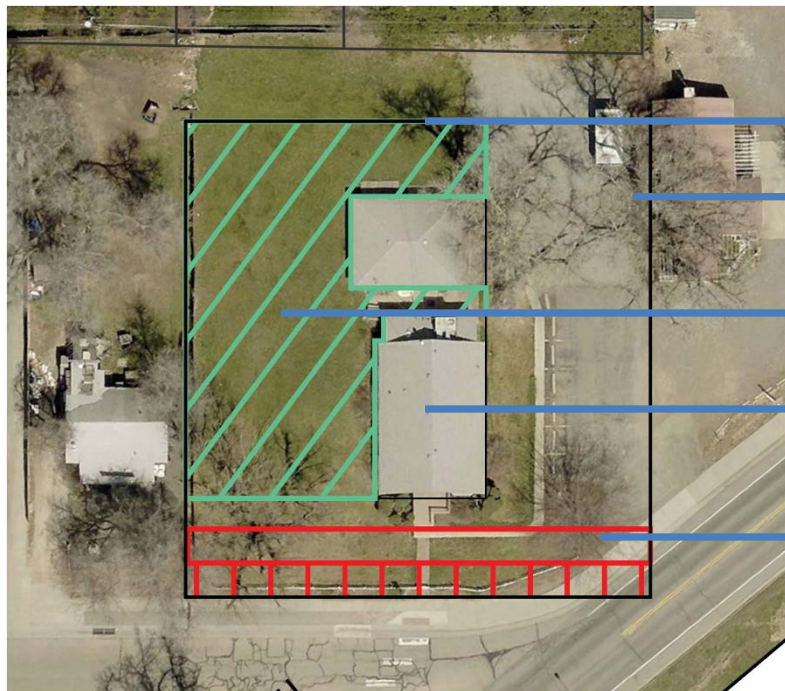
50% Lot Coverage (proposed)

30% Lot Coverage (existing)

20' front setback with option to reduce to 10' as long as the front and rear are a combined 20'



## Lot Coverage – Block 5



0' Rear Setback

0' Side Setback

50% Lot Coverage (proposed)

14% Lot Coverage (existing)

20' front setback with option to reduce to 10' as long as the front and rear are a combined 20'

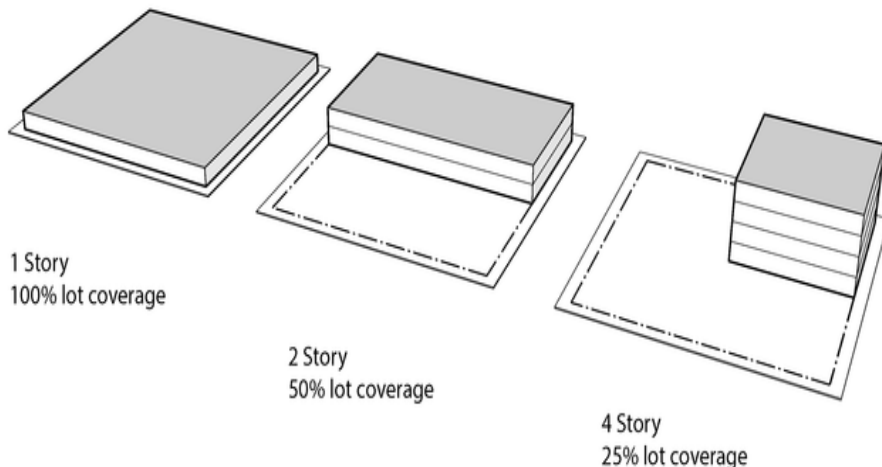


# Draft Regulations:

## Section C. Lot, Building and Structure Requirements

Floor Area Ratio (FAR)

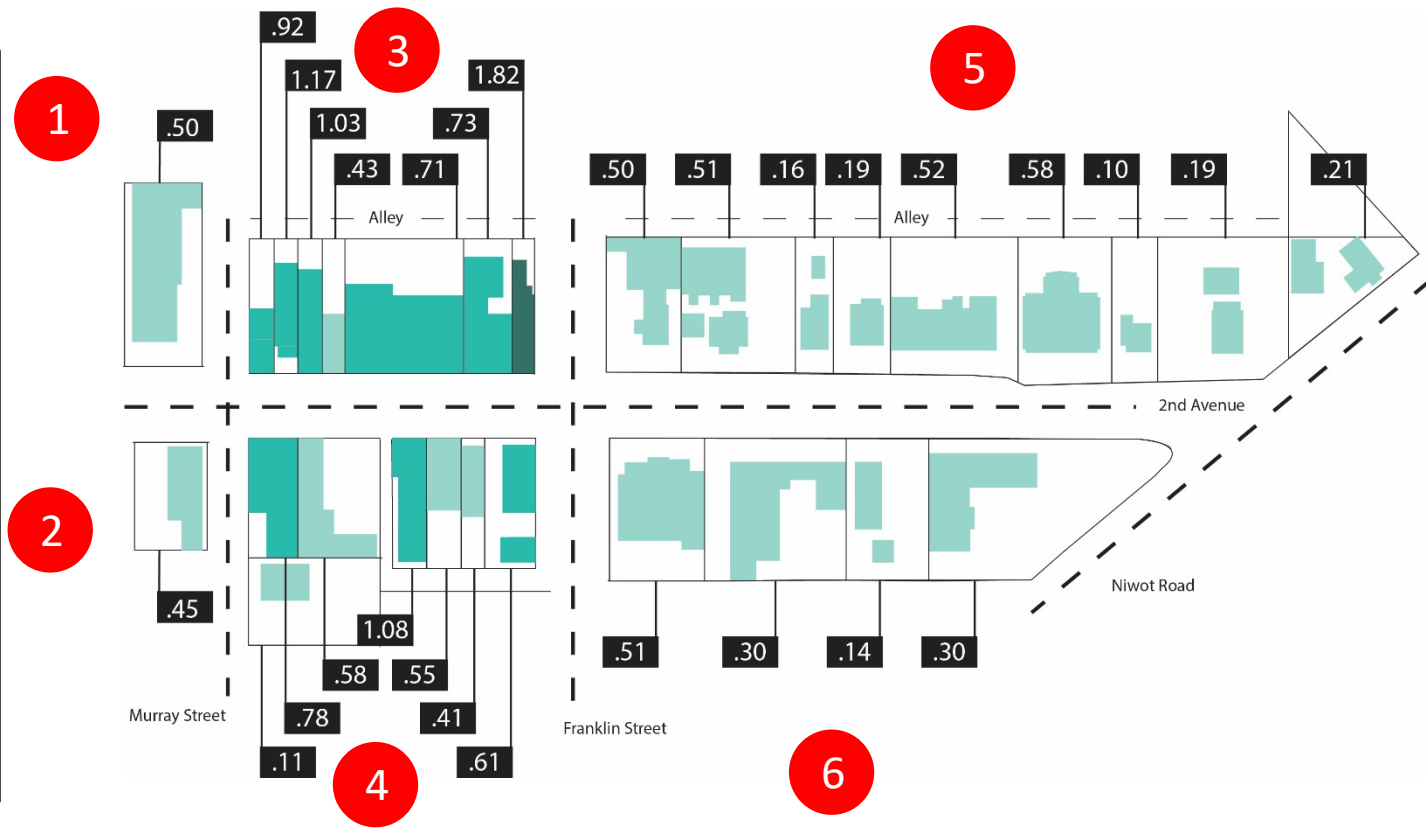
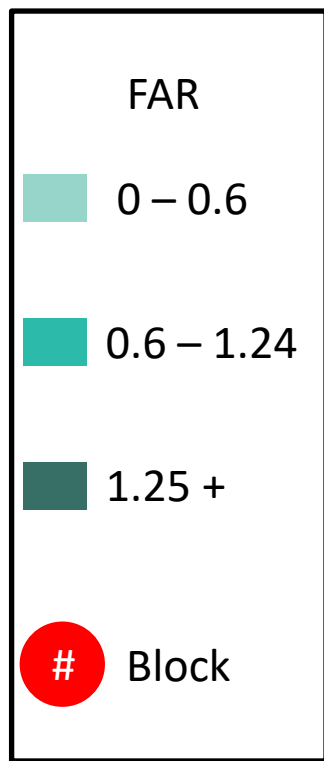
1:1 Ratio



- FAR is defined as the ratio of the total above-grade building floor area to total lot area ( $\text{FAR} = \text{above grade floor area} / \text{lot area}$ ).
- For example, a FAR of 1.0 means that floor area may equal lot area;
- 3 examples of how a property could meet a FAR of 1.0, each with a different lot coverage outcome.



# Floor Area Ratio – Existing Conditions







## Existing Conditions – FAR 0.50: Block 5 - 240 2<sup>nd</sup> Avenue

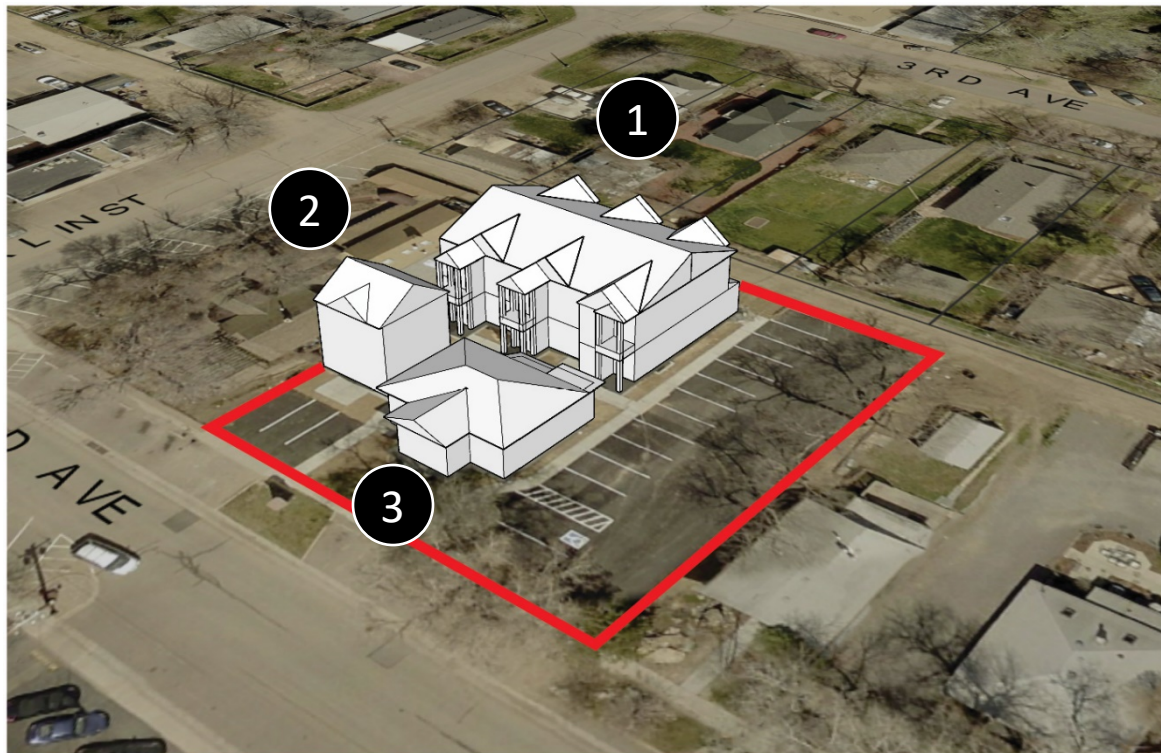
Lot size = 17,237 sqft

1 6,020 sqft

2 1,271 sqft

3 1,356 sqft

Total = 8,647 sqft



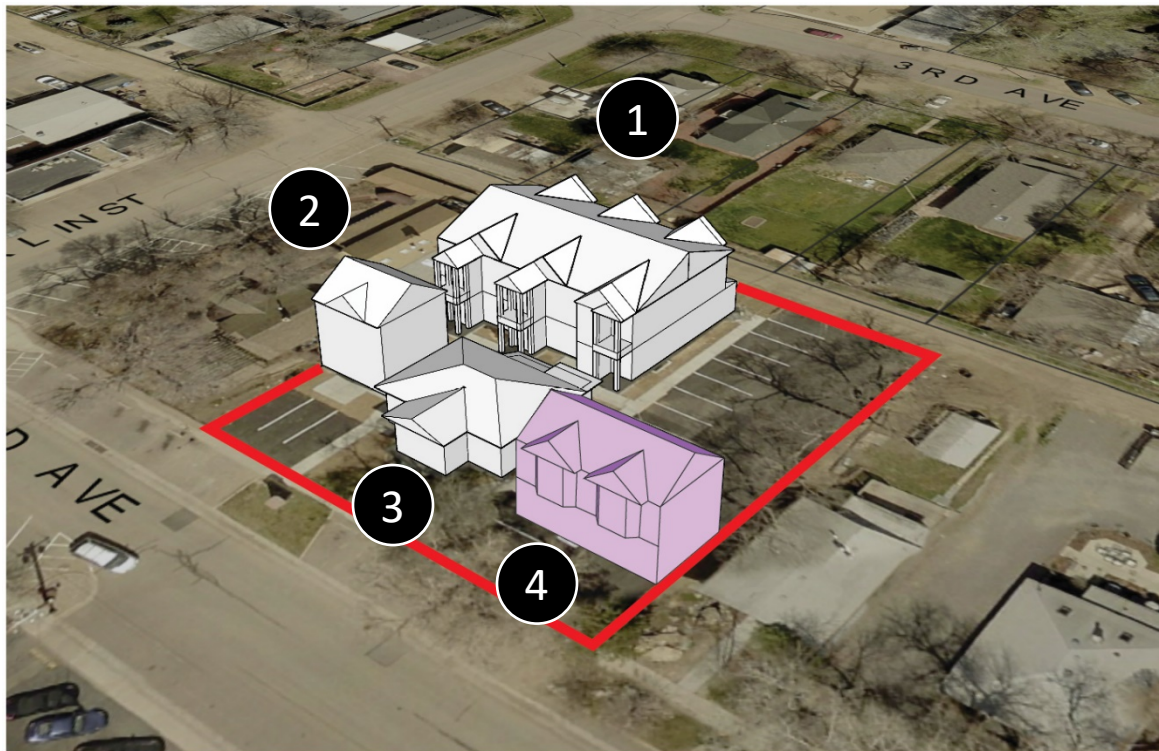


# County Proposed – FAR 0.60: Block 5 - 240 2<sup>nd</sup> Avenue

Lot size = 17,237 sqft

- ① 6,020 sqft
- ② 1,217 sqft
- ③ 1,356 sqft
- ④ + 1,695 sqft

Total = 10,288 sqft





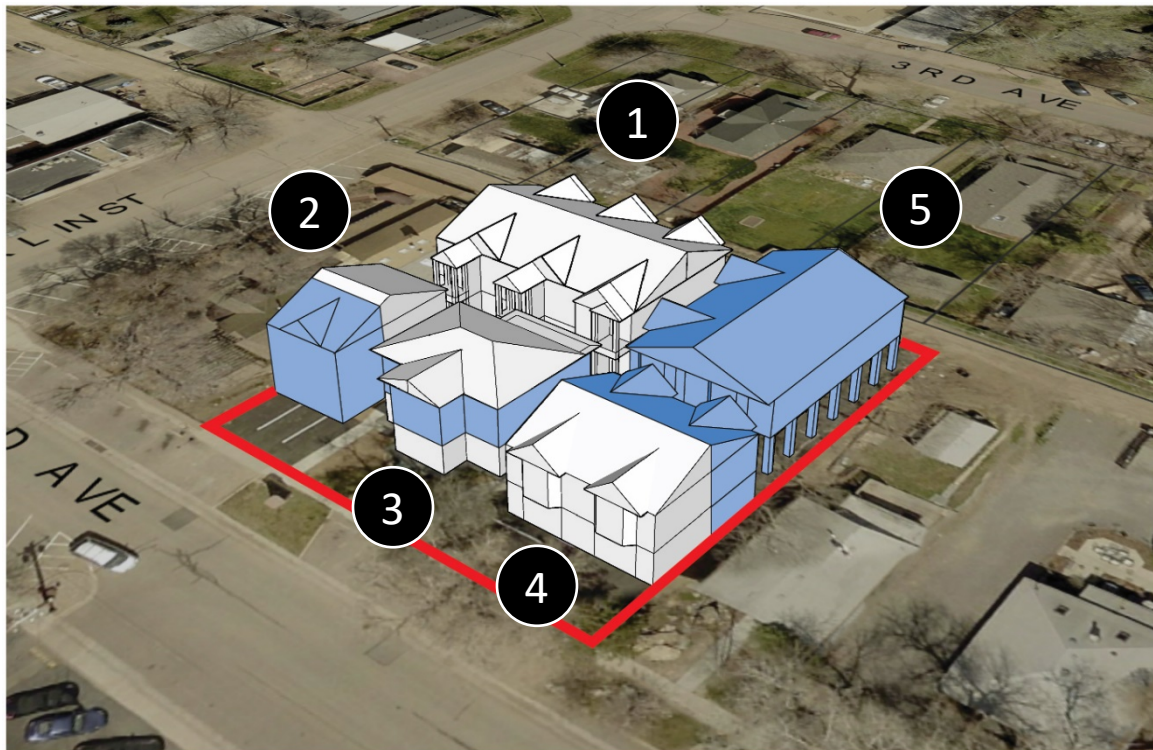
# Owner / Developer Proposed – FAR 1.25: Block 5 - 240 2<sup>nd</sup> Avenue

Lot size = 17,237 sqft

- 1 6,020 sqft
- 2 1,217 sqft + 754 sqft add.
- 3 1,356 sqft + 1,356 sqft add.
- 4 1,695 sqft + 1,645 sqft add.
- 5 + 4,800 sqft

Total = 18,843 sqft (FAR 1.09)

\* 2,703 sqft remaining unbuilt





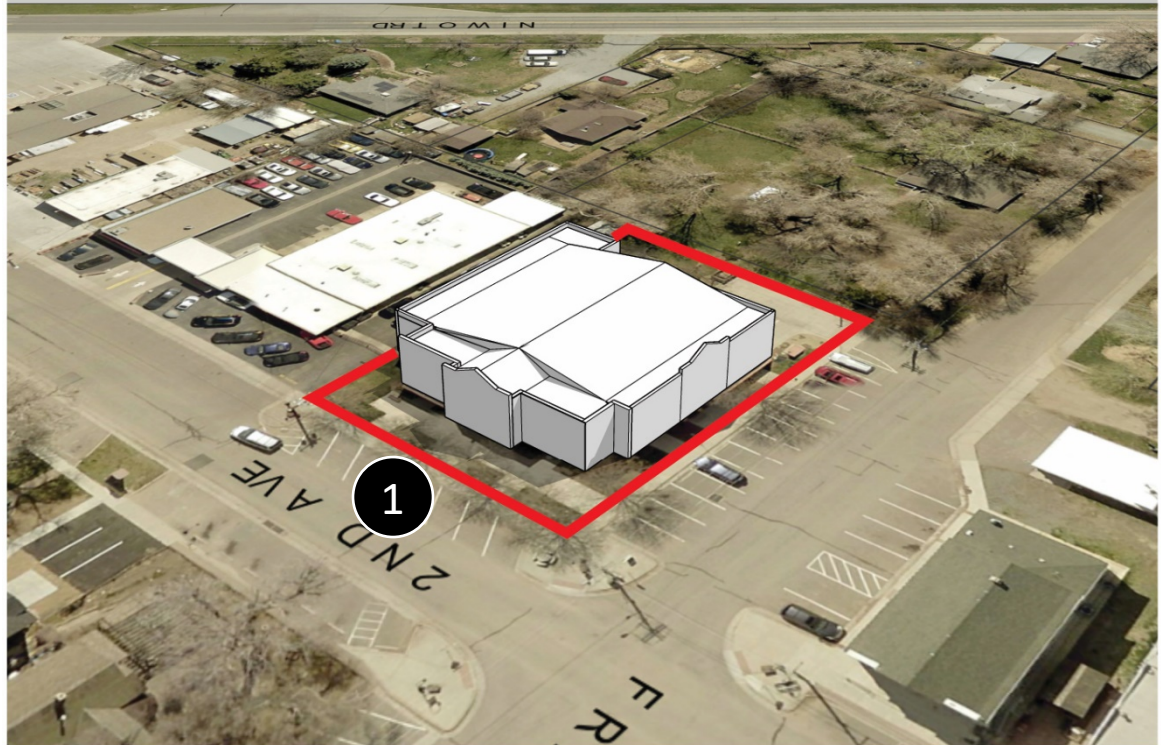


# Existing Conditions – FAR 0.51: Block 6 - 263 2<sup>nd</sup> Avenue

Lot size = 14,822 sqft

1 7,520 sqft

Total = 7,520 sqft





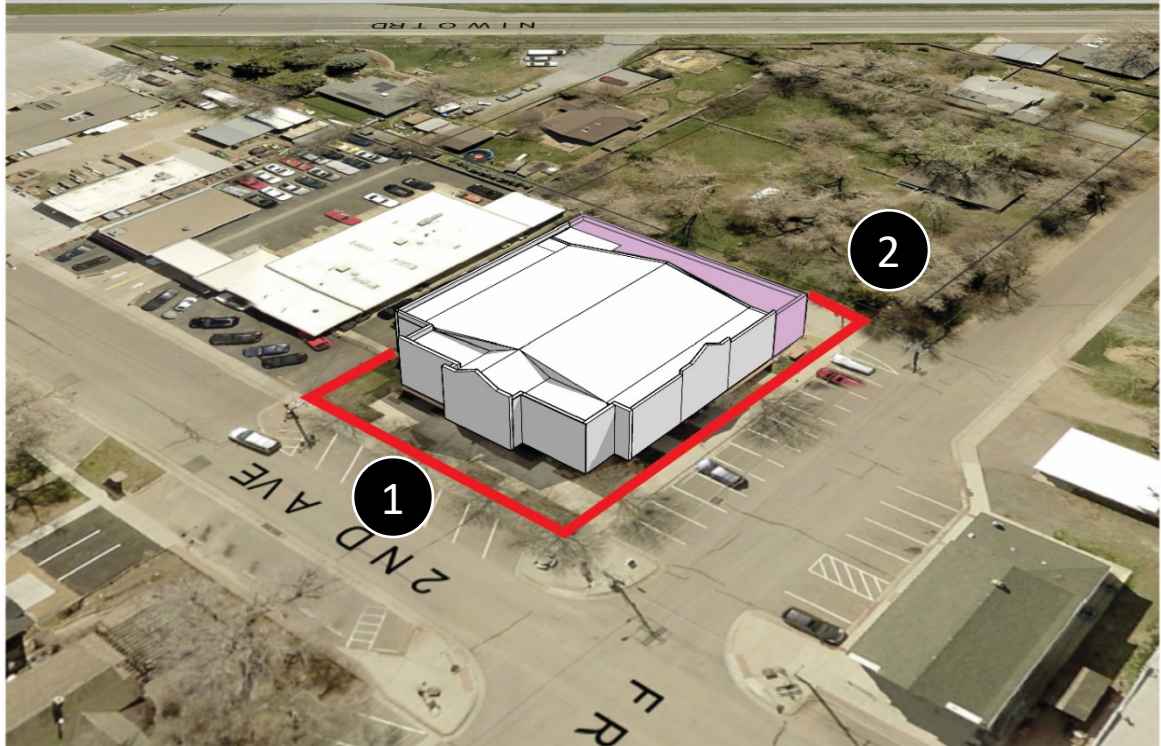
# County Proposed— FAR 0.60: Block 6 - 263 2<sup>nd</sup> Avenue

Lot size = 14,822 sqft

① 7,520 sqft

② + 1,373 sqft add.

Total = 8,893 sqft







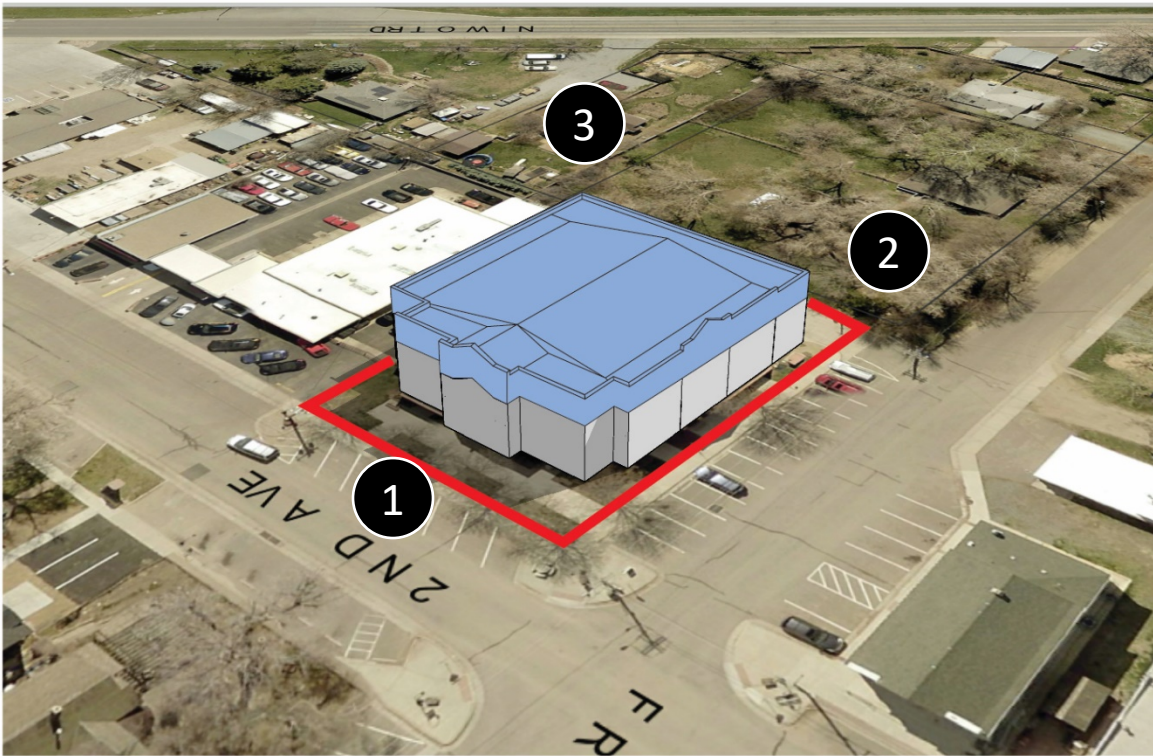
# Owner / Developer Proposed– FAR 1.25: Block 6 - 263 2<sup>nd</sup> Avenue

Lot size = 14,822 sqft

- ① 7,520 sqft
- ② 1,373 sqft
- ③ + 8,893 sqft 2<sup>nd</sup> story add.

Total = 17,786 sqft (FAR 1.20)

\* 741 sqft remaining unbuilt



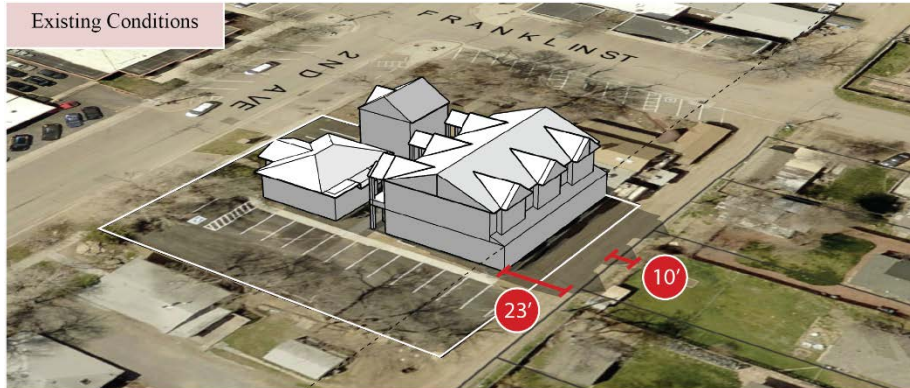


# Shade Analysis:

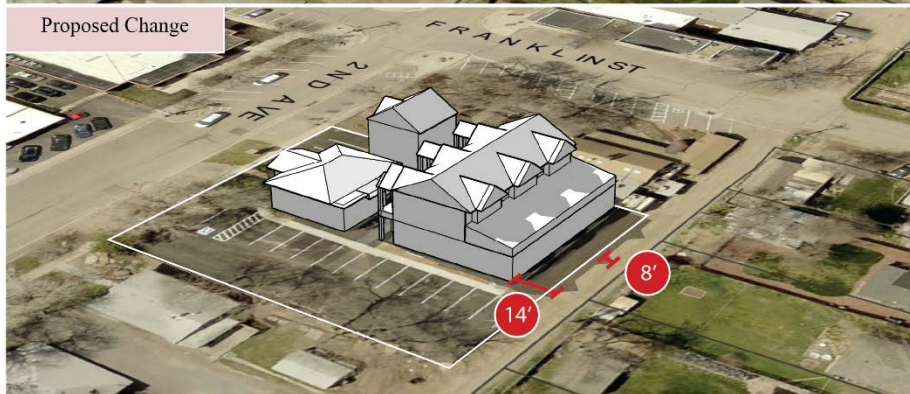
March 15, 2:30 pm

December 15, 2:30 pm

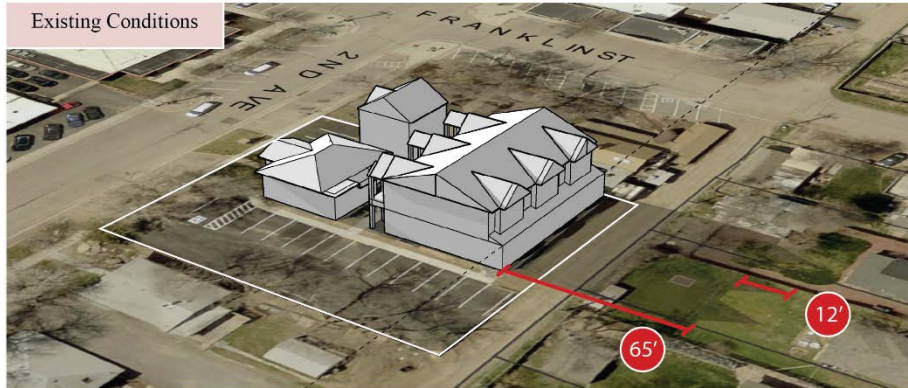
Existing Conditions



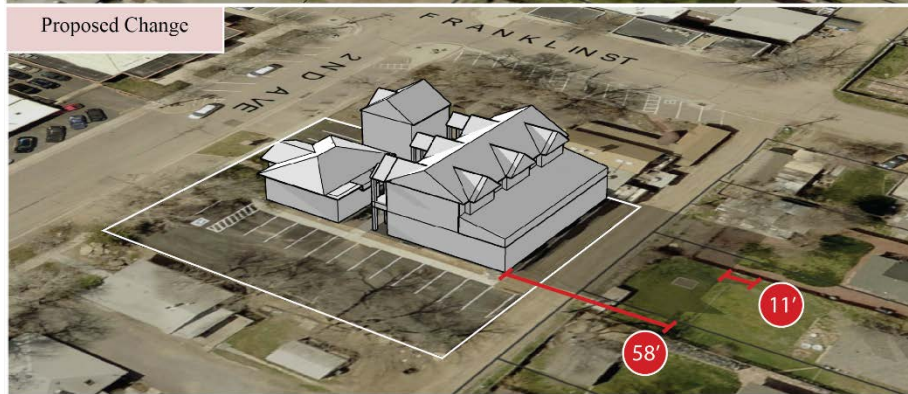
Proposed Change



Existing Conditions



Proposed Change





# Draft Regulations: Section D. Parking

Changes are intended to:

- Provide greater clarity and flexibility
- Abandon using parking requirements as a mechanism to control the scale of development
- Reflect the county's values related to sustainability and a diversity of housing types





# Draft Regulations: Section D. Parking

- Non-residential: 1 space / 500 sq ft
- Residential: see table
- Can be located elsewhere in NRCD with parking agreement
- Parking reduction plan required:
  - May reduce required parking by up to 40% for use of multi-modal strategies, shared parking, etc.

Residential Parking Requirements

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.**



# Draft Regulations:

## Section E. Design Requirements

- Add provisions related to access and mobility to address safety and the community's desire for improved walkability.
- Encourage dedication of lot area to landscaping and low-water use greenspaces, particularly on Blocks 5 & 6 where that is identified as an important character element.
- Define mix of uses under design requirements.
- Residential and/or office uses shall be located on the second floor or behind any commercial units on the first floor.



## Next Steps for Block 5 Alley

- Blocks 5 has 5 access points onto 2<sup>nd</sup> Avenue.
- Providing access from the alley and requiring parking to occur behind or on the sides of development encourages less development in the rear of lots.
- Neighbors prefer to see primary access from 2nd Avenue remain, consistent with the results of the Alley Study conducted in 1995-1996.
- Multiple access points off 2nd Avenue detract from the walkability and pedestrian experience, and create safety concerns.
- Mitigation measures needed to help address the impact on residential neighbors.
- Implementation of some aspects will be further developed through an on-going process that will take additional time.



## Draft Regulations:

### Section F. Additional Design Guidance for Historic District

Existing Code language related to Historic District is moved to this location.



## Draft Regulations: Section G. Process and Review Requirements

- This section will assemble all process-related provisions into one place within Article 4-116.
- Changes under consideration pertain to increased requirements for community engagement for projects requiring LU process.



# Draft Regulations:

## Section H. Review Boards

- This section includes a revised description of, and requirements for the Niwot Design Review Committee (NDRC), and reference to the role of the Historic Preservation Advisory Board (HPAB).
- The NDRC will act as a referral agency with the ability to:
  - Provide input for any development proposal in a pre-application meeting with a developer
  - Comment on the actual application in order to provide Land Use staff with input for their review.



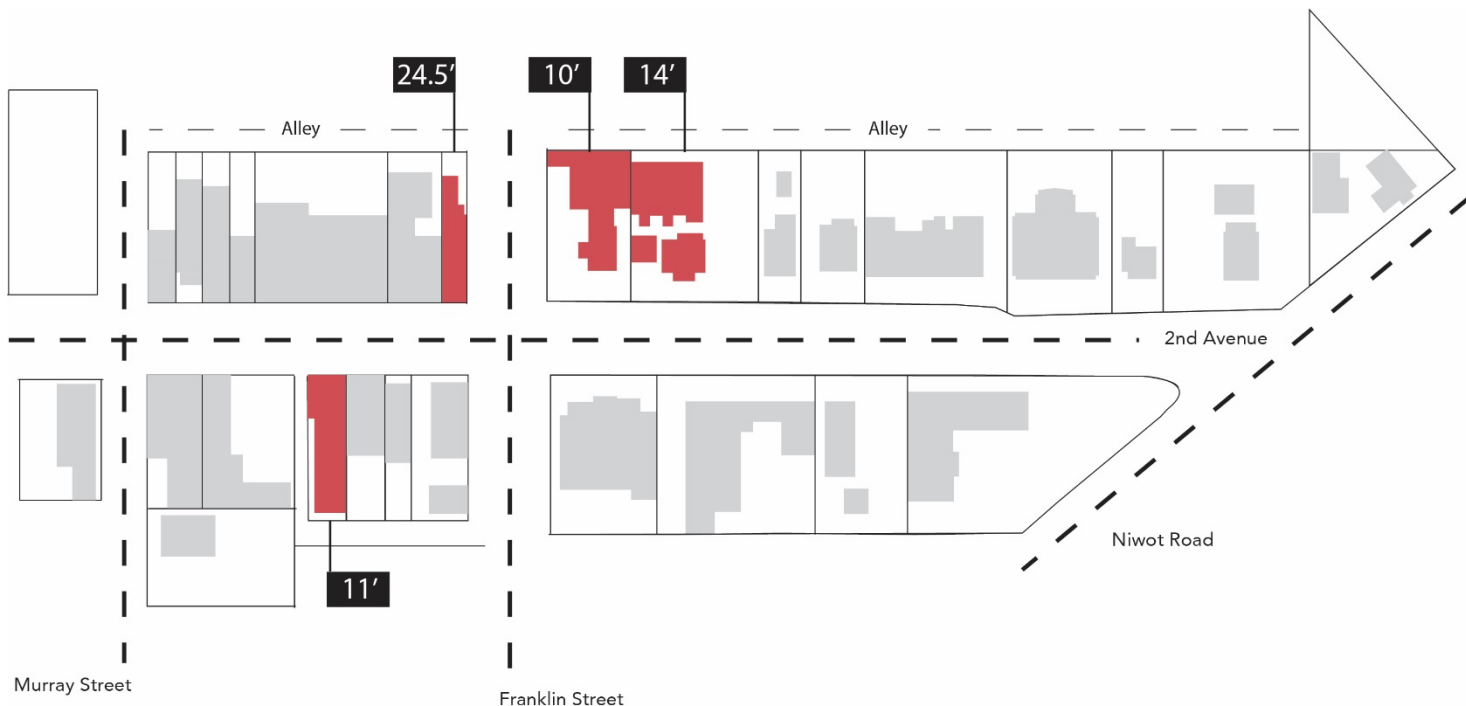
# Non-Conformity Analysis:

Properties with structures exceeding the 15' height requirement

Requirement:  
15' height  
within 25' of  
rear property  
line.

#

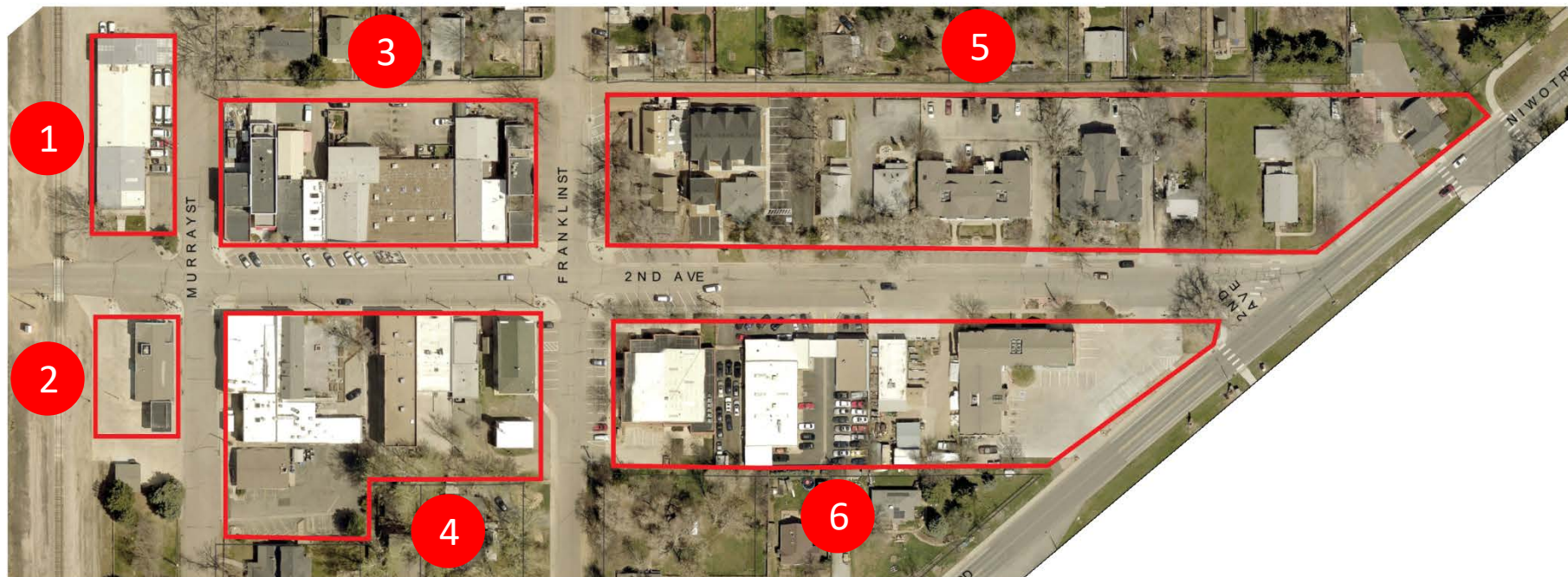
Existing  
2<sup>nd</sup>  
story  
setback





# Clarifying Questions?

## Niwot Rural Community District I



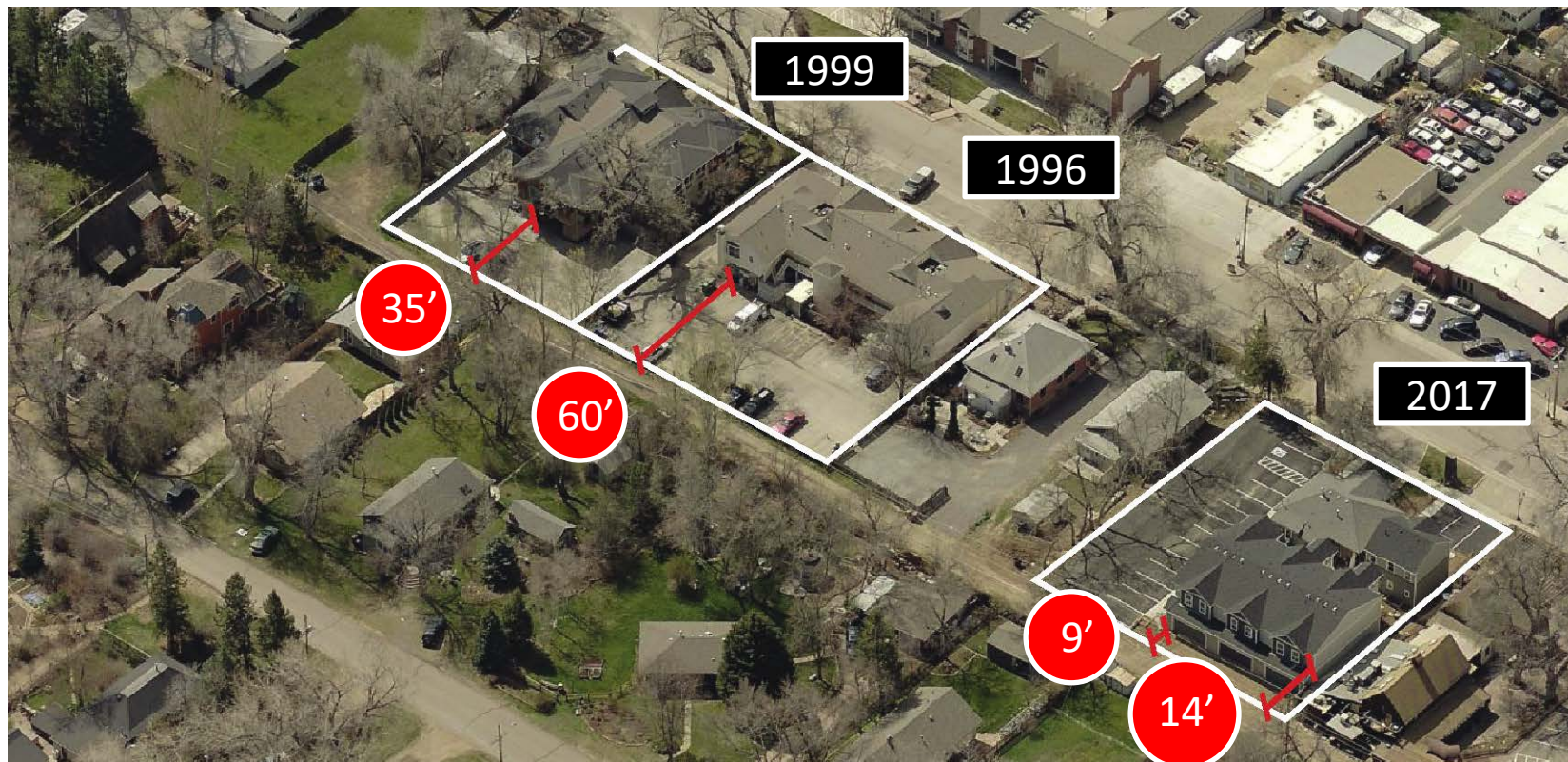




# QUICK REFERENCE SLIDES



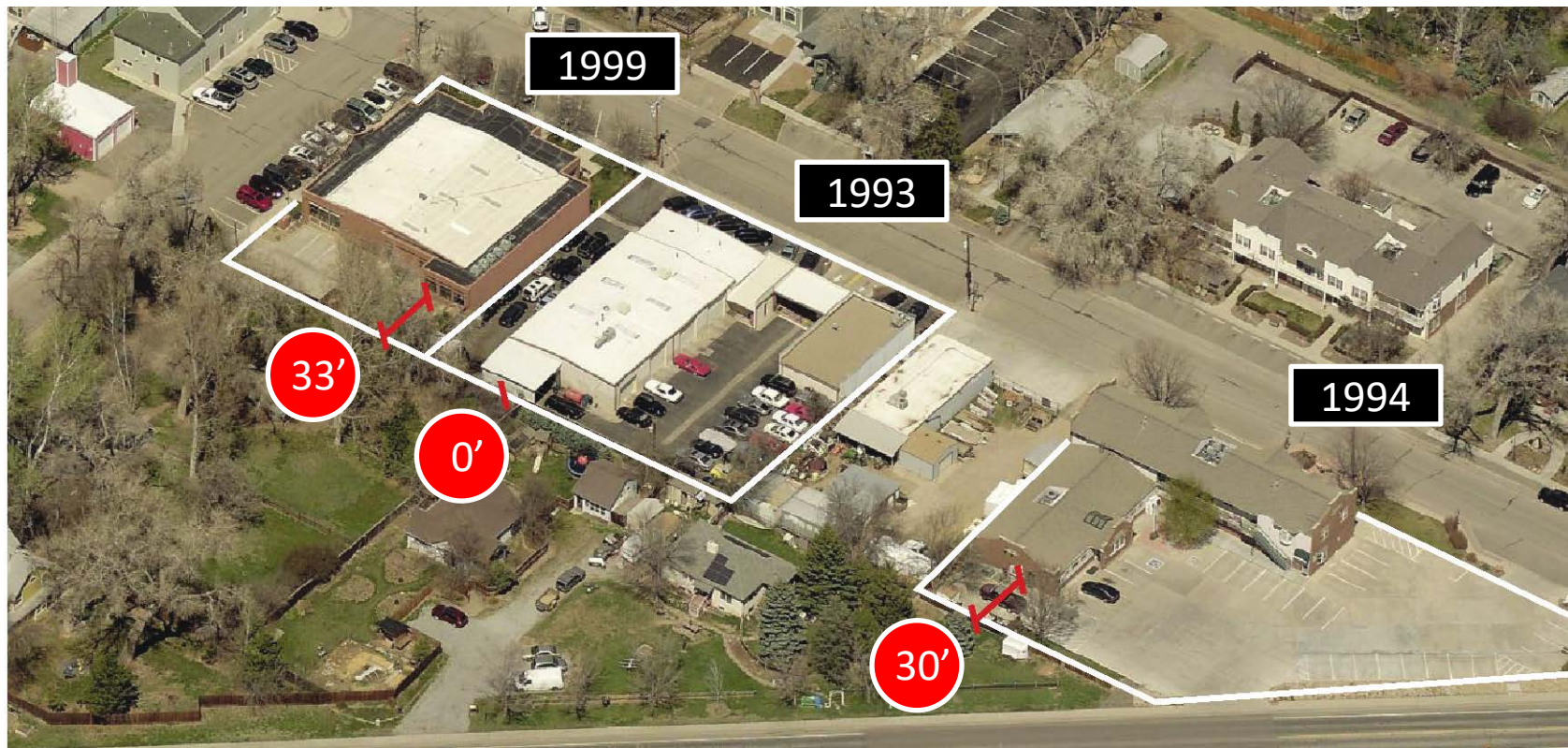
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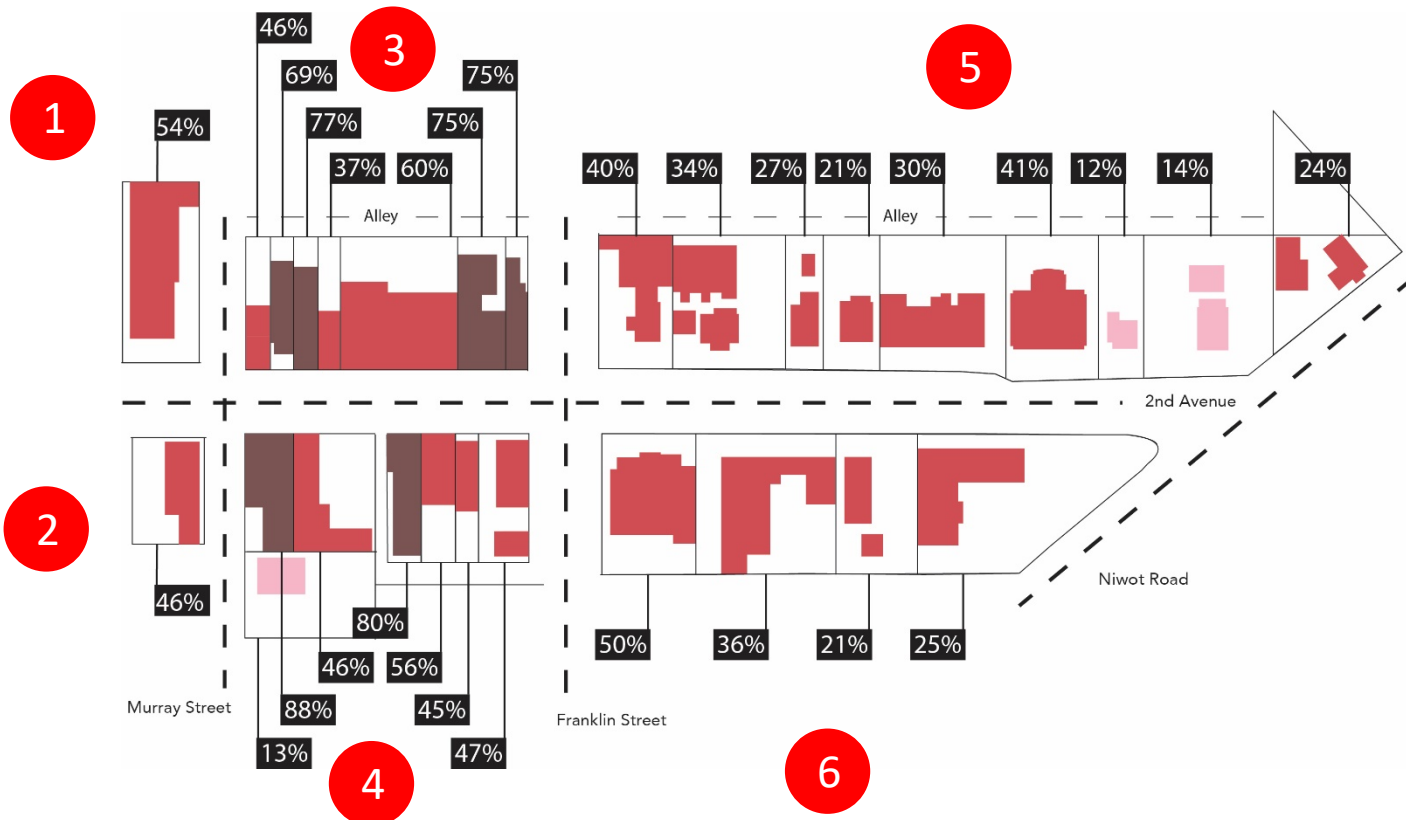
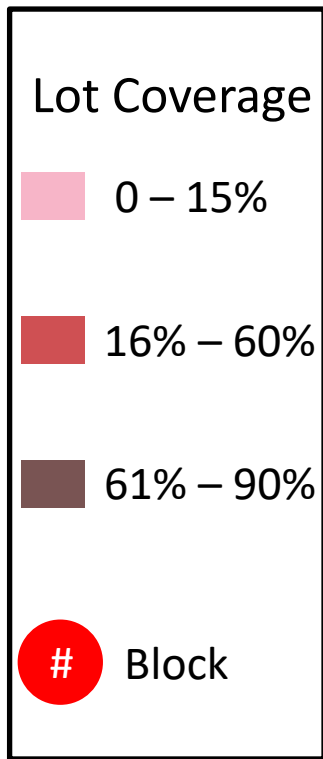
# Recent Development / Additions: Block 6 – North View





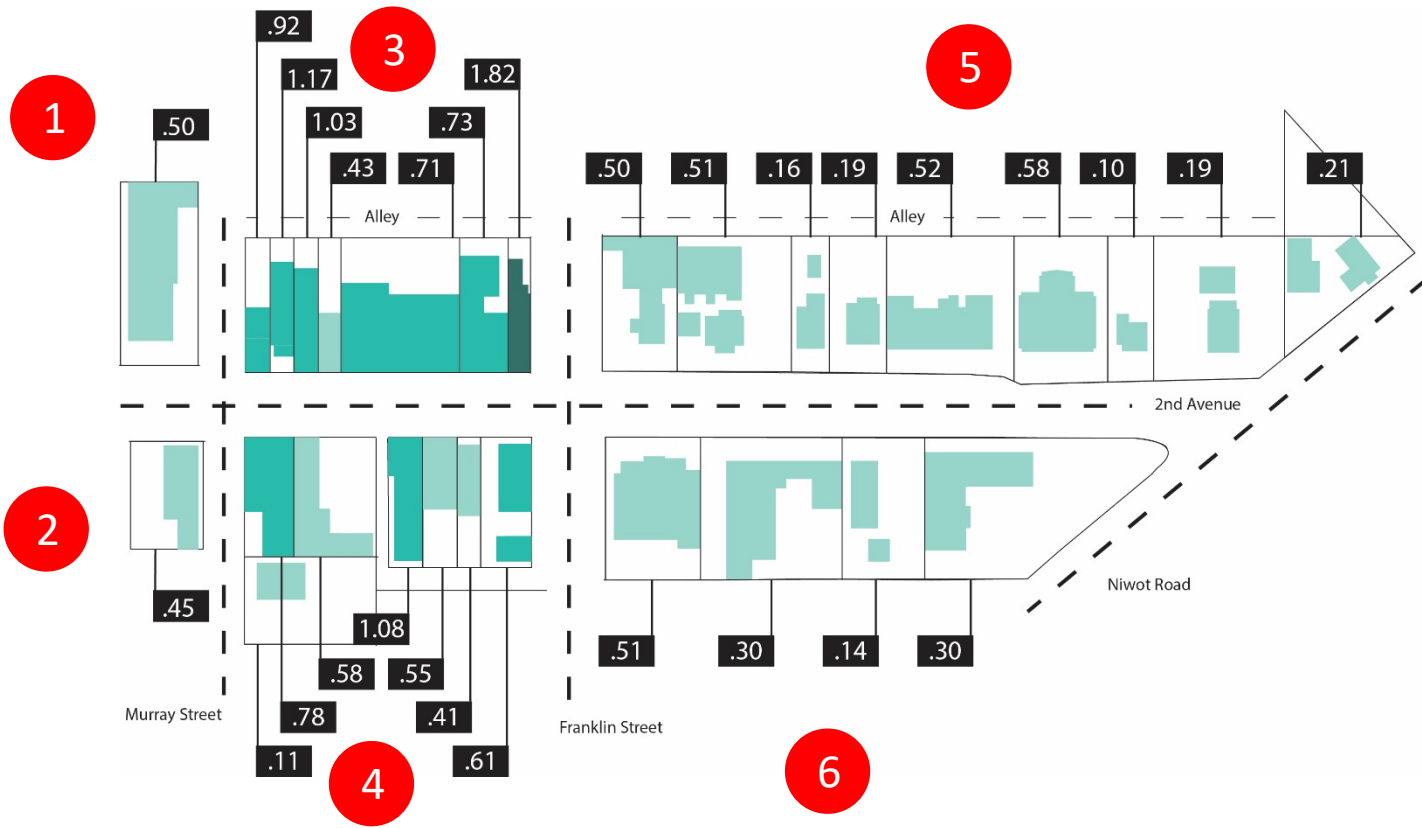
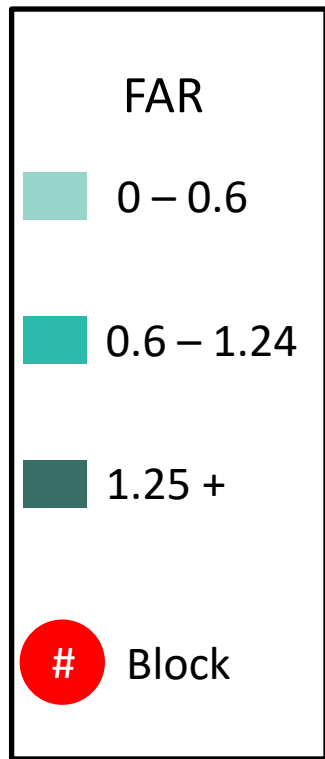


# Lot Coverage— Existing Conditions





# Floor Area Ratio – Existing Conditions

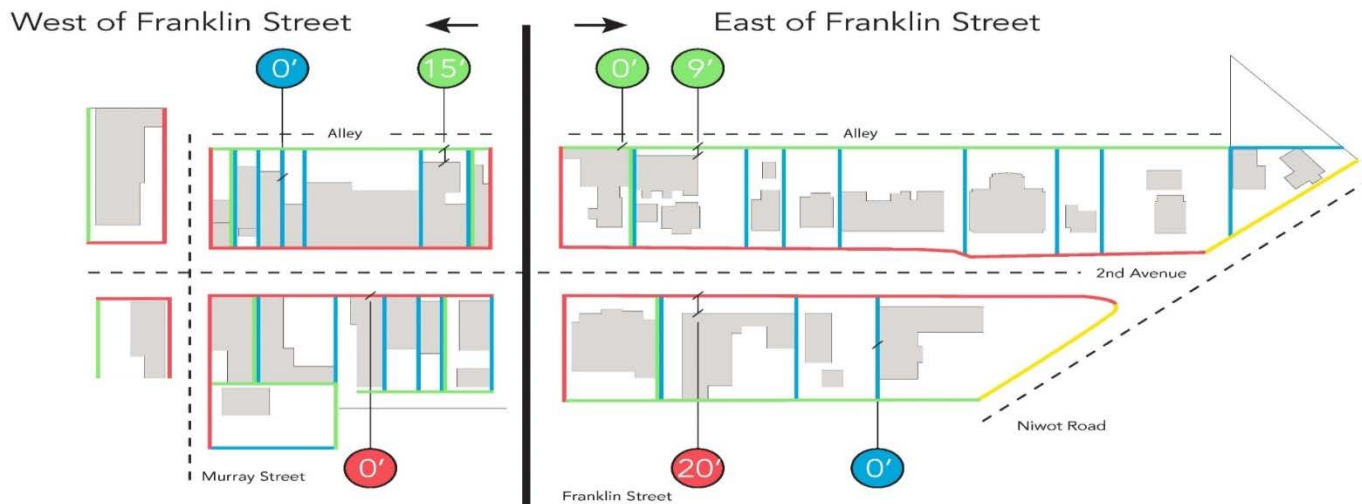




# Existing Setbacks

## Minimum Setbacks (ft)

- Front yard - 0 feet East of Franklin; 20 feet West of Franklin
- Side yard - 0 or 12 feet
- Rear yard - 0 with an alley; 10 feet without an alley
- Supplemental - Along Niwot Road, 80 feet from the center line







# Existing Conditions – *Alley, Access and Parking*

## Interface, Connections, and Access

Alley

Parking

Sidewalk

F Front

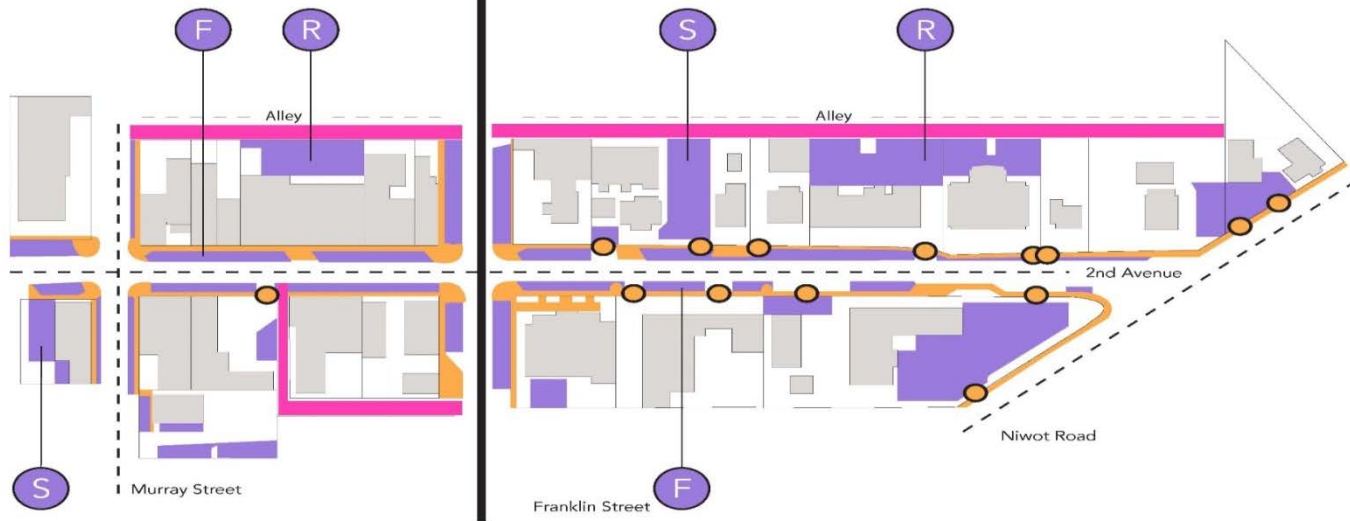
S Side

R Rear

Curbcuts

West of Franklin Street

East of Franklin Street





# ADDITIONAL SLIDES



## Overarching Goals for Alley

**IMPROVE PEDESTRIAN SAFETY.** Limit number of access points on 2<sup>nd</sup> Avenue which cause conflicts between pedestrians and autos.

**MITIGATE IMPACTS ON NEIGHBORS.** This includes: noise, lights, shadow/visual impacts.

**ENHANCE COMMUNITY CHARACTER.** Retain existing structures that contribute to character and new development should be compatible.

**ENSURE ADEQUATE PARKING.** Retain on-street spaces wherever feasible.

**IMPROVE CIRCULATION.** Alley currently one-way in/out. How do trash/deliveries work?



## Alley Condition – *Existing*



- Some use alley for access; others use 2<sup>nd</sup> Avenue only.
- Alley currently (tight) two-way, but dead-ends with only access from Franklin St.



- Alley is unimproved (dirt).
- Primarily used by 2<sup>nd</sup> Avenue properties; less by 3<sup>rd</sup> Avenue properties.

# Alley Idea #1 – *One-Way to Franklin with Buffer*



- Landscaped buffer on single family side of alley (protect from noise; block views)
- Also could go on commercial side.
- Owners could organize to maintain.
- Creates a one-way alley (could go either direction as long as outlet.)
- Could include shared amenities such as veggie garden beds, bike parking, etc.

# Alley Idea #2 – *Two-Way with Landscaped Setback*



**NOTE:** This would only occur  
**WHEN PROPERTIES REDEVELOP.**

- Landscaped buffer on commercial property (provides setback and buffers noise/views)
- Alley remains two-way with access to parking.
- Traffic in alley would increase.
- Individual property owners would be responsible for buffer maintenance.
- Alley would need to be improved.
- Setback would not be required for existing parcels that have parking lots.



# Alley Idea #3 – One-Way to New Outlet with Buffer, Landscaped Setback

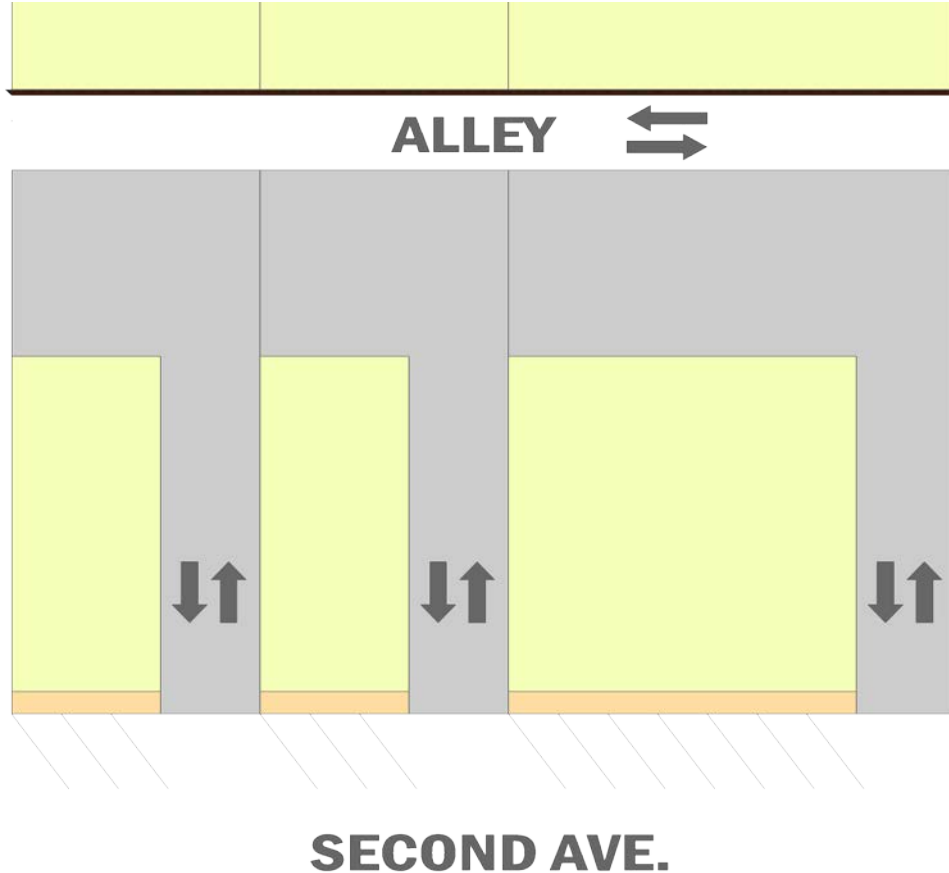


*NOTE: Private setback would only occur **WHEN PROPERTIES REDEVELOP.***

- Landscaped buffer on commercial property (provides setback and buffers noise/views.)
- Provide parallel parking as buffer and trade-off to commercial properties.
- Alley would be one-way (need outlet)
- Individual property owners would be responsible for buffer maintenance.
- Alley would need to be improved.

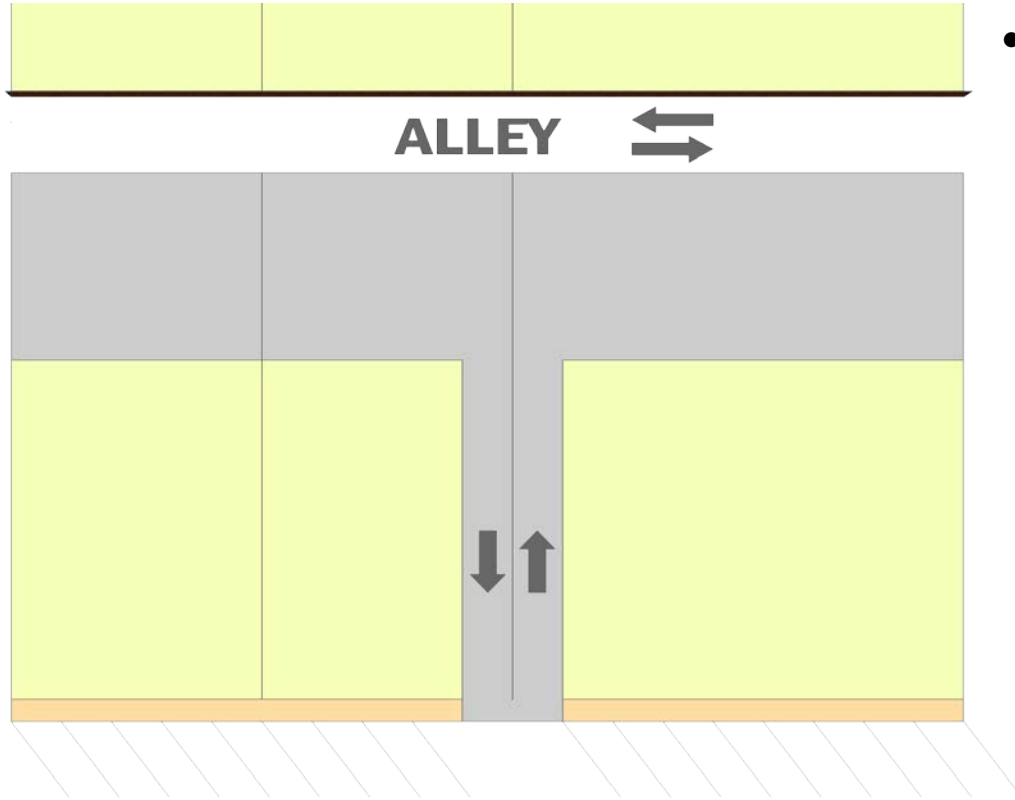


## Lot Access – *Existing Conditions*



- Currently, most properties have individual access from 2<sup>nd</sup> Avenue (some also have access from alley on East side).
- Parking is primarily located behind buildings, although some are to the side and a few in front.
- Parking on 2<sup>nd</sup> Ave. is inconsistent and differs in orientation.
- Sidewalk is disrupted from multiple access points.

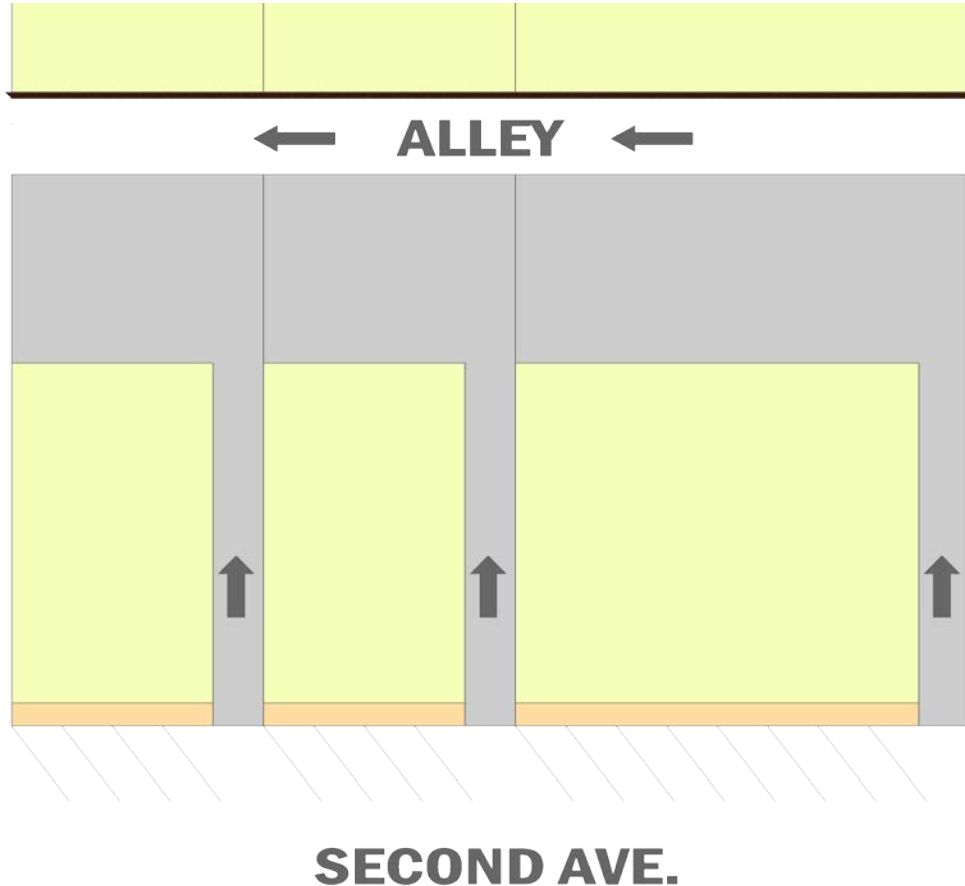
# Lot Access Idea #1 – *Shared Access*



**SECOND AVE.**

- **Shared access:**
  - Minimizes pedestrian/auto conflicts
  - Provides more on-street parking
  - Allows more developable land
  - Requires agreement between property owners

## Lot Access Idea #2 – *One-Way Private Access*



- **One-Way access:**
  - One-way could increase visibility and minimize ped/auto conflicts.
  - Provides more on-street parking than existing condition
  - Allows more developable land (slightly)
  - Only applicable on side of block that has alley.
  - Could be confusing for motorists