



## TOWN BOARD WORK SESSION

March 25, 2019 - 5:30 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

***GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.***

Members of the Public in attendance are asked to be recognized by the Mayor before participating in any discussions of the Town Board

### AGENDA

1. Land Use Code Update  
Town Board / Planning Commission Work Session - Land Use Code Update
2. Future Meetings Agenda

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



## MEMORANDUM

**Date:** March 25, 2019  
**To:** Mayor and Town Board  
**Via:** Shane Hale, Town Manager  
**From:** Planning Department  
**Re:** Land Use Code Update  
**Item #:** 1.

### **Background / Discussion:**

Please see attached memo on Habitat and Feature Protection Standards and attached memo and draft on Article 5 - Zone Districts.

### **ATTACHMENTS:**

- ▢ Question to Town Board - Habitat and Feature Protection Standards
- ▢ Memo - Article 5 - Zoning Districts
- ▢ Article 5 Draft
- ▢ Stakeholder Comments
- ▢ Staff PowerPoint



## **MEMORANDUM**

**Date:** March 21, 2019  
**To:** Mayor & Town Board  
**From:** Planning Staff; Millissa Berry, Senior Planner  
**Re:** Potential Code Standards – Protection of Natural Habitat and Features

### **Background / Discussion**

The purpose of this memorandum is to ask the Town Board for direction on a potential new set of standards for the development chapters of the municipal code.

One of the goals of the update to the development chapters of the municipal code is to produce a development code that will better implement the goals and objectives of the 2016 Comprehensive Plan. While updating the chapters, staff is evaluating whether additional items can be added to help reach the comprehensive plan goals. The protection and preservation of natural habitat and features, such as the Cache la Poudre River, is one area that has presented itself as an area that may be addressed during this update.

The 2016 Comprehensive Plan includes the following statements toward preservation of natural habitat and features within the Town:

“Windsor is the home to a range of environmental and recreational amenities that help to define its identity and contribute to the community’s high quality of life. The Poudre River, bluffs, and arroyos, and large expanses of open space make a significant contribution to the character of Windsor and are critical to both local and regional ecologies.”

Chapter 8 Open Space, Recreation, & Environmental Features Goal: “Support a comprehensive plan and recreation system that provides active and passive recreational opportunities while preserving Windsor’s natural areas.”

This sentiment for protecting natural habitat and features is continued from the 2006 version of the Comprehensive Plan and is echoed in the 2006 East Side Industrial Subarea Plan. Variations of this sentiment were included in the 2016 update to the Strategic Plan and Windsor Vision 2025. In addition, protection of local natural habitat and features support regional goals of the:

- The Comprehensive Cache la Poudre Greenway Guide
- The Lower Poudre River Flood Recovery and Resilience Master Plan

- Cache la Poudre River Natural Heritage Area Management Plan
- Poudre River Greenway Initiative.

The preservation of natural habitat and features goes beyond protection of the natural resource; it can be a component in the overall strategy to meet many Town goals and objectives and current areas of discussion such as water conservation and preservation of community separators, among others. The intent of the program is:

1. To preserve unique, sensitive and critical natural areas such as lakes, rivers, streams, arroyos, aquifer recharge areas, ridgelines, bluffs, significant wildlife habitats (wetlands and riparian areas, native grasslands, floodplains), significant stands of plants, scenic vistas and other unique landscapes.
2. To protect wildlife species by preserving key wildlife habitat.
3. To protect natural hazard mitigation functions of floodplains, wetlands and riparian areas to reduce potential impacts of flooding events.
4. To ensure new development minimizes or mitigates impacts to natural habitats and features.
5. To promote the sense of a small town feel and character by retaining natural areas and features within town limits.
6. To provide informed decision making on potential conservation easements, community separators, open space purchases, and grant funding opportunities.
7. To foster beneficial, imaginative, and diverse forms of recreation and educational activities for residents and visitors.
8. To assist in meeting goals of the Town's Municipal Separate Storm Sewer System (MS4) program in regard to storm water quality and overall water quality
9. To support the goals of Town adopted plans and recognized regional plans, including but not limited to, the 2016 Comprehensive Plan, the East Side Industrial Subarea Plan, the Comprehensive Cache la Poudre Greenway Guide, the Lower Poudre River Flood Recovery and Resilience Master Plan, Cache la Poudre River Natural Heritage Area Management Plan, Poudre River Greenway Initiative, 2016 update to the Strategic Plan, and Windsor Vision 2025.

Would the Board like staff to craft code standards intended to protect the community's natural habitat and features? If so, staff will prepare options to present to the Board at a later date.



## MEMORANDUM

**Date:** March 25, 2019  
**To:** Mayor, Town Board, & Planning Commission  
**From:** Paul Hornbeck, Senior Planner  
**Re:** Land Use Code Update – Article 5 – Zone Districts

### Introduction

Enclosed is a working draft of Article 5 from the ongoing land use code update. The intent of the overall code update is to update existing zoning and subdivision regulations to more appropriately reflect contemporary development, while providing options and flexibility in land development, thereby implementing the goals and policies of the Comprehensive Plan.

### Organization of Lot Development Standards

The proposed Article 5 will establish zone districts and provide lot development standards (e.g. setbacks, lot size, etc.). What follows is a summary of major changes from the current Municipal Code to the organization and content of these standards. Please refer to the attached Article 5 draft for the full standards.

The current code generally applies lot development standards based on zone district and standards that are applied uniformly throughout the zone district, regardless of the type of building or other considerations. One exception to this application is within the Residential Mixed Use (RMU) zone district, which refers back to other zone district standards for specific uses (e.g., single family homes utilize SF-1 standards and commercial development uses GC standards).

The draft code update expands upon the approach currently used in the RMU district to provide a menu of options within zone districts based on *building type* (e.g. single family, townhome, or commercial) and the type of *vehicular access* provided. Vehicular access refers to how a building or site is accessed (e.g. from an alley, parking lot, etc.). Draft vehicular access standards from Article 8 are attached with an excerpt shown in Illustration 1.

In most zone districts, the access type and building type are generally uniform since the allowed uses are fairly homogenous. For example, in the SF-1 zone district all dwellings would adhere to the same standards with different standards for the few non-residential uses allowed in SF-1 (places of assembly, schools, etc.). Where the building types and vehicular access types come into play more are the zone districts which allow a greater variety of uses and building types.

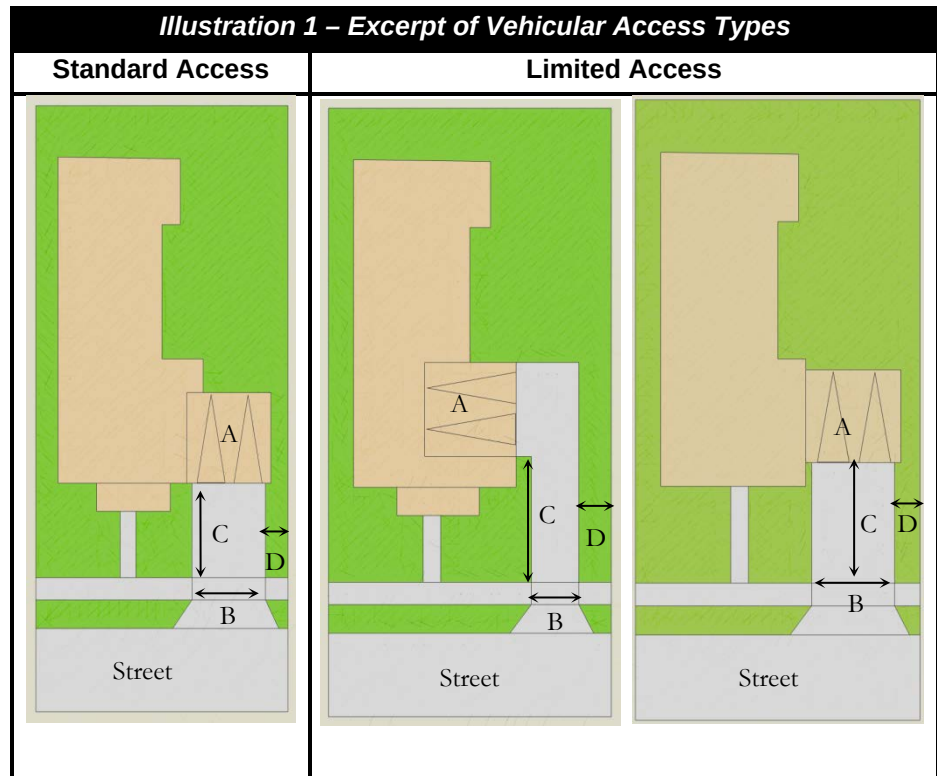
### Stakeholder Outreach

Since this code update is largely focused on implementing the 2016 Comprehensive Plan, which featured concerted public outreach and input, outreach at this point in the process has been more focused on frequent users of the code. A memo ~~very~~ similar to this one outlining proposed changes and a draft of Article 5 was sent to members of the development community that most frequently work in Windsor. Input from that group is attached and will be considered in subsequent drafts of Article 5.

## Summary of Changes

### Residential Mixed Use Zone (RMU)

The RMU zone district was created to allow a mix of uses and dwelling types in a single zone district. It has largely become the default zoning district used for most residential development and has been successful in providing flexibility to developers. For example, most developments in the RMU zone are predominately single family residential, but often have a small multifamily or commercial component, which does not require a separate rezoning and can be conceptual at the time of the project's master plan.



In order to provide flexibility in land development, consistent with the goals and policies of the Comprehensive Plan, a second RMU zone district (called "RMU-2") is proposed which would allow for a greater mix of dwelling types, the ability to create smaller lots, and mixed use development. Existing RMU zoning would become RMU-1 and would remain in place, subject to the modifications outlined later in this document in the Residential Lot Standards section.

The RMU-2 district would allow higher intensity development, such as smaller residential lot sizes and commercial and/or mixed-use neighborhood centers, built in a traditional manner with minimal building setbacks and on-street parking. This is a model used in the Raindance development currently under construction. Based on the Raindance model, staff is exploring Article 5 allowing single family lots as small as 2500 square feet when alley access is provided and 4000 square feet with street access, compared to the 6000 square feet minimum generally required. There are enhanced standards outlined on the following page for smaller lot sizes to address concerns that come along with smaller, narrow lots. Note that these smaller lots would only be allowed for new developments that rezone to RMU-2.

The purpose of the smaller lots is to respond to market demands, especially considering current land and water costs, and to provide a variety of housing options. Smaller lots can come with challenges, such as accommodating all necessary infrastructure and site improvements, such as driveways, utility lines, street trees, etc. This issue has come up in the review of Raindance subdivision plats, but has been adequately addressed during the review process. Smaller lot sizes can allow for higher overall development density and lower water usage; however, sanitary sewer capacity will be a limiting factor in many cases. In such cases, RMU-2 zoning may still be desirable to allow smaller lots integrated within more open spaces and amenities.

The RMU-2 standards are intended to allow a type of development that would otherwise require a Planned Unit Development (PUD) overlay rezoning and associated public hearings with the initial PUD and subsequent amendments, reviews, etc. The RMU-2 district is intended to allow developments similar to the Raindance PUD, without the need for PUD approval, with standards based largely around the Raindance PUD.

As a tradeoff for higher intensity development, RMU-2 development would be required to include additional park space to be built by the developer and privately maintained, be built in a more pedestrian-oriented manner by providing a mix of uses for residents, and enhanced design standards.

Enhanced standards are summarized as follows:

- Detached sidewalks required on local streets
- Rear access required for small lots/ reduced setbacks (2,500 s.f. – 3,999 s.f.)
- Limited or rear access required for medium sized lots/ reduced setbacks (4,000 s.f. – 5,999 s.f.)

In order to ensure the development includes a mix of uses and unit types, the following minimums would be required:

- Minimum of 20% percent for two of the following housing categories:
  - o Category A: Single family, duplex, or cottage
  - o Category B: Townhomes or multiplex
  - o Category C: Multifamily, including within a mixed use building
- Minimum commercial acreage:
  - o 5 acres for overall developments less than 200
  - o 10 acres for overall developments over 200 acres

A Neighborhood Center is an optional designation that can be included on a master plan and includes standards for a higher intensity center of commercial or mixed uses, including:

- 0' minimum setback to allow shopfronts to abut the sidewalk
- A maximum setback to ensure uniform streetscape with buildings rather than parking lots
- 10' minimum sidewalk width
- Ground floor transparency requirements (i.e. windows and doors) that provide ground floor interest to pedestrians and helps activate the street

#### Single Family Detached SF-1

Minor changes are proposed in the SF-1 zone district, as outlined in the Residential Lot Standards section later in this document.

#### Single Family Attached SF-2

There are currently no properties in town zoned SF-2. Duplexes are the only residential dwelling type currently allowed within the SF-2 zone and with the availability of the RMU zone, which allows not only duplexes but all residential dwelling types, SF-2 has not been utilized by developers. Therefore, the SF-2 zone is proposed to be overhauled to be similar to the proposed RMU-2 zone, but at a lower intensity and without the required commercial component. SF-2 would allow a range of dwelling types varying in intensity from detached single family dwellings to townhomes.

The changes outlined in the Residential Lot Standards section later in this document would also apply to SF-2.

### Multifamily

There is little difference between the current MF-1 and MF-2 zone districts other than density and the districts lack clear intent statements specifying where one zone may be appropriate over the other. Therefore, the two zones are proposed to be combined into a single MF zone. The MF zone would offer the similar menu of options based on building type and vehicular access as the RMU-2 and SF-2 zones.

|                      | Existing MF                                            | Proposed MF                                                                                                                          |
|----------------------|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Front Setback</b> | 20'                                                    | 20'<br>15' for entry features                                                                                                        |
| <b>Side Setback</b>  | 6" for every 1' of height                              | 20' for multifamily<br>5' for multiplex, townhouse, & duplex                                                                         |
| <b>Rear Setback</b>  | 6" for every 1' of height                              | 20' for multifamily<br>15' for townhouse, multiplex, & duplex                                                                        |
| <b>Open Space</b>    | 900 s.f. per unit (MF-1)<br>450 s.f. per unit (MF-2)   | 20-40% based on building type                                                                                                        |
| <b>Lot Size</b>      | 2400 s.f. per unit (MF-1)<br>1400 s.f. per unit (MF-2) | 1400 sf per unit for multifamily<br>1400-2400 sf per unit for townhouse<br>2500 sf per unit for multiplex<br>3000-4500 sf per duplex |

### Estate Residential Zone District

The E-1 and E-2 zones are proposed to be combined into a single estate district. At the time that the E-1 zone district was created, it was intended to allow use of septic systems for sewage disposal on 2.5-acre lots; however, the Town no longer allows new development on septic (Municipal Code Section 13-1-30(c)). Therefore, the two zones can be combined.

Density bonuses currently allow conservation subdivision with lots smaller than one acre in size when open space is preserved. The update adds standards that are currently lacking, such as specific requirements for the open space and perpetual maintenance requirements. Few subdivisions have been built using the density bonus (Fossil Ridge [AKA Belmont Ridge] is one example). When SF-1 or RMU zoning (and the corresponding smaller lots), are available to developers, there is no incentive to utilize the estate zoning with the density bonus. However, conservation subdivisions can be a valuable tool to preserve open space and natural features. The Town's Comprehensive Plan Land Use Map identifies some unincorporated and undeveloped land as "estate", meaning the expected zoning at the time of annexation would be Estate Residential. These areas are generally appropriate for lower density, as they are on the periphery of Town or feature topography or floodplains that limit development opportunity. If the Town Board requires estate zoning in these areas at the time of annexation, rather than higher density zones, conservation subdivisions could be a viable option.

Please also refer to the Residential Lot Standards section below for other minor changes.

### Residential Lot Standards

Standards pertaining to lot coverage, lot width, and rear setbacks particular to residential lots are proposed to be changed for the Estate, SF-1, SF-2, RMU, and MF zones.

The 5' rear setback currently allowed for single family uses could be problematic due to how close it allows a rear neighbor to build to the property line while maintaining some level of rear yard privacy. New



homes, additions, and accessory buildings are all allowed to be built up to 35' tall, subject to the 5' rear setback. A 15' rear setback, which would be in line with what most northern Colorado jurisdictions require, was proposed in the first draft of Article 5. Based on feedback from stakeholders, an 8' rear setback is now proposed. This would provide some increase in privacy and aligns with the 8' rear yard utility easement required with new subdivisions. Accessory structures (such as sheds and garages) would still be allowed to be constructed with a 5' rear setback.

| Zone District | Existing Rear Setback | Proposed Rear Setback |
|---------------|-----------------------|-----------------------|
| E-2           | 5'                    | 8' <del>15'</del>     |
| SF-1          | 5'                    | 8' <del>15'</del>     |
| SF-2          | 5'                    | 8' <del>15'</del>     |
| RMU           | 5'                    | 8' <del>15'</del>     |

The code currently requires minimum livable open space (i.e. pervious surface) with residential development. This standard is proposed to change to maximum lot coverage (pervious surface) to be more equitable to varying lot sizes and to be more consistent with regional jurisdictions and easier to administer.

|                  | Existing                   | Proposed             |
|------------------|----------------------------|----------------------|
| Building Type    | Minimum Livable Open Space | Maximum Lot Coverage |
| Single Family    | 3000 per unit              | 60-65%               |
| Duplex           | 2000 per unit              | 60-65%               |
| Multifamily MF-1 | 900 per unit               | 80%                  |
| Multifamily MF-2 | 450 per unit               | 80%                  |

The Town does not currently have a minimum lot width for any zone district. Minimum lot widths are proposed to avoid creation of lots that are undevelopable, ensure adequate spacing of driveways, and ensure neighborhood consistency and compatibility. Lot width is measured at the front setback, which allows for cul-de-sacs. The 45' lot width allowed with Standard Vehicular Access appears to accommodate the narrowest lots on cul-de-sacs currently in Windsor. Narrower 35' wide lots would be allowed with Rear or Limited Vehicular Access.

#### Neighborhood Commercial (NC)

There are currently just two properties zoned NC. Under the existing code, there is no difference in the lot development standards between NC and General Commercial (GC). The only difference currently in these zones is that the allowed uses in NC are more restrictive. Uses will be covered in future discussions of Article 6; however, the intent of NC is to allow small-scale commercial use that is conveniently located to serve adjacent neighborhoods, such as the "corner store." It is anticipated the use of NC will continue to be limited as the RMU-1 and RMU-2 zones can allow this type of commercial use in new developments. NC would likely be limited to infill sites where commercial development is appropriate, but not at the land use intensity or scale of GC zoning. As an incentive to provide these types of neighborhood-serving uses and better site planning, with buildings oriented toward the street and parking in the rear, setbacks are proposed to be modified as shown below. The maximum building height would be reduced to be more compatible with residential neighborhoods.

|                        | Existing NC | Proposed NC |
|------------------------|-------------|-------------|
| <b>Front Setback</b>   | 25'         | 15'         |
| <b>Side Setback</b>    | 25'         | 15'         |
| <b>Rear Setback</b>    | 25'         | 15'         |
| <b>Building Height</b> | 55'         | 40'         |

#### General Commercial (GC)

The 25' front setback currently required in GC is proposed to be reduced to 20' to make more efficient use of land and encourage buildings to be located closer to the street with parking in the rear. GC is the only zone district which allows Planning Commission to approve lesser side and rear setbacks, but no less than 10'. Rather than continue this practice in one zone district, reduced setbacks for all zone districts would be considered under an alternative compliance or variance procedure, which will be covered in Article 2. There is currently no minimum lot width in the GC zone. To ensure lots created as a part of a subdivision are usable, a minimum width of 100' is proposed.

|                      | Existing GC | Proposed GC |
|----------------------|-------------|-------------|
| <b>Front Setback</b> | 25'         | 20'         |
| <b>Side Setback</b>  | 20'*        | 20'         |
| <b>Rear Setback</b>  | 20'*        | 20'         |
| <b>Lot Width</b>     | n/a         | 100'        |

*\*Planning Commission may approve lesser setback, but no less than 10'*

#### Central Business (CB)

Changes to the CB district will be part of a separate update in order to better engage stakeholders.

#### Agriculture Holding Zone

The Town currently has no agricultural zone. The AH zone is proposed to be added to allow agricultural properties (livestock, farming, etc.) that are annexed into Town to continue as agriculture when no development is planned. Rezoning would be required later to allow development. Agriculture is currently allowed on a case-by-case basis through annexation agreements. Having the AH zone would allow for uniform standards for agricultural uses. The zone is intended only for properties being annexed and not for rezoning of existing incorporated properties to allow agriculture (e.g. to allow more livestock than allowed by the Estate Zone).

#### Recreation and Open Lands (ROL)

The existing Recreation and Open Space (O) zone district would be renamed Recreation and Open Lands to avoid confusion inherent in the term *open space* that may imply that land is permanently preserved as open space. The zone currently does not list setbacks, so setbacks have been added. The minimum lot size is proposed to be reduced from 120,000 square feet to 20,000 square feet.

#### Limited Industrial (LI)

There is currently no minimum lot width in the IL zone. To ensure lots created as a part of a subdivision are usable, a minimum width of 100' is proposed.

### Heavy Industrial (HI)

There is currently no minimum lot width in the IH zone. To ensure lots created as a part of a subdivision are usable, a minimum width of 200' is proposed.

### Mobile Home (MH)

This zone is being renamed to eliminate the reference to Planned Unit Development (PUD). Outdated language has been eliminated and simplified.

### Planned Unit Development (PUD)

PUD is a negotiated overlay zone district that requires extra resources during the application process by both the applicant and Town compared to development in traditional zone districts. Administration of a PUD after approval also requires additional Town resources due to their unique nature. The intent of PUD zoning is largely to allow flexible or innovative design. Rather than continue to rely on PUD zoning to allow innovation and flexibility, the code update, specifically within the RMU-2 and SF-2 zone districts, is intended to offer many of the same advantages of PUD zoning but in a more streamlined manner.

The first draft of Article 5 proposed replacing the PUD overlay zone for new development. Based on stakeholder feedback, the revised intent is to retain PUD zoning as an option while working to ensure RMU-2 and SF-2 zones are attractive alternatives to PUD zoning. The goal is that PUD zoning would only be needed in rare instances for truly innovative design, while offering substantial amenities, and not simply to avoid requirements like minimum lot sizes. The code criteria for PUD approval will be updated with stakeholder input to better reflect this goal.

### Setback and Height Exceptions

The current code has little detail about allowed encroachments into setbacks (e.g. window wells, patios, etc.). A detailed list of allowed encroachments has been included in the draft of Article 5. Similarly, height exceptions for items such as screening for rooftop mechanical equipment or elevator equipment are not adequately addressed in the existing code; therefore, additional information is proposed in Article 5.

### **Next Steps**

Based on input from Town Board, Planning Commission, and stakeholders, staff will incorporate any modifications to Article 5 and, if changes are significant, the changes will be presented at another work session. Other Articles will be brought to future work sessions before presenting the updates as a comprehensive ordinance to Town Board for adoption of the new Land Use Code. Adoption of the code is anticipated for later this year. Some sections that generally include independent standards, such as signs, may have a separate schedule.

## Article 5. Zoning Districts

- 5.01 Intent & Applicability
  - 5.02 Establishment of Zone Districts
  - 5.03 Estate Residential (ER)
  - 5.04 Single Family Detached (SF-1)
  - 5.05 Single Family Attached (SF-2)
  - 5.06 Multifamily (MF)
  - 5.07 Residential Mixed Use One (RMU-1)
  - 5.08 Residential Mixed Use Two (RMU-2)
  - 5.09 Mobile Home (MH)
  - 5.10 Neighborhood Commercial (NC)
  - 5.11 Central Business (CB)
  - 5.12 General Commercial (GC)
  - 5.13 Limited Industrial (IL)
  - 5.14 Heavy Industrial (IH)
  - 5.15 Recreation & Open Lands (ROL)
  - 5.16 Agricultural/ Holding (AH)
  - 5.17 Planned Unit Development (PUD)
  - 5.18 Measurements and Exceptions
- 

### 5.01 Intent & Applicability

- A. **Intent.** The intent of this Article is to:
  - 1. Establish zones within the Town for the application of this Land Use Code.
  - 2. Protect and enhance the character of the Town by regulating the size, disposition, design, and massing of buildings.
  - 3. Establish the minimum area and dimensions for lots of various types (for new subdivisions).
- B. **Applicability.** This Article provides lot and building standards (e.g., setbacks, building height, building coverage, etc.) for all zones and buildings. The standards generally apply to all new structures, rehabilitation of structures, or expansion of structures except for the following:
  - 1. Alternative Compliance, Sec. TBD.
  - 2. Variances, Sec. TBD.
  - 3. Legal Non-Conformities, Sec. TBD.
  - 4. Height and Setback Exceptions, Sec. 5.18
  - 5. Accessory structures, Sec. TBD.
  - 6. Infill and redevelopment, Sec. TBD

- 5.02 **Establishment of Zone Districts.** Zoning districts are established as shown in Table 5-1. Previous zoning districts are hereby converted to the zoning districts established by Ordinance Number 2019-xxx as shown in Table 5-1.

| Table 5-1 Zoning Districts Established               |                           |                           |                                      |
|------------------------------------------------------|---------------------------|---------------------------|--------------------------------------|
| Zoning Districts Established by <b>Ord. 2019-TBD</b> |                           | Previous Zoning Districts |                                      |
| ER                                                   | Estate Residential        | E-1                       | Low Density Estate Residential       |
|                                                      |                           | E-2                       | High Density Estate Residential      |
| SF-1                                                 | Single Family Detached    | SF-1                      | Single Family Detached               |
| SF-2                                                 | Single Family Attached    | SF-2                      | Single Family Attached               |
| MF                                                   | Multifamily               | MF-1                      | Multifamily                          |
|                                                      |                           | MF-2                      | High Density Multifamily             |
| RMU-1                                                | Residential Mixed Use One | RMU                       | Residential Mixed Use                |
| RMU-2                                                | Residential Mixed Use Two | n/a                       | n/a                                  |
| MH                                                   | Mobile Home               | PD-MHP                    | Planned Mobile Home Park Development |
| NC                                                   | Neighborhood Commercial   | NC                        | Neighborhood Commercial              |
| CB                                                   | Central Business          | CB                        | Central Business                     |
| GC                                                   | General Commercial        | GC                        | General Commercial                   |
| LI                                                   | Limited Industrial        | IL                        | Limited Industrial                   |
| HI                                                   | Heavy Industrial          | IH                        | Heavy Industrial                     |
| ROL                                                  | Recreation & Open Lands   | O                         | Recreation & Open Space              |
| AH                                                   | Agriculture Holding       | n/a                       | n/a                                  |
| PUD                                                  | Planned Unit Development  | PUD                       | Planned Unit Development             |

### 5.03 Estate Residential (ER)

A. **Purpose.** The purpose of the ER zone district is:

1. To establish and preserve very low-density single-family residential neighborhoods with urban level services that, in general, are located in a rural setting. .
2. To provide an estate transition from higher urban densities in the Town to outlying rural densities and preserve environmentally sensitive areas.
3. To provide for generous building setbacks and lot frontages that ensure significant space between dwellings, resulting in an estate residential appearance within developed neighborhoods.

- B. **General Development.** Development in the Estate Residential zones shall adhere to the standards contained in Table 5-2. Reduced Lot sizes are allowed in accordance with Section 5.02.C.2 (Conservation Design).

| Table 5-2: ER District Lot Development Standards                      |                            |
|-----------------------------------------------------------------------|----------------------------|
| Vehicular Access                                                      |                            |
| Residential Uses                                                      | Standard, Limited, or Rear |
| Non-Residential Uses                                                  | Any                        |
| Lot Standards                                                         |                            |
| Minimum Lot Area (acres)                                              | 1                          |
| Minimum Lot Area (with existing septic system)                        | 2.5                        |
| Minimum Lot Width                                                     | 45'                        |
| Maximum Lot Coverage                                                  | 65%                        |
| Minimum Setbacks – General                                            |                            |
| Front                                                                 | 20'                        |
| Side                                                                  | 20'                        |
| Rear                                                                  | 15'                        |
| Minimum Setbacks – Accessory Buildings Housing Large Domestic Animals |                            |
| Front                                                                 | 35'                        |
| Side                                                                  | 35'                        |
| Rear                                                                  | 35'                        |
| Maximum Building Height                                               |                            |
| Height                                                                | 35'                        |

**C. Conservation Design.** To encourage the clustering of homes to preserve open space within the ER District, reduced minimum lot sizes may be granted which will allow more than one (1) dwelling unit per acre. The criteria for granting the reduced lot sizes within a master plan or a subdivision plat are as follows:

1. Minimum lot sizes shall be based on the percentage of open space provided in accordance with Table 5-3.

| Table 5-3 Conservation Subdivision          |                  |
|---------------------------------------------|------------------|
| Amount of Open Space and/or Recreation Uses | Minimum Lot Size |
| Less than 20%                               | 43,560           |
| Equal to or greater than 20%                | 20,000           |
| Equal to or greater than 30%                | 15,000           |
| Equal to or greater than 40%                | 10,000           |
| Equal to or greater than 50%                | 6,000            |

2. Open space shall be permanently protected as designated open space through designation on the subdivision plat
3. Designated open space shall be retained in a natural, undisturbed state, except for as required for active management or restoration according to a conservation agreement and management plan written by a qualified natural resource professional and except as listed below:
  - a. Agricultural cultivation and pastures for properties historically used as such
  - b. Passive (non-motorized) trails and recreational uses.
  - c. Stormwater facilities designed in accordance with the principles of Low Impact Design.
  - d. Other uses subject to approval of the Town Board which are demonstrated to not negatively impact the natural and/or cultural amenities preserved in the open space.
4. The following shall not qualify as designated open space:
  - A. Individual building lots.
  - B. Roads, access drives, or parking lots unless specifically designed to access the open space.
  - C. Utility facilities.
  - D. Any area that is less than 100 feet wide shall not count toward the calculation of the designated open space.
  - E. Developed parks, including parkland dedicated in accordance with **Section TBD**

#### 5.04 Single Family Detached (SF-1)

- A. **Purpose.** The purpose of the SF-1 zone district is to establish and preserve low density single family residential areas, with ample open areas and connections to nearby employment or commercial activity centers.

- B. **Lot Development Standards.** Development in the SF-1 zone district shall adhere to the standards contained in Table 5-4.

| Table 5-4: SF-1 District Lot Development Standards |                         |
|----------------------------------------------------|-------------------------|
| Vehicular Access Types Permitted                   |                         |
| Residential Uses                                   | Standard, Limited, Rear |
| Non-Residential Uses                               | Any                     |
| Lot Standards                                      |                         |
| Minimum Lot Area (square feet)                     | 6,000                   |
| Minimum Lot Width                                  | 45'                     |
| Maximum Lot Coverage                               | 60%                     |
| Minimum Setbacks                                   |                         |
| Front                                              | 20'                     |
| Side                                               | 5'                      |
| Rear                                               | 15'                     |
| Maximum Building Height                            |                         |
| Height                                             | 35'                     |

#### 5.05 Single Family Attached SF-2

- A. **Purpose.** The purpose the SF-2 zone district is:
1. To establish and preserve compact, pedestrian oriented residential neighborhoods with a variety of housing types and densities.
  2. To provide for a gradual transition from single-family residential to multifamily or commercial uses.
- B. **Lot Development Standards.** Development in the SF-2 zone district shall adhere to the standards contained in Table 5-5 based on Building Type, as described in **Section TBD** and Access Type, as described in **Section TBD**.
- C. **Master Plan.** In addition to the Master Plan requirements of **Sec. TBD**, prior to approval of a subdivision plat, a Master Plan is required to depict the approximate location and acreage of all land uses and building types. Building types and land uses shall only be allowed only in accordance with an approved Master Plan. The Master Plan shall be recorded in accordance with the requirements of Article 2.



- D. **Land Use Allocation.** In order to create a mixed neighborhood with a variety of housing types, developments larger than 10 gross acres in size shall designate on an approved master plan a minimum of 15% of the development's gross acreage to at least two different residential building types. For the purpose of this requirement, Over-Under and Standard Duplexes shall be considered one building type. Land designated to meet the requirements of this subsection shall generally be considered buildable and shall not include any of the following:
- a. open spaces
  - b. drainage controls
  - c. water quality controls
  - d. roadways other than those providing direct access to individual lots
  - e. significant encumbrance by easements or agreements that render a large portion of the property unusable or highly restrict usage
- E. **Roadway Design.** All local residential streets shall include a detached sidewalk in accordance with the Residential Parkway street parameters contained in the Design Criteria and Construction Specifications.

| <b>Table 5-5 SF-2 Lot Development Standards</b> |                                 |                                |                   |                             |              |                            |                      |             |                        |
|-------------------------------------------------|---------------------------------|--------------------------------|-------------------|-----------------------------|--------------|----------------------------|----------------------|-------------|------------------------|
| <b>Building Type</b>                            | <b>Vehicular Access</b>         | <b>Lot Standards</b>           |                   |                             |              | <b>Minimum Setbacks</b>    |                      |             | <b>Building Height</b> |
|                                                 |                                 | <b>Min. Size (square feet)</b> | <b>Min. Width</b> | <b>Maximum Lot Coverage</b> | <b>Front</b> | <b>Front Entry Feature</b> | <b>Side</b>          | <b>Rear</b> |                        |
| <b>Single Family Dwelling</b>                   | Standard                        | 6,000                          | 45'               | 60%                         | 20'          | 15'                        | 5'                   | 15'         | 35'                    |
|                                                 | Limited or Rear                 | 3,500                          | 35'               | 65%                         | 15'          | 10'                        | 5'                   | 15'         | 35'                    |
| <b>Standard Duplex</b>                          | Standard                        | 4,500 <sup>1</sup>             | 40' <sup>1</sup>  | 60%                         | 20'          | 15'                        | 5'                   | 15'         | 35'                    |
|                                                 | Limited, Rear, or Parking Court | 3,500 <sup>1</sup>             | 30' <sup>1</sup>  | 65%                         | 20'          | 15'                        | 5'                   | 15'         | 35'                    |
| <b>Over-Under Duplex</b>                        | Standard                        | 7,000 <sup>2</sup>             | 55' <sup>2</sup>  | 60%                         | 20'          | 15'                        | 5'                   | 15'         | 35'                    |
|                                                 | Limited, Rear, or Parking Court | 6,000 <sup>2</sup>             | 50' <sup>2</sup>  | 65%                         | 20'          | 15'                        | 5'                   | 15'         | 35'                    |
| <b>Cottage</b>                                  | Rear or Parking Court           | 2,000 <sup>3</sup>             | 25'               | 80%                         | 20'          | 15'                        | 5'                   | 5'          | 18' / 26' <sup>4</sup> |
| <b>Townhouse</b>                                | Standard                        | 2,400 <sup>5</sup>             | 40'               | 80% <sup>5</sup>            | 20'          | 15'                        | 5' / 0' <sup>6</sup> | 15'         | 35'                    |

|                        |                                 |                    |      |                  |     |     |                      |     |     |
|------------------------|---------------------------------|--------------------|------|------------------|-----|-----|----------------------|-----|-----|
|                        | Limited, Rear, or Parking Court | 1,400 <sup>5</sup> | 20'  | 80% <sup>5</sup> | 20' | 15' | 5' / 0' <sup>6</sup> | 15' | 35' |
| <b>Multiplex</b>       | Rear, or Parking Court          | 2,500 <sup>5</sup> | 80'  | 65%              | 20' | 15' | 20'                  | 20' | 40' |
| <b>Non-residential</b> | Any                             | 20,000             | 100' | 80%              | 20  | 15' | 20'                  | 20' | 40' |

<sup>1</sup> Per Unit  
<sup>2</sup> Per Building  
<sup>3</sup> Per Individual Cottage Lot. Additional overall site minimums apply per **Sec. TBD**  
<sup>4</sup> 18' maximum building height except for the ridge of a pitched roof which may extend up to 26' in height  
<sup>5</sup> Refers to overall maximum development density on a per unit basis; however this is no minimum lot size per individual unit  
<sup>6</sup> 5' setback required except when interior common wall is used

## 5.06 Multifamily (MF)

- A. **Purpose.** The purpose of the MF zone district is to establish and preserve residential districts that are appropriate for multifamily housing. The MF district is intended to be conveniently located near collector and arterial streets, with access to major employment and activity centers, and public amenities or complementary uses and activities such as schools, parks, and open space.
- B. **Lot Development Standards.** Development within the MF zone district shall adhere to the standards contained in Table 5-8 based on Building Type, as described in **Section TBD** and Access Type, as described in **Section TBD**.

**Table 5-6 MF Lot Development Standards**

| Building Type          | Vehicular Access                | Lot Standards           |                  |                      | Minimum Setbacks |                     |               |      | Building Height |
|------------------------|---------------------------------|-------------------------|------------------|----------------------|------------------|---------------------|---------------|------|-----------------|
|                        |                                 | Min. Size (square feet) | Min. Width       | Maximum Lot Coverage | Front            | Front Entry Feature | Interior Side | Rear |                 |
| <b>Standard Duplex</b> | Standard                        | 4,000 <sup>1</sup>      | 40' <sup>1</sup> | 60%                  | 20'              | 15'                 | 5'            | 5'   | 35'             |
|                        | Limited, Rear, or Parking Court | 3,500 <sup>1</sup>      | 30' <sup>1</sup> | 65%                  | 20'              | 15'                 | 5'            | 5'   | 35'             |

|                          |                                               |                    |                  |                  |     |     |                      |     |                        |
|--------------------------|-----------------------------------------------|--------------------|------------------|------------------|-----|-----|----------------------|-----|------------------------|
| <b>Over-Under Duplex</b> | Standard                                      | 7,000 <sup>2</sup> | 55' <sup>2</sup> | 60%              | 20' | 15' | 5'                   | 5'  | 35'                    |
|                          | Limited, Rear, or Parking Court               | 6,000 <sup>2</sup> | 50' <sup>2</sup> | 65%              | 20' | 15' | 5'                   | 5'  | 35'                    |
| <b>Cottage Cluster</b>   | Rear or Parking Court                         | 2,000 <sup>3</sup> | 25'              | 80%              | 20' | 15' | 5'                   | 15' | 18' / 26' <sup>4</sup> |
| <b>Townhouse</b>         | Standard                                      | 2,000 <sup>5</sup> | 45'              | 80% <sup>6</sup> | 20' | 15' | 5' / 0' <sup>7</sup> | 20' | 35'                    |
|                          | Limited, Rear, Parking Court, or Parking Lot  | 1,400 <sup>5</sup> | 20'              | 80% <sup>6</sup> | 20' | 15' | 5' / 0' <sup>7</sup> | 20' | 35'                    |
| <b>Multiplex</b>         | Rear or Parking Court                         | 2,500 <sup>5</sup> | 80'              | 65%              | 20' | 15' | 20'                  | 20' | 35'                    |
| <b>Multifamily</b>       | Rear, Parking Court, or Dispersed Parking Lot | 1,400 <sup>5</sup> | 100'             | 80% <sup>6</sup> | 20' | 15' | 20'                  | 20' | 55'                    |
| <b>Non-residential</b>   | Any                                           | 20,000             | 100'             | 80%              | 20  | 15' | 20'                  | 20' | 55'                    |

<sup>1</sup> Per Unit

<sup>2</sup> Per Building

<sup>3</sup> Per Individual Cottage Lot. Additional overall site minimums apply per **Sec. TBD**

<sup>4</sup> 18' maximum building height except for the ridge of a pitched roof which may extend up to 26' in height

<sup>5</sup> Refers to overall maximum development density on a per unit basis; however there is no minimum lot size per individual unit

<sup>6</sup> Refers to overall site; no maximum lot coverage for individual lots or units

<sup>7</sup> 5' setback required except when interior common wall is used

## 5.07 Residential Mixed Use One (RMU-1)

- A. **Purpose.** The purpose of the RMU-1 zone district is to establish and preserve neighborhoods that allow for a variety of housing types and densities, commercial activity centers, and other public amenities or complementary uses as defined on an approved master plan.
- B. **Lot Development Standards.** Development with the RMU-1 zone district shall adhere to the standards contained in Table 5-7 based on Building Type, as described in **Section TBD** and Access Type, as described in **Section TBD**.

- C. **Master Plan.** In addition to the Master Plan requirements of **Sec TBD**, prior to approval of a subdivision plat, a Master Plan is required to depict the approximate location and acreage of all land uses. Building types and land uses shall only be allowed only in accordance with an approved Master Plan. The Master Plan shall be recorded in accordance with the requirements of Article 2.
- D. **Land Use Allocation.** No more than 25% of the gross land area of an RMU development may be designated for commercial or light industrial uses.

| <b>Table 5-7 RMU-1 Lot Development Standards</b>                                                                                                                                                                                                                                                                                                                                                                                            |                         |                                |                             |                         |                      |                      |                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------|-----------------------------|-------------------------|----------------------|----------------------|------------------------|
| <b>Building Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Vehicular Access</b> | <b>Lot Standards</b>           |                             | <b>Minimum Setbacks</b> |                      |                      | <b>Building Height</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                             |                         | <b>Min. Size (square feet)</b> | <b>Maximum Lot Coverage</b> | <b>Front</b>            | <b>Side</b>          | <b>Rear</b>          |                        |
| <b>Single Family Dwelling</b>                                                                                                                                                                                                                                                                                                                                                                                                               | Any                     | 6,000                          | 65%                         | 20'                     | 5'                   | 15'                  | 35'                    |
| <b>Duplex, Standard or Over-Under</b>                                                                                                                                                                                                                                                                                                                                                                                                       | Any                     | 4,500 <sup>1</sup>             | 65%                         | 20'                     | 5'                   | 15'                  | 35'                    |
| <b>Townhouse</b>                                                                                                                                                                                                                                                                                                                                                                                                                            | Any                     | 2,400 <sup>2</sup>             | 80% <sup>3</sup>            | 20'                     | 5' / 0' <sup>4</sup> | 15'                  | 35'                    |
| <b>Multifamily</b>                                                                                                                                                                                                                                                                                                                                                                                                                          | Any                     | 1,400 <sup>2</sup>             | 80% <sup>3</sup>            | 20'                     | ½ of building height | ½ of building height | 35'                    |
| <b>Commercial, Mixed Use, or Institutional</b>                                                                                                                                                                                                                                                                                                                                                                                              | Any                     | 20,000                         | n/a                         | 25'                     | 20'                  | 20'                  | 35'                    |
| <b>Industrial</b>                                                                                                                                                                                                                                                                                                                                                                                                                           | Any                     | 20,000                         | n/a                         | 30'                     | 20'/30' <sup>5</sup> | 20'/30' <sup>5</sup> | 35'                    |
| <sup>1</sup> Per Unit<br><sup>2</sup> Refers to overall maximum development density on a per unit basis; however this is no minimum lot size per individual unit<br><sup>3</sup> Refers to overall site; no maximum lot coverage for individual lots or units<br><sup>4</sup> 5' setback required except when interior common wall is used<br><sup>5</sup> 30' required when abutting a residential zoning district or residential property |                         |                                |                             |                         |                      |                      |                        |

**5.08 Residential Mixed Use Two (RMU-2)**

- A. **Purpose.** The purpose of the RMU-2 zone district is to establish and preserve compact, pedestrian oriented neighborhoods with a variety of housing types and densities, commercial activity centers, and other public amenities or complementary uses as defined on an approved master plan.
- B. **Lot Development Standards.** Development within the RMU-2 zone district shall adhere to the standards contained in Table 5-8 based on Building Type, as described in **Section TBD** and Access Type, as described in **Section TBD**.
- C. **Master Plan.**
  1. In addition to the Master Plan requirements of **Sec TBD**, prior to approval of any subdivision plat, an approved Master Plan is required to depict the approximate location and acreage of all land uses, building types, streets and alleys, Open and Civic Spaces, and Neighborhood Center, if provided.
  2. Building types and land uses shall only be allowed only in accordance with an approved Master Plan.
  3. The Master Plan shall be recorded in accordance with the requirements of Article 2.
- D. **Minimum Size.** No lot or group of lots less than 40 acres in size shall be eligible for RMU-2 zoning.

**Table 5-8 RMU-2 Lot Development Standards**

| Building Type          | Vehicular Access      | Lot Standards           |                  |                      | Minimum Setbacks |                     |      |      | Building Height        |
|------------------------|-----------------------|-------------------------|------------------|----------------------|------------------|---------------------|------|------|------------------------|
|                        |                       | Min. Size (square feet) | Min. Width       | Maximum Lot Coverage | Front            | Front Entry Feature | Side | Rear |                        |
| Single Family Dwelling | Standard              | 6,000                   | 45'              | 60%                  | 15'              | 10'                 | 5'   | 15'  | 35'                    |
|                        | Limited               | 4,000                   | 35'              | 65%                  | 15'              | 10'                 | 5'   | 15'  | 35'                    |
|                        | Rear                  | 2,500                   | 35'              | 65%                  | 15'              | 10'                 | 5'   | 15'  | 35'                    |
| Standard Duplex        | Standard              | 4,500 <sup>1</sup>      | 35' <sup>1</sup> | 60%                  | 15'              | 10'                 | 5'   | 15'  | 35'                    |
|                        | Limited or Rear       | 3,000 <sup>1</sup>      | 30' <sup>1</sup> | 65%                  | 15'              | 10'                 | 5'   | 15'  | 35'                    |
| Over-Under Duplex      | Standard              | 7,000 <sup>2</sup>      | 55' <sup>2</sup> | 60%                  | 15'              | 10'                 | 5'   | 15'  | 35'                    |
|                        | Limited or Rear       | 5,000 <sup>2</sup>      | 50' <sup>2</sup> | 65%                  | 15'              | 10'                 | 5'   | 15'  | 35'                    |
| Cottage                | Rear or Parking Court | 2,000 <sup>3</sup>      | 25'              | 80%                  | 15'              | 10'                 | 5'   | 15'  | 18' / 26' <sup>4</sup> |

|                                                                            |                                                           |                    |      |                  |     |     |                      |     |     |
|----------------------------------------------------------------------------|-----------------------------------------------------------|--------------------|------|------------------|-----|-----|----------------------|-----|-----|
| <b>Townhouse</b>                                                           | Rear, or<br>Parking<br>Court                              | 1,400 <sup>5</sup> | 20'  | 80% <sup>6</sup> | 15' | 10' | 5' / 0' <sup>7</sup> | 15' | 40' |
| <b>Multiplex</b>                                                           | Rear, or<br>Parking<br>Court                              | 2,500 <sup>5</sup> | 80'  | 65%              | 15' | 10' | 5'                   | 15' | 40' |
| <b>Multifamily</b>                                                         | Rear,<br>Parking<br>Court, or<br>Dispersed<br>Parking Lot | 1,400 <sup>5</sup> | 100' | 80% <sup>6</sup> | 20' | 15' | 20'                  | 20' | 80' |
| <b>Commercial,<br/>Industrial,<br/>Mixed Use,<br/>or<br/>Institutional</b> | Parking<br>Court or<br>Dispersed<br>Parking Lot           | 5,000              | 50'  | 80%              | 20  | 15' | 20'                  | 20' | 80' |

<sup>1</sup> Per Unit

<sup>2</sup> Per Building

<sup>3</sup> Per Individual Cottage Lot. Additional overall site minimums apply per **Sec. TBD**

<sup>4</sup> 18' maximum building height except for the ridge of a pitched roof which may extend up to 26' in height

<sup>5</sup> Refers to overall maximum development density on a per unit basis; however there is no minimum lot size per individual unit

<sup>6</sup> Refers to overall site; no maximum lot coverage for individual lots or units

<sup>7</sup> 5' setback required except when interior common wall is used

- E. **Land Use Allocation.** In order to create a mixed use neighborhood with a variety of housing types and commercial services, developments shall designate on an approved master plan minimum acreage for specific land use categories as follows:
1. A minimum of 20 percent of gross development shall be allocated on an approved master plan to a minimum of two of the following housing categories:
    - a. Category A: Single family, duplex, or cottage
    - b. Category B: Townhomes or Multiplex
    - c. Category C: Multifamily, including within a mixed use building
  2. A minimum of the following acreage of commercial land use based on the overall development size:
    - a. 5 acres for overall developments less than 200
    - b. 10 acres for overall developments over 200 acres
  3. The land allocated meet the requirements of this subsection shall generally be considered buildable land and shall not include any of the following:
    - a. open spaces
    - b. drainage controls
    - c. water quality controls
    - d. roadways other than those providing direct access to individual lots
    - e. significant encumbrance by easements or agreements that render a large portion of the property unusable or highly restrict usage
- F. **Roadway Design.** All local residential streets shall include a detached sidewalk in accordance with the Residential Parkway street parameters contained in the Design Criteria and Construction Specifications.

- G. **Neighborhood Center.** A Neighborhood Center is a mixed-use or commercial center of a RMU-2 community which may be designated on the applicable Master Plan subject to the following:
- Shall not exceed 20 acres in size
  - Shall not be located immediately adjacent to existing single family dwellings outside the RMU-2 zone district.
  - Land uses shall be limited to Retail, Service and Employment, Civic/ Institutional, Multifamily, Mixed Use, and Open/ Civic Space. Gas stations and drive through restaurants are not allowed uses.
  - Development shall comply with Table 5-8 RMU-2 General Development Standards and Table 5-9 Neighborhood Center Development Standards. When the two tables conflict, Table 5-9 Neighborhood Center Development Standards shall apply.
  - The standards contained within Table 5-9 shall be included on the applicable Master Plan.

| Table 5-9 Neighborhood Center Development Standards     |                                                                                                   |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>Minimum Front Setback</b>                            |                                                                                                   |
| Adjacent to arterial roadways                           | 15'                                                                                               |
| Adjacent to roadways other than arterials               | 0' <sup>1</sup>                                                                                   |
| <b>Maximum Front Setback</b>                            |                                                                                                   |
| Adjacent to arterial roadways                           | None                                                                                              |
| Adjacent to roadways other than arterials               | A minimum of 65% lot width shall include a building within 8' of front property line <sup>1</sup> |
| <b>Minimum Side Setback</b>                             |                                                                                                   |
| Minimum Side Setback                                    | 0' subject to building code regulations.<br>5' minimum if provided.                               |
| <b>Ground Floor Transparency</b>                        |                                                                                                   |
| Residential uses with a front setback less than 15'     | 35% of façade shall be windows or doors                                                           |
| Non-residential uses with a front setback less than 15' | 50% of façade shall be windows or doors                                                           |
| <b>Lot Coverage</b>                                     |                                                                                                   |
| Maximum Lot Coverage                                    | 90%                                                                                               |
| <b>Minimum Sidewalk</b>                                 |                                                                                                   |
| Minimum sidewalk width                                  | 10'                                                                                               |

<sup>1</sup>0' Setback allowed only if alternative to front yard utility easements are approved by utility providers

**5.09 Mobile Home (MH)**

- A. **Purpose.** The purpose of the MH zone district is to establish and preserve mobile home parks to provide lower cost housing with ample open spaces and connections to nearby employment or commercial activity centers.
- B. **Lot Development Standards.** Development with the MH zone district shall adhere to the standards contained in **Table 5-10.**

| Table 5-10: MH District Lot Development Standards |                         |
|---------------------------------------------------|-------------------------|
| Vehicular Access Types Permitted                  |                         |
| Residential Uses                                  | Standard, Limited, Rear |
| Non-Residential Uses                              | Any                     |
| Lot Standards                                     |                         |
| Minimum Overall Development Site Size             | 5 acres                 |
| Minimum Lot Area (square feet)                    | 3,000                   |
| Minimum Lot or Pad Site Width                     | 30'                     |
| Maximum Lot Coverage                              | 50%                     |
| Minimum Setbacks                                  |                         |
| Front                                             | 10'                     |
| Side                                              | 5'                      |
| Rear                                              | 15'                     |
| Perimeter facing                                  | 20'                     |
| Maximum Building Height                           |                         |
| Height                                            | 35'                     |
| Maximum Density                                   |                         |
| Units Per Acre                                    | 8 units/ acre           |

**5.10 Neighborhood Commercial (NC)**

- A. **Purpose.** The purpose of the NC zone district is to:
1. Establish and preserve small areas of low impact, neighborhood oriented businesses which are integrated or adjacent to residential neighborhoods.



2. Allow for development of infill sites or constrained sites that are not suitable for the intensity associated with General Commercial zone district.

H. **Lot Development Standards.** Development within the NC zone district shall adhere to the standards contained in **Table 5-11.**

| Table 5-11: NC District Lot Development Standards |        |
|---------------------------------------------------|--------|
| Vehicular Access Types Permitted                  |        |
| Parking Court or Dispersed Parking                |        |
| Lot Standards                                     |        |
| Minimum Lot Area (square feet)                    | 20,000 |
| Minimum Lot Width                                 | 75'    |
| Maximum Lot Coverage                              | 80%    |
| Minimum Setbacks                                  |        |
| Front                                             | 15'    |
| Side                                              | 15'    |
| Rear                                              | 15'    |
| Maximum Building Height                           |        |
| Height                                            | 40'    |

#### 5.11 Central Business (CB)

*Editor's note: CB standards will be updated as part of a separate effort in order to further engage stakeholders.*

#### 5.12 General Commercial (GC)

- A. **Purpose.** The purpose of the GC zone district is to:
  - i. Establish and preserve areas of commercial development in proximity to arterial roadways.
  - ii. Foster attractive, human scale development that positively contributes towards the Town's unique character.-
  - iii. Provide efficient and safe pedestrian, bicycle and automobile circulation, including direct connections to adjacent residential development.
  - iv. Promote economic vitality.
- B. **Lot Development Standards.** Development within the GC zone district shall adhere to the standards contained in **Table 5-.**

| Table 5-: GC District Lot Development Standards |        |
|-------------------------------------------------|--------|
| Vehicular Access Types Permitted                |        |
| Parking Court or Dispersed Parking Lot          |        |
| Lot Standards                                   |        |
| Minimum Lot Area (square feet)                  | 20,000 |
| Minimum Lot Width                               | 100'   |
| Maximum Lot Coverage                            | n/a    |
| Minimum Setbacks                                |        |
| Front                                           | 20'    |
| Side                                            | 20'    |
| Rear                                            | 20'    |
| Maximum Building Height                         |        |
| Height                                          | 55'    |

### 5.13 Limited Industrial (LI)

- A. **Purpose.** The purpose of the LI zone district is to:
- Establish and preserve areas for a variety of low to moderate intensity industrial and commercial uses including manufacturing, and warehousing distribution with limited outdoor storage.
  - Minimize potential conflicts between heavy truck traffic and passenger vehicle, bicycle, and pedestrian traffic by providing convenient access to rail corridors, arterial roadways and state highways.
  - Promote economic vitality.
- B. **Lot Development Standards.** Development within the LI zone district shall adhere to the standards contained in Table 5-.

| Table 5-: LI District Lot Development Standards              |        |
|--------------------------------------------------------------|--------|
| Vehicular Access Types Permitted                             |        |
| General Parking Lot, Dispersed Parking Lot, or Parking Court |        |
| Lot Standards                                                |        |
| Minimum Lot Area (square feet)                               | 20,000 |
| Minimum Lot Width                                            | 100'   |
| Maximum Lot Coverage                                         | n/a    |

| Minimum Setbacks                               |          |
|------------------------------------------------|----------|
| Front                                          | 30'      |
| Side/ Side Adjacent to residential use or zone | 20'/ 30' |
| Rear/ Rear Adjacent to residential use or zone | 20'/ 30' |
| Building Height                                |          |
| Maximum Height                                 | 75'      |

#### 5.14 Heavy Industrial (HI)

A. **Purpose.** The purpose of the HI zone district is to:

1. Establish and preserve areas suitable for heavy industrial use, including those that might impact surrounding neighborhoods and businesses.
2. Ensure appropriate separation from neighborhoods and businesses which may be negatively impacted by heavy industrial uses.
3. Minimize potential conflicts between heavy truck traffic and passenger vehicle, bicycle, and pedestrian traffic by providing convenient access to rail corridors, arterial roadways and state highways.
4. Promote economic vitality.

B. **Lot Development Standards.** Development within the HI zone district shall adhere to the standards contained in **Table 5-.**

| Table 5-: HI District Lot Development Standards                                                                            |         |
|----------------------------------------------------------------------------------------------------------------------------|---------|
| Vehicular Access Types Permitted                                                                                           |         |
| General Parking Lot, Dispersed Parking Lot, or Parking Court<br>General Parking Lot prohibited within Commercial Corridors |         |
| Lot Standards                                                                                                              |         |
| Minimum Lot Area (square feet)                                                                                             | 60,000  |
| Minimum Lot Width                                                                                                          | 200'    |
| Maximum Lot Coverage                                                                                                       | n/a     |
| Minimum Setbacks                                                                                                           |         |
| Front                                                                                                                      | 30'     |
| Side/ Side Adjacent to Residential Use or Zone                                                                             | 20'/30' |
| Rear/ Rear Adjacent to Residential Use or Zone                                                                             | 20'/30' |
| Maximum Building Height                                                                                                    |         |
| Height                                                                                                                     | 75'     |

**5.15 Recreation and Open Lands (ROL)**

- A. **Purpose.** The purpose of the ROL zone district is to:
1. Preserve certain large open land areas, which by reason of topographical features or proximity to natural drainage courses are unsuitable for intense development.
  2. To preserve designated open space that is managed to preserve the natural environment and protect native flora and fauna.
  3. Provide recreational opportunities.
- B. **Lot Development Standards.** Development within the ROL zone district shall adhere to the standards contained in **Table 5-.**

| <b>Table 5-: ROL District Lot Development Standards</b>      |        |
|--------------------------------------------------------------|--------|
| <b>Vehicular Access Types Permitted</b>                      |        |
| Any                                                          |        |
| <b>Lot Standards</b>                                         |        |
| Minimum Lot Area (square feet)                               | 20,000 |
| Minimum Lot Width                                            | n/a    |
| Maximum Lot Coverage                                         | n/a    |
| <b>Minimum Setbacks</b>                                      |        |
| Front                                                        | 20'    |
| Side                                                         | 20'    |
| Rear                                                         | 20'    |
| <b>Minimum Setbacks - Buildings Housing Domestic Animals</b> |        |
| Front                                                        | 35'    |
| Side                                                         | 35'    |
| Rear                                                         | 35'    |
| <b>Maximum Building Height</b>                               |        |
| Height                                                       | 75'    |

**5.16 Agriculture Holding (AH)**

- A. **Purpose.** The purpose of the AH zone district is to provide a zoning designation for properties which have been annexed to the Town and are either being used for agricultural purposes and/or which have no future land use proposed at the time of annexation and are in a transitional stage with regard to their ultimate development.

- B. **Restriction on Subdivision.** No property zoned AH shall be subdivided for the purpose of allowing further land development. Subdivision for the purpose of development shall require appropriate zoning other than AH.
- C. **Lot Development Standards.** Development within the AH zone district shall adhere to the standards contained in **Table 5-.**

| Table 5-: AH District Lot Development Standards       |     |
|-------------------------------------------------------|-----|
| Vehicular Access Types Permitted                      |     |
| Any                                                   |     |
| Lot Standards                                         |     |
| Minimum Lot Area (acres)                              | n/a |
| Minimum Lot Width                                     | n/a |
| Maximum Lot Coverage                                  | n/a |
| Minimum Setbacks – General                            |     |
| Front                                                 | 20' |
| Side                                                  | 20' |
| Rear                                                  | 20' |
| Minimum Setbacks - Buildings Housing Domestic Animals |     |
| Front                                                 | 35' |
| Side                                                  | 35' |
| Rear                                                  | 35' |
| Maximum Building Height                               |     |
| Height                                                | 35' |

- 5.17 **Planned Unit Development (PUD).** With the adoption of Ordinance **TBD**, increased flexibility regarding land planning and development is being incorporated into each respective zoning district and the Town's former Planned Unit Development Regulations are hereby replaced. Previously approved Planned Unit Developments shall remain in full force and effect and may be amended in accordance with Section **2.TBD**.

#### 5.18 Measurements and Exceptions

- A. **Height Exceptions.** The features listed in Table 5- shall be allowed to extend beyond the height limitations of the applicable zoning district. These exceptions apply to all zoning districts unless otherwise stated. Exceptions included in Table 5- below shall be designed to be consistent with surrounding height, scale, and context to the maximum extent practicable.

| Table 5- Height Exceptions                                                       |                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfries, spires, steeples, cupolas, and domes associated with places of worship | May extend above the building roof provided they are not used for dwelling purposes.                                                                                                                                                                                                                                                                               |
| Chimneys, cooling towers, smokestacks, ventilators, or flues                     | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                              |
| Elevator bulkheads and stairway enclosures                                       | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof                                                                                                                                                                                               |
| Parapet walls                                                                    | May extend up to five feet above the building roof                                                                                                                                                                                                                                                                                                                 |
| Public utility and emergency service facilities                                  | For purposes of specifying structure height and limitations, the term "structure" shall not apply to public utility or street lighting poles and appurtenances attached to them, and city-owned emergency communication facilities, including outdoor warning systems and radio and telecommunication structures necessary for the delivery of emergency services. |
| Rooftop mechanical equipment                                                     | May extend up to five feet above the building roof provided the equipment complies with screening requirements in Section TBD                                                                                                                                                                                                                                      |
| Roof-mounted solar energy system                                                 | On flat roofs, may extend up to five feet above the building roof.                                                                                                                                                                                                                                                                                                 |
| Utility poles, support structures, water towers, and fire towers                 | May extend up to 10 feet above the building roof provided that such features cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                                           |

- B. **Setback Exceptions.** The features listed in Table 5- may be allowed to project into the required setbacks of the applicable zoning district, subject to compliance with other applicable building, fire, and other code requirements, where they do not extend into or over an easement.

| Table 5- Setback Exceptions                                                                                                            |                                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accessibility ramps                                                                                                                    | May encroach into any setback but shall be no closer than 2' to any property line.                                                                                                                                                                |
| Decks                                                                                                                                  | May encroach into an interior side or rear setback up to 10', provided they are not located closer than 5' from an adjacent property line and are designed to accommodate lot drainage.                                                           |
| Fences or walls, including trash enclosures, and retaining walls less than 4' in height measured from top of wall to bottom of footer. | May encroach into any setback subject to fence and wall standards                                                                                                                                                                                 |
| Mail boxes                                                                                                                             | May encroach into any front setback                                                                                                                                                                                                               |
| Mechanical equipment, ground mounted                                                                                                   | May encroach up to five feet into an interior side or rear setback provided no equipment or component of such equipment is located closer than two feet from any property line and the equipment location accommodates drainage, and is screened. |

|                                                                                                                                         |                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Patios                                                                                                                                  | May encroach into any setback provided they are no more than 12 inches above grade and are not located closer than three feet from an adjacent property line and are designed to accommodate lot drainage. |
| Porches                                                                                                                                 | May encroach into an interior side or rear setback up to 10', provided they are not located closer than 5' from an adjacent property line and are designed to accommodate lot drainage.                    |
| Stairs, at grade                                                                                                                        | May encroach into any required setback up to six feet.                                                                                                                                                     |
| Stairs, above grade                                                                                                                     | May encroach into any required setback up to six feet provided they are not located closer than three feet from an adjacent property line.                                                                 |
| Stairs, below grade                                                                                                                     | May encroach into any setback up to six feet provided they are not located closer than three feet from an adjacent property line.                                                                          |
| Structural projections such as cantilevered bay windows, balconies, chimneys, eaves, or other non-foundational overhangs or projections | May encroach into any required setback up to 3'.                                                                                                                                                           |
| Swimming pools, hot tubs and/or spas                                                                                                    | May encroach into interior side and rear setback provided they comply with building code requirements and are designed to accommodate lot drainage.                                                        |
| Window Wells                                                                                                                            | May encroach into any setback up to three feet, provided that window wells closer than five feet to the property line are designed to accommodate lot drainage.                                            |

## Paul Hornbeck

---

**From:** Brock Reimer <breimer@norris-design.com>  
**Sent:** Wednesday, March 20, 2019 3:00 PM  
**To:** Paul Hornbeck; 'Tom Siegel'; PLANNING  
**Cc:** Mitch Black; 'John Meyers'; Julia Summers; 'Martin Lind'; Shane Hale  
**Subject:** Windsor Land Use Code Revision Comments  
**Attachments:** Art 5 Zoning Districts\_ND Notes.pdf; Art 8 Excerpt of Vehicular Access.pdf

Good Afternoon Paul,

We wanted to follow up from our recent meeting and conversations regarding the Windsor Land Use Code Revisions. Thank you for the opportunity to sit down earlier this week to discuss current code direction as it was great to hear your perspective. As discussed we would like to share our more specific comments on the code revisions and I have attached these PDFs to this email. I have also included the list below of general topics our team discussed with you earlier this week for reference. We look forward to continuing our discussions in the future and appreciate your time.

*Our greatest concern is with the elimination of the PUD process and what that means for development in Windsor. No matter how flexible code / standards become there is always the need to make adjustments. We would like to understand why the PUD process was eliminated and what the new proposed plan is for making adjustments.*

*In general, the proposed Lot Development Standards in some of the zone districts are conservative compared to current development practices. Projects that are currently under development such as RainDance or the Brands would not be permitted under these proposed standards. These standards would not allow for the development of unique projects that have become standard practice and have the potential to significantly drive up the cost of certain projects. This could then either create a surplus of non-affordable and undesirable developments or would eliminate developers from pursuing certain projects at all. We have redlined the specific lot standards in Article 5 that we are concerned with and we can share these with the Town for further discussion. In general terms our concerns are with the following:*

### *Article 5 – Zoning Districts*

#### *PUD – Planned Unit Development*

*Despite increased flexibility in the proposed zones, we believe unique properties, uses, and structures may require the PUD process for implementation on a case by case basis. We have major concerns with eliminating PUDs.*

#### *RMU-2 Residential Mixed Use Two*

*We believe the addition of RMU-2 is a good compliment to the Town's existing zones. However, the proposed standards do not permit some of the standard lot types and principals of projects like RainDance and The Brands, which we believe are indicative of current housing trends. We have concerns with the following standards; minimum lot size, minimum setbacks, requirement for a minimum of two housing categories, and minimum of 5 acres of commercial for any development under 200 acres.*

#### *SF-2 Single Family Attached*

*We appreciate the revisions of the SF-2 zone to also allow for higher intensity small lot residential. The standards proposed in this zone also do not permit housing currently proposed in projects like RainDance. Would the Town consider the further reduction of lot sizes, setbacks, and a minimum of two different residential building types?*

#### *NC Neighborhood Commercial*

*Given the intent of NC to allow small-scale neighborhood commercial we suggest the Town also consider the following additional reductions: reduced lot size, reduced lot width, and a 0' front and side setback.*



*GC General Commercial*

*The Town land use code update proposes to increase the minimum lot width to 100', we have concerns with this standard.*

*LI Light Industrial, HI Heavy Industrial*

*The Town land use code update proposes to increase the minimum lot width of both LI to 100' and HI to 200', we have concerns with these standards.*

### *Article 8 – Development Standards*

*We would like to review the following topics in the Development Standards*

- *Rear setbacks of lot standards*
- *Dispersed parking lot access setbacks*

*Thank you for your consideration of these comments.*



**Brock Reimer, PLA**

Principal

1101 Bannock Street | Denver, CO 80204  
P 303.892.1166 M 720.988.3655



This email communication is confidential and is solely for the use of the intended recipients. Any use or dissemination of this transmission by anyone other than the intended recipients or their duly authorized agent(s) is strictly prohibited. The sender and Norris Design will not accept any responsibility for viruses (if any) associated with this email or its possible attachments.

## Article 5. Zoning Districts

- 5.01 Intent & Applicability
  - 5.02 Establishment of Zone Districts
  - 5.03 Estate Residential (ER)
  - 5.04 Single Family Detached (SF-1)
  - 5.05 Single Family Attached (SF-2)
  - 5.06 Multifamily (MF)
  - 5.07 Residential Mixed Use One (RMU-1)
  - 5.08 Residential Mixed Use Two (RMU-2)
  - 5.09 Mobile Home (MH)
  - 5.10 Neighborhood Commercial (NC)
  - 5.11 Central Business (CB)
  - 5.12 General Commercial (GC)
  - 5.13 Limited Industrial (IL)
  - 5.14 Heavy Industrial (IH)
  - 5.15 Recreation & Open Lands (ROL)
  - 5.16 Agricultural/ Holding (AH)
  - 5.17 Planned Unit Development (PUD)
  - 5.18 Measurements and Exceptions
- 

### 5.01 Intent & Applicability

- A. **Intent.** The intent of this Article is to:
  - 1. Establish zones within the Town for the application of this Land Use Code.
  - 2. Protect and enhance the character of the Town by regulating the size, disposition, design, and massing of buildings.
  - 3. Establish the minimum area and dimensions for lots of various types (for new subdivisions).
- B. **Applicability.** This Article provides lot and building standards (e.g., setbacks, building height, building coverage, etc.) for all zones and buildings. The standards generally apply to all new structures, rehabilitation of structures, or expansion of structures except for the following:
  - 1. Alternative Compliance, Sec. TBD.
  - 2. Variances, Sec. TBD.
  - 3. Legal Non-Conformities, Sec. TBD.
  - 4. Height and Setback Exceptions, Sec. 5.18
  - 5. Accessory structures, Sec. TBD.
  - 6. Infill and redevelopment, Sec. TBD

- 5.02 **Establishment of Zone Districts.** Zoning districts are established as shown in Table 5-1. Previous zoning districts are hereby converted to the zoning districts established by Ordinance Number 2019-xxx as shown in Table 5-1.

| Table 5-1 Zoning Districts Established                                                                         |                           |                           |                                      |
|----------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------|--------------------------------------|
| Zoning Districts Established by <b>Ord. 2019-TBD</b>                                                           |                           | Previous Zoning Districts |                                      |
| ER                                                                                                             | Estate Residential        | E-1                       | Low Density Estate Residential       |
|                                                                                                                |                           | E-2                       | High Density Estate Residential      |
| SF-1                                                                                                           | Single Family Detached    | SF-1                      | Single Family Detached               |
| SF-2                                                                                                           | Single Family Attached    | SF-2                      | Single Family Attached               |
| MF                                                                                                             | Multifamily               | MF-1                      | Multifamily                          |
|                                                                                                                |                           | MF-2                      | High Density Multifamily             |
| RMU-1                                                                                                          | Residential Mixed Use One | RMU                       | Residential Mixed Use                |
| RMU-2                                                                                                          | Residential Mixed Use Two | n/a                       | n/a                                  |
| MH                                                                                                             | Mobile Home               | PD-MHP                    | Planned Mobile Home Park Development |
| NC                                                                                                             | Neighborhood Commercial   | NC                        | Neighborhood Commercial              |
| CB                                                                                                             | Central Business          | CB                        | Central Business                     |
| GC                                                                                                             | General Commercial        | GC                        | General Commercial                   |
| LI                                                                                                             | Limited Industrial        | IL                        | Limited Industrial                   |
| HI                                                                                                             | Heavy Industrial          | IH                        | Heavy Industrial                     |
| ROL                                                                                                            | Recreation & Open Lands   | O                         | Recreation & Open Space              |
| AH                                                                                                             | Agriculture Holding       | n/a                       | n/a                                  |
| PUD                                                                                                            | Planned Unit Development  | PUD                       | Planned Unit Development             |
| <ul style="list-style-type: none"> <li>Is PUD a zone district?, the memo notes it will be replaced.</li> </ul> |                           |                           |                                      |

### 5.03 Estate Residential (ER)

A. **Purpose.** The purpose of the ER zone district is:

1. To establish and preserve very low-density single-family residential neighborhoods with urban level services that, in general, are located in a rural setting. .
2. To provide an estate transition from higher urban densities in the Town to outlying rural densities and preserve environmentally sensitive areas.
3. To provide for generous building setbacks and lot frontages that ensure significant space between dwellings, resulting in an estate residential appearance within developed neighborhoods.

- B. **General Development.** Development in the Estate Residential zones shall adhere to the standards contained in Table 5-2. Reduced Lot sizes are allowed in accordance with Section 5.02.C.2 (Conservation Design).

| Table 5-2: ER District Lot Development Standards                      |                            |
|-----------------------------------------------------------------------|----------------------------|
| Vehicular Access                                                      |                            |
| Residential Uses                                                      | Standard, Limited, or Rear |
| Non-Residential Uses                                                  | Any                        |
| Lot Standards                                                         |                            |
| Minimum Lot Area (acres)                                              | 1                          |
| Minimum Lot Area (with existing septic system)                        | 2.5                        |
| Minimum Lot Width                                                     | 45'                        |
| Maximum Lot Coverage                                                  | 65%                        |
| Minimum Setbacks – General                                            |                            |
| Front                                                                 | 20'                        |
| Side                                                                  | 20'                        |
| Rear                                                                  | 15'                        |
| Minimum Setbacks – Accessory Buildings Housing Large Domestic Animals |                            |
| Front                                                                 | 35'                        |
| Side                                                                  | 35'                        |
| Rear                                                                  | 35'                        |
| Maximum Building Height                                               |                            |
| Height                                                                | 35'                        |

**C. Conservation Design.** To encourage the clustering of homes to preserve open space within the ER District, reduced minimum lot sizes may be granted which will allow more than one (1) dwelling unit per acre. The criteria for granting the reduced lot sizes within a master plan or a subdivision plat are as follows:

1. Minimum lot sizes shall be based on the percentage of open space provided in accordance with Table 5-3.

| Table 5-3 Conservation Subdivision          |                  |
|---------------------------------------------|------------------|
| Amount of Open Space and/or Recreation Uses | Minimum Lot Size |
| Less than 20%                               | 43,560           |
| Equal to or greater than 20%                | 20,000           |
| Equal to or greater than 30%                | 15,000           |
| Equal to or greater than 40%                | 10,000           |
| Equal to or greater than 50%                | 6,000            |

2. Open space shall be permanently protected as designated open space through designation on the subdivision plat
3. Designated open space shall be retained in a natural, undisturbed state, except for as required for active management or restoration according to a conservation agreement and management plan written by a qualified natural resource professional and except as listed below:
  - a. Agricultural cultivation and pastures for properties historically used as such
  - b. Passive (non-motorized) trails and recreational uses.
  - c. Stormwater facilities designed in accordance with the principles of Low Impact Design.
  - d. Other uses subject to approval of the Town Board which are demonstrated to not negatively impact the natural and/or cultural amenities preserved in the open space.
4. The following shall not qualify as designated open space:
  - A. Individual building lots.
  - B. Roads, access drives, or parking lots unless specifically designed to access the open space.
  - C. Utility facilities.
  - D. Any area that is less than 100 feet wide shall not count toward the calculation of the designated open space.
  - E. Developed parks, including parkland dedicated in accordance with **Section TBD**

#### 5.04 Single Family Detached (SF-1)

- A. **Purpose.** The purpose of the SF-1 zone district is to establish and preserve low density single family residential areas, with ample open areas and connections to nearby employment or commercial activity centers.

- B. **Lot Development Standards.** Development in the SF-1 zone district shall adhere to the standards contained in Table 5-4.

| Table 5-4: SF-1 District Lot Development Standards |                         |
|----------------------------------------------------|-------------------------|
| Vehicular Access Types Permitted                   |                         |
| Residential Uses                                   | Standard, Limited, Rear |
| Non-Residential Uses                               | Any                     |
| Lot Standards                                      |                         |
| Minimum Lot Area (square feet)                     | 6,000                   |
| Minimum Lot Width                                  | 45'                     |
| Maximum Lot Coverage                               | 60%                     |
| Minimum Setbacks                                   |                         |
| Front                                              | 20'                     |
| Side                                               | 5'                      |
| Rear                                               | 15'                     |
| Maximum Building Height                            |                         |
| Height                                             | 35'                     |

NOTE: "The SF-2 zone will be revised to be similar to the proposed RMU-2 zone, but at a lower intensity and without the required commercial component. SF-2 would allow a range of dwelling types varying in intensity from detached single family dwellings up to townhomes."

5.05 Single Family Attached SF-2

- A. **Purpose.** The purpose the SF-2 zone district is:
1. To establish and preserve compact, pedestrian oriented residential neighborhoods with a variety of housing types and densities.
  2. To provide for a gradual transition from single-family residential to multifamily or commercial uses.
- B. **Lot Development Standards.** Development in the SF-2 zone district shall adhere to the standards contained in Table 5-5 based on Building Type, as described in **Section TBD** and Access Type, as described in **Section TBD**.
- C. **Master Plan.** In addition to the Master Plan requirements of **Sec. TBD**, prior to approval of a subdivision plat, a Master Plan is required to depict the approximate location and acreage of all land uses and building types. Building types and land uses shall only be allowed only in accordance with an approved Master Plan. The Master Plan shall be recorded in accordance with the requirements of Article 2.

- D. **Land Use Allocation.** In order to create a mixed neighborhood with a variety of housing types, developments larger than 10 gross acres in size shall designate on an approved master plan a minimum of 15% of the development's gross acreage to at least two different residential building types. For the purpose of this requirement, Over-Under and Standard Duplexes shall be considered one building type. Land designated to meet the requirements of this subsection shall generally be considered buildable and shall not include any of the following:

- a. open spaces
- b. drainage controls
- c. water quality controls
- d. roadways other than those providing direct access to individual lots
- e. significant encumbrance by easements or agreements that render a large portion of the property unusable or highly restrict usage

- E. **Roadway Design.** All local residential streets shall include a detached sidewalk in accordance with the Residential Parkway street parameters contained in the Design Criteria and Construction Specifications.

• Will the requirement for a minimum of two different residential building types limit the ability of this zone to be utilized on smaller properties.

| Table 5-5 SF-2 Lot Development Standards |                                 |                             |                         |                      |                  |                     |                      |                             |                        |
|------------------------------------------|---------------------------------|-----------------------------|-------------------------|----------------------|------------------|---------------------|----------------------|-----------------------------|------------------------|
| Building Type                            | Vehicular Access                | Lot Standards               |                         |                      | Minimum Setbacks |                     |                      |                             | Building Height        |
|                                          |                                 | Min. Size (square feet)     | Min. Width              | Maximum Lot Coverage | Front            | Front Entry Feature | Side                 | Rear                        |                        |
| Single Family Dwelling                   | Standard                        | 6,000<br>4,000              | 45'                     | 60%                  | 20' 15'          | 15' 10'             | 5'                   | 15' 5' for Alley load (All) | 35' 40'                |
|                                          | Limited or Rear                 | 3,500<br>1,800              | 35' 30'                 | 65%                  | 15' 15'          | 10' 10'             | 5'                   | 15'                         | 35' 40'                |
| Standard Duplex                          | Standard                        | 4,500 <sup>1</sup><br>4,000 | 40' <sup>1</sup>        | 60%<br>70%           | 20' 15'          | 15' 10'             | 5' 5'/0'             | 15'                         | 35' 40'                |
|                                          | Limited, Rear, or Parking Court | 3,500 <sup>1</sup><br>2,500 | 30' <sup>1</sup><br>25' | 65%<br>75%           | 20' 15'          | 15' 10'             | 5' 5'/0'             | 15'                         | 35' 40'                |
| Over-Under Duplex                        | Standard                        | 7,000 <sup>2</sup><br>4,000 | 55' <sup>2</sup>        | 60%                  | 20' 15'          | 15' 10'             | 5'                   | 15'                         | 35' 40'                |
|                                          | Limited, Rear, or Parking Court | 6,000 <sup>2</sup><br>4,000 | 50' <sup>2</sup>        | 65%                  | 20' 15'          | 15' 10'             | 5'                   | 15'                         | 35' 40'                |
| Cottage                                  | Rear or Parking Court           | 2,000 <sup>3</sup>          | 25'                     | 80%                  | 20' 15'          | 15' 10'             | 5'                   | 5'                          | 18' / 26' <sup>4</sup> |
| Townhouse                                | Standard                        | 2,400 <sup>5</sup><br>1,000 | 40' 17'                 | 80% <sup>5</sup>     | 20' 15'          | 15' 10'             | 5' / 0' <sup>6</sup> | 15'                         | 35' 40'                |

|                        |                                 |                    |      |                  |         |         |                      |     |         |
|------------------------|---------------------------------|--------------------|------|------------------|---------|---------|----------------------|-----|---------|
|                        | Limited, Rear, or Parking Court | 1,400 <sup>5</sup> | 20'  | 80% <sup>5</sup> | 20' 15' | 15' 10' | 5' / 0' <sup>6</sup> | 15' | 35' 40' |
| <b>Multiplex</b>       | Rear, or Parking Court          | 2,500 <sup>5</sup> | 80'  | 65%              | 20'     | 15'     | 20'                  | 20' | 40'     |
| <b>Non-residential</b> | Any                             | 20,000             | 100' | 80%              | 20      | 15'     | 20'                  | 20' | 40'     |

<sup>1</sup> Per Unit  
<sup>2</sup> Per Building  
<sup>3</sup> Per Individual Cottage Lot. Additional overall site minimums apply per **Sec. TBD**  
<sup>4</sup> 18' maximum building height except for the ridge of a pitched roof which may extend up to 26' in height  
<sup>5</sup> Refers to overall maximum development density on a per unit basis; however this is no minimum lot size per individual unit  
<sup>6</sup> 5' setback required except when interior common wall is used

## 5.06 Multifamily (MF)

- A. **Purpose.** The purpose of the MF zone district is to establish and preserve residential districts that are appropriate for multifamily housing. The MF district is intended to be conveniently located near collector and arterial streets, with access to major employment and activity centers, and public amenities or complementary uses and activities such as schools, parks, and open space.
- B. **Lot Development Standards.** Development within the MF zone district shall adhere to the standards contained in Table 5-8 based on Building Type, as described in **Section TBD** and Access Type, as described in **Section TBD**.

**Table 5-6 MF Lot Development Standards**

| Building Type          | Vehicular Access                | Lot Standards           |                  |                      | Minimum Setbacks |                     |               |      | Building Height |
|------------------------|---------------------------------|-------------------------|------------------|----------------------|------------------|---------------------|---------------|------|-----------------|
|                        |                                 | Min. Size (square feet) | Min. Width       | Maximum Lot Coverage | Front            | Front Entry Feature | Interior Side | Rear |                 |
| <b>Standard Duplex</b> | Standard                        | 4,000 <sup>1</sup>      | 40' <sup>1</sup> | 60%                  | 20'              | 15'                 | 5' 5'0'       | 5'   | 35'             |
|                        | Limited, Rear, or Parking Court | 3,500 <sup>1</sup>      | 30' <sup>1</sup> | 65%                  | 20'              | 15'                 | 5' 5'0'       | 5'   | 35'             |



|                          |                                               |                    |                  |                  |     |     |                      |     |                        |
|--------------------------|-----------------------------------------------|--------------------|------------------|------------------|-----|-----|----------------------|-----|------------------------|
| <b>Over-Under Duplex</b> | Standard                                      | 7,000 <sup>2</sup> | 55' <sup>2</sup> | 60%              | 20' | 15' | 5'                   | 5'  | 35'                    |
|                          | Limited, Rear, or Parking Court               | 6,000 <sup>2</sup> | 50' <sup>2</sup> | 65%              | 20' | 15' | 5'                   | 5'  | 35'                    |
| <b>Cottage Cluster</b>   | Rear or Parking Court                         | 2,000 <sup>3</sup> | 25'              | 80%              | 20' | 15' | 5'                   | 15' | 18' / 26' <sup>4</sup> |
| <b>Townhouse</b>         | Standard                                      | 2,000 <sup>5</sup> | 45'              | 80% <sup>6</sup> | 20' | 15' | 5' / 0' <sup>7</sup> | 20' | 35'                    |
|                          | Limited, Rear, Parking Court, or Parking Lot  | 1,400 <sup>5</sup> | 20'              | 80% <sup>6</sup> | 20' | 15' | 5' / 0' <sup>7</sup> | 20' | 35'                    |
| <b>Multiplex</b>         | Rear or Parking Court                         | 2,500 <sup>5</sup> | 80'              | 65%              | 20' | 15' | 20'                  | 20' | 35'                    |
| <b>Multifamily</b>       | Rear, Parking Court, or Dispersed Parking Lot | 1,400 <sup>5</sup> | 100'             | 80% <sup>6</sup> | 20' | 15' | 20'                  | 20' | 55'                    |
| <b>Non-residential</b>   | Any                                           | 20,000             | 100'             | 80%              | 20  | 15' | 20'                  | 20' | 55'                    |

NOTE: "The draft code proposes a second RMU zone District, RMU-2. The RMU-2 would allow for higher intensity development including a greater mix of dwelling types, the ability to create smaller lots, and commercial or mixed-use neighborhood centers, built with minimal setbacks and on street parking. The RMU-2 district is intended to provide flexibility that would otherwise require a PUD. "The RMU-2 is intended to allow for development like Raindance without a PUD". The existing RMU district will be renamed RMU-1."

- <sup>1</sup> Per Unit  
<sup>2</sup> Per Building  
<sup>3</sup> Per Individual Cottage Lot. Additional overall site minimums apply per  
<sup>4</sup> 18' maximum building height except for the ridge of a pitched roof which  
<sup>5</sup> Refers to overall maximum development density on a per unit basis; how  
<sup>6</sup> Refers to overall site; no maximum lot coverage for individual lots or un  
<sup>7</sup> 5' setback required except when interior common wall is used

## 5.07 Residential Mixed Use One (RMU-1)

- Purpose.** The purpose of the RMU-1 zone district is to establish and preserve neighborhoods that allow for a variety of housing types and densities, commercial activity centers, and other public amenities or complementary uses as defined on an approved master plan.
- Lot Development Standards.** Development with the RMU-1 zone district shall adhere to the standards contained in Table 5-7 based on Building Type, as described in **Section TBD** and Access Type, as described in **Section TBD**.

- C. **Master Plan.** In addition to the Master Plan requirements of **Sec TBD**, prior to approval of a subdivision plat, a Master Plan is required to depict the approximate location and acreage of all land uses. Building types and land uses shall only be allowed only in accordance with an approved Master Plan. The Master Plan shall be recorded in accordance with the requirements of Article 2.
- D. **Land Use Allocation.** No more than 25% of the gross land area of an RMU development may be designated for commercial or light industrial uses.

| Table 5-7 RMU-1 Lot Development Standards |                  |                         |                      |                  |                      |                      |                 |
|-------------------------------------------|------------------|-------------------------|----------------------|------------------|----------------------|----------------------|-----------------|
| Building Type                             | Vehicular Access | Lot Standards           |                      | Minimum Setbacks |                      |                      | Building Height |
|                                           |                  | Min. Size (square feet) | Maximum Lot Coverage | Front            | Side                 | Rear                 |                 |
| Single Family Dwelling                    | Any              | 6,000                   | 65%                  | 20'              | 5'                   | 15'                  | 35'             |
| Duplex, Standard or Over-Under            | Any              | 4,500 <sup>1</sup>      | 65%                  | 20'              | 5' 5'0'              | 15'                  | 35'             |
| Townhouse                                 | Any              | 2,400 <sup>2</sup>      | 80% <sup>3</sup>     | 20'              | 5' / 0' <sup>4</sup> | 15'                  | 35'             |
| Multifamily                               | Any              | 1,400 <sup>2</sup>      | 80% <sup>3</sup>     | 20'              | ½ of building height | ½ of building height | 35'             |
| Commercial, Mixed Use, or Institutional   | Any              | 20,000                  | n/a                  | 25'              | 20'                  | 20'                  | 35'             |
| Industrial                                | Any              | 20,000                  | n/a                  | 30'              | 20'/30' <sup>5</sup> | 20'/30' <sup>5</sup> | 35'             |

<sup>1</sup> Per Unit  
<sup>2</sup> Refers to overall maximum development density on a per unit basis; however this is no minimum lot size per individual unit  
<sup>3</sup> Refers to overall site; no maximum lot coverage for individual lots or units  
<sup>4</sup> 5' setback required except when interior common wall is used  
<sup>5</sup> 30' required when abutting a residential zoning district or residential property

## 5.08 Residential Mixed Use Two (RMU-2) Requires a commercial component

- A. **Purpose.** The purpose of the RMU-2 zone district is to establish and preserve compact, pedestrian oriented neighborhoods with a variety of housing types and densities, commercial activity centers, and other public amenities or complementary uses as defined on an approved master plan.
- B. **Lot Development Standards.** Development within the RMU-2 zone district shall adhere to the standards contained in Table 5-8 based on Building Type, as described in Section YBD and Access Type, as described in Section TBD.
- C. **Master Plan.**
  1. In addition to the Master Plan requirements of Sec TBD, prior to approval of any subdivision plat, an approved Master Plan is required to depict the approximate location and acreage of all land uses, building types, streets and alleys, Open and Civic Spaces, and Neighborhood Center, if provided.
  2. Building types and land uses shall only be allowed only in accordance with an approved Master Plan.
  3. The Master Plan shall be recorded in accordance with the requirements of Article 2.
- D. **Minimum Size.** No lot or group of lots less than 40 acres in size shall be eligible for RMU-2 zoning.

**Table 5-8 RMU-2 Lot Development Standards**

| Building Type          | Vehicular Access       | Lot Standards                                                                         |                                                                                   |                                                                      | Minimum Setbacks |                     |                                                                       |                                                                                        | Building Height                                                   |
|------------------------|------------------------|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|------------------|---------------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
|                        |                        | Min. Size (square feet)                                                               | Min. Width                                                                        | Maximum Lot Coverage                                                 | Front            | Front Entry Feature | Side                                                                  | Rear <span style="border: 1px solid red; padding: 2px;">5' for Alley load (All)</span> |                                                                   |
| Single Family Dwelling | Standard               | 6,000<br><span style="border: 1px solid red; padding: 2px;">4,000</span>              | 45'                                                                               | 60%                                                                  | 20'              | 15'                 | 5'                                                                    | 15'                                                                                    | 35' <span style="border: 1px solid red; padding: 2px;">40'</span> |
|                        | Limited or Rear        | 3,500<br><span style="border: 1px solid red; padding: 2px;">1,800</span>              | 35'<br><span style="border: 1px solid red; padding: 2px;">30'</span>              | 65%                                                                  | 15'              | 10'                 | 5'                                                                    | 15'                                                                                    | 35' <span style="border: 1px solid red; padding: 2px;">40'</span> |
| Standard Duplex        | Standard               | 4,500 <sup>1</sup><br><span style="border: 1px solid red; padding: 2px;">4,000</span> | 35' <sup>1</sup>                                                                  | 60%<br><span style="border: 1px solid red; padding: 2px;">70%</span> | 15'              | 10'                 | 5'<br><span style="border: 1px solid red; padding: 2px;">5'/0'</span> | 15'                                                                                    | 35' <span style="border: 1px solid red; padding: 2px;">40'</span> |
|                        | Limited or Rear        | 3,000 <sup>1</sup><br><span style="border: 1px solid red; padding: 2px;">2,500</span> | 30' <sup>1</sup><br><span style="border: 1px solid red; padding: 2px;">25'</span> | 65%<br><span style="border: 1px solid red; padding: 2px;">75%</span> | 15'              | 10'                 | 5'<br><span style="border: 1px solid red; padding: 2px;">5'/0'</span> | 15'                                                                                    | 35' <span style="border: 1px solid red; padding: 2px;">40'</span> |
| Over-Under Duplex      | Standard               | 7,000 <sup>2</sup><br><span style="border: 1px solid red; padding: 2px;">4,000</span> | 55' <sup>2</sup>                                                                  | 60%                                                                  | 15'              | 10'                 | 5'                                                                    | 15'                                                                                    | 35' <span style="border: 1px solid red; padding: 2px;">40'</span> |
|                        | Limited or Rear        | 5,000 <sup>2</sup><br><span style="border: 1px solid red; padding: 2px;">4,000</span> | 50' <sup>2</sup>                                                                  | 65%                                                                  | 15'              | 10'                 | 5'                                                                    | 15'                                                                                    | 35' <span style="border: 1px solid red; padding: 2px;">40'</span> |
| Cottage                | Rear or Parking Court  | 2,000 <sup>3</sup>                                                                    | 25'                                                                               | 80%                                                                  | 15'              | 10'                 | 5'                                                                    | 15'                                                                                    | 18' / 26' <sup>4</sup>                                            |
| Townhouse              | Rear, or Parking Court | 1,400 <sup>5</sup><br><span style="border: 1px solid red; padding: 2px;">1,000</span> | 20'<br><span style="border: 1px solid red; padding: 2px;">17'</span>              | 80% <sup>6</sup>                                                     | 15'              | 10'                 | 5' / 0' <sup>7</sup>                                                  | 15'                                                                                    | 40'                                                               |

- Consider decreasing minimum lot sizes
- For all residential building types consider 5' rear setback for rear vehicular access (Alley loaded conditions)
- Consider increasing lot coverage for duplex in order to account for lot coverage due to common wall
- Duplex interior Side 5'/0'<sup>7</sup>
- Consider increasing building height. There are many new Townhome and single-family products in the current market that utilize rooftop terraces. These three-story buildings with a roof parapet are approximately 40' (excluding roof access projection)

- Consider a 0' front, side and Rear setback for commercial and mixed uses for a neighborhood streetscape. Create individual category for industrial to increase setbacks.

|                                                            |                                               |                    |      |                  |            |            |            |            |     |
|------------------------------------------------------------|-----------------------------------------------|--------------------|------|------------------|------------|------------|------------|------------|-----|
| <b>Multiplex</b>                                           | Rear, or Parking Court                        | 2,500 <sup>5</sup> | 80'  | 65%              | 20'<br>10' | 15'<br>10' | 20'<br>10' | 20'<br>10' | 40' |
| <b>Multifamily</b>                                         | Rear, Parking Court, or Dispersed Parking Lot | 1,400 <sup>5</sup> | 100' | 80% <sup>6</sup> | 20'<br>10' | 15'<br>10' | 20'<br>10' | 20'<br>10' | 80' |
| <b>Commercial, Industrial, Mixed Use, or Institutional</b> | Parking Court or Dispersed Parking Lot        | 5,000              | 50'  | 80%              | 20'<br>0'  | 15'<br>0'  | 20'<br>0'  | 20'<br>0'  | 80' |

<sup>1</sup> Per Unit

<sup>2</sup> Per Building

<sup>3</sup> Per Individual Cottage Lot. Additional overall site minimums apply per **Sec. TBD**

<sup>4</sup> 18' maximum building height except for the ridge of a pitched roof which may extend up to 26' in height

<sup>5</sup> Refers to overall maximum development density on a per unit basis; however there is no minimum lot size per individual unit

<sup>6</sup> Refers to overall site; no maximum lot coverage for individual lots or units

<sup>7</sup> 5' setback required except when interior common wall is used

- Although RMU allows and promotes the mix of housing products, does the requirement for a minimum of two housing categories limit the ability of this zone to be utilized on smaller properties.

- The minimum commercial of 5 acres for any development under 200 acres does not consider small developments. Is there a way to make this more proportionate for small scale sites?

- Enhanced standards in memo, "rear or limited vehicular access required for small lots (3500-6000sf). This standard would prohibit standard single family lots in RainDance. Is this the Towns intent?

**Land Use Allocation.** In order to create a mixed use neighborhood with a variety of housing types and commercial services, developments shall designate on an approved master plan minimum acreage for specific land use categories as follows:

- A minimum of 20 percent of gross development shall be allocated on an approved master plan to a minimum of two of the following housing categories:
  - Category A: Single family, duplex, or cottage
  - Category B: Townhomes or Multiplex
  - Category C: Multifamily, including within a mixed use building
- A minimum of the following acreage of commercial land use based on the overall development size:
  - 5 acres for overall developments less than 200
  - 10 acres for overall developments over 200 acres
- The land allocated meet the requirements of this subsection shall generally be considered buildable land and shall not include any of the following:
  - open spaces
  - drainage controls
  - water quality controls
  - roadways other than those providing direct access to individual lots
  - significant encumbrance by easements or agreements that render a large portion of the property unusable or highly restrict usage

**Roadway Design.** All local residential streets shall include a detached sidewalk in accordance with the Residential Parkway street parameters contained in the Design Criteria and Construction Specifications.

**Neighborhood Center.** A Neighborhood Center is a mixed-use or commercial center of a RMU-2 community which may be designated on the applicable Master Plan subject to the following:

- Shall not exceed 20 acres in size

- b. Shall not be located immediately adjacent to existing single family dwellings outside the RMU-2 zone district.
- c. Land uses shall be limited to Retail, Service and Employment, Civic/ Institutional, Multifamily, Mixed Use, and Open/ Civic Space. Gas stations and drive through restaurants are not allowed uses.
- d. Development shall comply with Table 5-8 RMU-2 General Development Standards and Table 5-9 Neighborhood Center Development Standards. When the two tables conflict, Table 5-9 Neighborhood Center Development Standards shall apply.
- e. The standards contained within Table 5-9 shall be included on the applicable Master Plan.

| Table 5-9 Neighborhood Center Development Standards     |                                                                                                   |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>Minimum Front Setback</b>                            |                                                                                                   |
| Adjacent to arterial roadways                           | 15'                                                                                               |
| Adjacent to roadways other than arterials               | 0'                                                                                                |
| <b>Maximum Front Setback</b>                            |                                                                                                   |
| Adjacent to arterial roadways                           | None                                                                                              |
| Adjacent to roadways other than arterials               | A minimum of 65% lot width shall include a building within 8' of front property line <sup>1</sup> |
| <b>Minimum Side Setback</b>                             |                                                                                                   |
| Minimum Side Setback                                    | 0' subject to building code regulations.<br>5' minimum if provided.                               |
| <b>Ground Floor Transparency</b>                        |                                                                                                   |
| Residential uses with a front setback less than 15'     | 35% of façade shall be windows or doors                                                           |
| Non-residential uses with a front setback less than 15' | 50% of façade shall be windows or doors                                                           |
| <b>Lot Coverage</b>                                     |                                                                                                   |
| Maximum Lot Coverage                                    | 90%                                                                                               |
| <b>Minimum Sidewalk</b>                                 |                                                                                                   |
| Minimum sidewalk width                                  | 10'                                                                                               |

#### 5.09 Mobile Home (MH)

- A. **Purpose.** The purpose of the MH zone district is to establish and preserve mobile home parks to provide lower cost housing with ample open spaces and connections to nearby employment or commercial activity centers.
- B. **Lot Development Standards.** Development with the MH zone district shall adhere to the standards contained in **Table 5-10.**

| Table 5-10: MH District Lot Development Standards |                         |
|---------------------------------------------------|-------------------------|
| Vehicular Access Types Permitted                  |                         |
| Residential Uses                                  | Standard, Limited, Rear |
| Non-Residential Uses                              | Any                     |
| Lot Standards                                     |                         |
| Minimum Overall Development Site Size             | 5 acres                 |
| Minimum Lot Area (square feet)                    | 3,000                   |
| Minimum Lot or Pad Site Width                     | 30'                     |
| Maximum Lot Coverage                              | 50%                     |
| Minimum Setbacks                                  |                         |
| Front                                             | 10'                     |
| Side                                              | 5'                      |
| Rear                                              | 15'                     |
| Perimeter facing                                  | 20'                     |
| Maximum Building Height                           |                         |
| Height                                            | 35'                     |
| Maximum Density                                   |                         |
| Units Per Acre                                    | 8 units/ acre           |

#### 5.10 Neighborhood Commercial (NC)

- A. **Purpose.** The purpose of the NC zone district is to:
1. Establish and preserve small areas of low impact, neighborhood oriented businesses which are integrated or adjacent to residential neighborhoods.
  2. Allow for development of infill sites or constrained sites that are not suitable for the intensity associated with General Commercial zone district.

NOTE:"The intent of NC is to allow small-scale commercial that is conveniently located to serve adjacent neighborhoods, such as the "corner store." NC would likely be limited to infill sites where commercial development is appropriate, but not at the land use intensity or scale of GC zoning. As an incentive to provide these types of neighborhood-serving uses and better site planning, with buildings oriented toward the street and parking uses in the rear, setbacks are proposed to be reduced."

- H. **Lot Development Standards.** Development within the NC zone district shall adhere to the standards contained in **Table 5-11.**

| Table 5-11: NC District Lot Development Standards |        |
|---------------------------------------------------|--------|
| Vehicular Access Types Permitted                  |        |
| Parking Court or Dispersed Parking                |        |
| Lot Standards                                     |        |
| Minimum Lot Area (square feet)                    | 20,000 |
| Minimum Lot Width                                 | 100'   |
| Maximum Lot Coverage                              | 80%    |
| Minimum Setbacks                                  |        |
| Front                                             | 15'    |
| Side                                              | 15'    |
| Rear                                              | 15'    |
| Maximum Building Height                           |        |
| Height                                            | 40'    |

- *Consider reducing 20,000sqft lot size. The small scale neighborhood scale of NC may suit smaller parcel and business sizes.*
- *Consider a smaller minimum lot width, approximately 40' to achieve the neighborhood scale commercial desired.*
- *Consider a 0' front and side setback for commercial uses for a neighborhood streetscape*

#### 5.11 Central Business (CB)

*Editor's note: CB standards will be updated as part of a separate effort in order to further engage stakeholders.*

#### 5.12 General Commercial (GC)

- A. **Purpose.** The purpose of the GC zone district is to:
- Establish and preserve areas of commercial development in proximity to arterial roadways.
  - Foster attractive, human scale development that positively contributes towards the Town's unique character.-
  - Provide efficient and safe pedestrian, bicycle and automobile circulation, including direct connections to adjacent residential development.

iv. Promote economic vitality.

- b. **Lot Development Standards.** Development within the GC zone district shall adhere to the standards contained in **Table 5-.**

| Table 5-: GC District Lot Development Standards |        |
|-------------------------------------------------|--------|
| Vehicular Access Types Permitted                |        |
| Parking Court or Dispersed Parking Lot          |        |
| Lot Standards                                   |        |
| Minimum Lot Area (square feet)                  | 20,000 |
| Minimum Lot Width                               | 100'   |
| Maximum Lot Coverage                            | n/a    |
| Minimum Setbacks                                |        |
| Front                                           | 20'    |
| Side                                            | 20'    |
| Rear                                            | 20'    |
| Maximum Building Height                         |        |
| Height                                          | 55'    |

### 5.13 Limited Industrial (LI)

- A. **Purpose.** The purpose of the LI zone district is to:
- Establish and preserve areas for a variety of low to moderate intensity industrial and commercial uses including manufacturing, and warehousing distribution with limited outdoor storage.
  - Minimize potential conflicts between heavy truck traffic and passenger vehicle, bicycle, and pedestrian traffic by providing convenient access to rail corridors, arterial roadways and state highways.
  - Promote economic vitality.

- B. **Lot Development Standards.** Development within the LI zone district shall adhere to the standards contained in **Table 5-.**

| Table 5-: LI District Lot Development Standards              |  |
|--------------------------------------------------------------|--|
| Vehicular Access Types Permitted                             |  |
| General Parking Lot, Dispersed Parking Lot, or Parking Court |  |
| Lot Standards                                                |  |



|                                                |          |
|------------------------------------------------|----------|
| Minimum Lot Area (square feet)                 | 20,000   |
| Minimum Lot Width                              | 100'     |
| Maximum Lot Coverage                           | n/a      |
| <b>Minimum Setbacks</b>                        |          |
| Front                                          | 30'      |
| Side/ Side Adjacent to residential use or zone | 20'/ 30' |
| Rear/ Rear Adjacent to residential use or zone | 20'/ 30' |
| <b>Building Height</b>                         |          |
| Maximum Height                                 | 75'      |

#### 5.14 Heavy Industrial (HI)

- A. **Purpose.** The purpose of the HI zone district is to:
1. Establish and preserve areas suitable for heavy industrial use, including those that might impact surrounding neighborhoods and businesses.
  2. Ensure appropriate separation from neighborhoods and businesses which may be negatively impacted by heavy industrial uses.
  3. Minimize potential conflicts between heavy truck traffic and passenger vehicle, bicycle, and pedestrian traffic by providing convenient access to rail corridors, arterial roadways and state highways.
  4. Promote economic vitality.

- B. **Lot Development Standards.** Development within the HI zone district shall adhere to the standards contained in **Table 5-.**

| <b>Table 5-: HI District Lot Development Standards</b>                                                                     |         |
|----------------------------------------------------------------------------------------------------------------------------|---------|
| <b>Vehicular Access Types Permitted</b>                                                                                    |         |
| General Parking Lot, Dispersed Parking Lot, or Parking Court<br>General Parking Lot prohibited within Commercial Corridors |         |
| <b>Lot Standards</b>                                                                                                       |         |
| Minimum Lot Area (square feet)                                                                                             | 60,000  |
| Minimum Lot Width                                                                                                          | 200'    |
| Maximum Lot Coverage                                                                                                       | n/a     |
| <b>Minimum Setbacks</b>                                                                                                    |         |
| Front                                                                                                                      | 30'     |
| Side/ Side Adjacent to Residential Use or Zone                                                                             | 20'/30' |

|                                                |         |
|------------------------------------------------|---------|
| Rear/ Rear Adjacent to Residential Use or Zone | 20'/30' |
| <b>Maximum Building Height</b>                 |         |
| Height                                         | 75'     |

#### 5.15 Recreation and Open Lands (ROL)

- A. **Purpose.** The purpose of the ROL zone district is to:
1. Preserve certain large open land areas, which by reason of topographical features or proximity to natural drainage courses are unsuitable for intense development.
  2. To preserve designated open space that is managed to preserve the natural environment and protect native flora and fauna.
  3. Provide recreational opportunities.
- B. **Lot Development Standards.** Development within the ROL zone district shall adhere to the standards contained in **Table 5-**

| <b>Table 5-: ROL District Lot Development Standards</b>      |        |
|--------------------------------------------------------------|--------|
| <b>Vehicular Access Types Permitted</b>                      |        |
| Any                                                          |        |
| <b>Lot Standards</b>                                         |        |
| Minimum Lot Area (square feet)                               | 20,000 |
| Minimum Lot Width                                            | n/a    |
| Maximum Lot Coverage                                         | n/a    |
| <b>Minimum Setbacks</b>                                      |        |
| Front                                                        | 20'    |
| Side                                                         | 20'    |
| Rear                                                         | 20'    |
| <b>Minimum Setbacks - Buildings Housing Domestic Animals</b> |        |
| Front                                                        | 35'    |
| Side                                                         | 35'    |
| Rear                                                         | 35'    |
| <b>Maximum Building Height</b>                               |        |
| Height                                                       | 75'    |

### 5.16 Agriculture Holding (AH)

- A. **Purpose.** The purpose of the AH zone district is to provide a zoning designation for properties which have been annexed to the Town and are either being used for agricultural purposes and/or which have no future land use proposed at the time of annexation and are in a transitional stage with regard to their ultimate development.
- B. **Restriction on Subdivision.** No property zoned AH shall be subdivided for the purpose of allowing further land development. Subdivision for the purpose of development shall require appropriate zoning other than AH.
- C. **Lot Development Standards.** Development within the AH zone district shall adhere to the standards contained in **Table 5-**.

| Table 5-: AH District Lot Development Standards       |     |
|-------------------------------------------------------|-----|
| Vehicular Access Types Permitted                      |     |
| Any                                                   |     |
| Lot Standards                                         |     |
| Minimum Lot Area (acres)                              | n/a |
| Minimum Lot Width                                     | n/a |
| Maximum Lot Coverage                                  | n/a |
| Minimum Setbacks – General                            |     |
| Front                                                 | 20' |
| Side                                                  | 20' |
| Rear                                                  | 20' |
| Minimum Setbacks - Buildings Housing Domestic Animals |     |
| Front                                                 | 35' |
| Side                                                  | 35' |
| Rear                                                  | 35' |
| Maximum Building Height                               |     |
| Height                                                | 35' |

- 5.17 **Planned Unit Development (PUD).** With the adoption of Ordinance **TBD**, increased flexibility regarding land planning and development is being incorporated into each respective zoning district and the Town's former Planned Unit Development Regulations are hereby replaced. Previously approved Planned Unit Developments shall remain in full force and effect and may be amended in accordance with Section **2.TBD**.

Draft  
February

- *Given the increased flexibility of the Town's proposed code, we agree that developers and the Town will benefit from decreased processing and approvals required in standard zone districts. However given the unique circumstance of individual properties, uses and structures, we suggest the Town maintain the PUD process should the Town and developers find a need to implement on a case by case basis.*
- *PUDs also have been used to cover non-traditional development proposals such as signage, road standards, alley and private loop lanes, unique architectural projections, agricultural integration, and varied side setbacks for Side Yard Use Easements.*

## 5.18 Measurements and Exceptions

- A. **Height Exceptions.** The features listed in Table 5- shall be allowed to extend beyond the height limitations of the applicable zoning district. These exceptions apply to all zoning districts unless otherwise stated. Exceptions included in Table 5- below shall be designed to be consistent with surrounding height, scale, and context to the maximum extent practicable.

| Table 5- Height Exceptions                                                       |                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfries, spires, steeples, cupolas, and domes associated with places of worship | May extend above the building roof provided they are not used for dwelling purposes.                                                                                                                                                                                                                                                                               |
| Chimneys, cooling towers, smokestacks, ventilators, or flues                     | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                              |
| Elevator bulkheads and stairway enclosures                                       | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof                                                                                                                                                                                               |
| Parapet walls                                                                    | May extend up to five feet above the building roof                                                                                                                                                                                                                                                                                                                 |
| Public utility and emergency service facilities                                  | For purposes of specifying structure height and limitations, the term "structure" shall not apply to public utility or street lighting poles and appurtenances attached to them, and city-owned emergency communication facilities, including outdoor warning systems and radio and telecommunication structures necessary for the delivery of emergency services. |
| Rooftop mechanical equipment                                                     | May extend up to five feet above the building roof provided the equipment complies with screening requirements in Section TBD                                                                                                                                                                                                                                      |
| Roof-mounted solar energy system                                                 | On flat roofs, may extend up to five feet above the building roof.                                                                                                                                                                                                                                                                                                 |
| Utility poles, support structures, water towers, and fire towers                 | May extend up to 10 feet above the building roof provided that such features cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                                           |

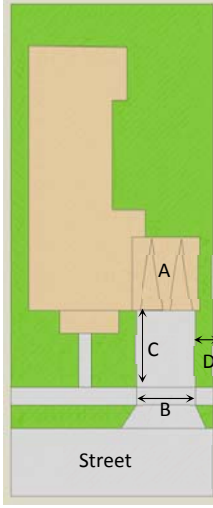
- B. **Setback Exceptions.** The features listed in Table 5- may be allowed to project into the required setbacks of the applicable zoning district, subject to compliance with other applicable building, fire, and other code requirements, where they do not extend into or over an easement.

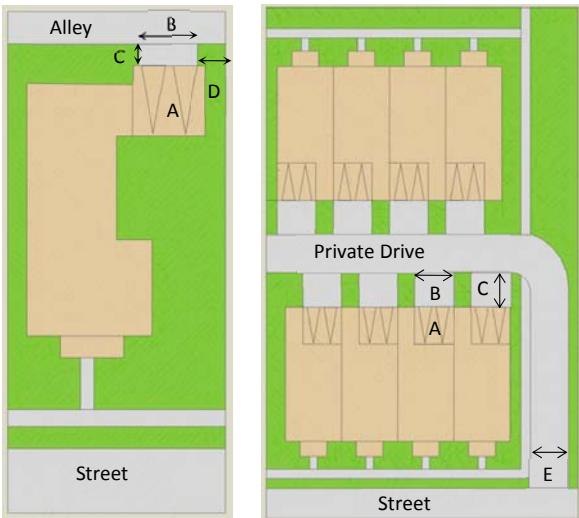
| Table 5- Setback Exceptions                                                                                                            |                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accessibility ramps                                                                                                                    | May encroach into any setback but shall be no closer than 2' to any property line.                                                                                                      |
| Decks                                                                                                                                  | May encroach into an interior side or rear setback up to 10', provided they are not located closer than 5' from an adjacent property line and are designed to accommodate lot drainage. |
| Fences or walls, including trash enclosures, and retaining walls less than 4' in height measured from top of wall to bottom of footer. | May encroach into any setback subject to fence and wall standards                                                                                                                       |
| Mail boxes                                                                                                                             | May encroach into any front setback                                                                                                                                                     |

|                                                                                                                                         |                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mechanical equipment, ground mounted                                                                                                    | May encroach up to five feet into an interior side or rear setback provided no equipment or component of such equipment is located closer than two feet from any property line and the equipment location accommodates drainage, and is screened. |
| Patios                                                                                                                                  | May encroach into any setback provided they are no more than 12 inches above grade and are not located closer than three feet from an adjacent property line and are designed to accommodate lot drainage.                                        |
| Porches                                                                                                                                 | May encroach into an interior side or rear setback up to 10', provided they are not located closer than 5' from an adjacent property line and are designed to accommodate lot drainage.                                                           |
| Stairs, at grade                                                                                                                        | May encroach into any required setback up to six feet.                                                                                                                                                                                            |
| Stairs, above grade                                                                                                                     | May encroach into any required setback up to six feet provided they are not located closer than three feet from an adjacent property line.                                                                                                        |
| Stairs, below grade                                                                                                                     | May encroach into any setback up to six feet provided they are not located closer than three feet from an adjacent property line.                                                                                                                 |
| Structural projections such as cantilevered bay windows, balconies, chimneys, eaves, or other non-foundational overhangs or projections | May encroach into any required setback up to 3'.                                                                                                                                                                                                  |
| Swimming pools, hot tubs and/or spas                                                                                                    | May encroach into interior side and rear setback provided they comply with building code requirements and are designed to accommodate lot drainage.                                                                                               |
| Window Wells                                                                                                                            | May encroach into any setback up to three feet, provided that window wells closer than five feet to the property line are designed to accommodate lot drainage.                                                                                   |

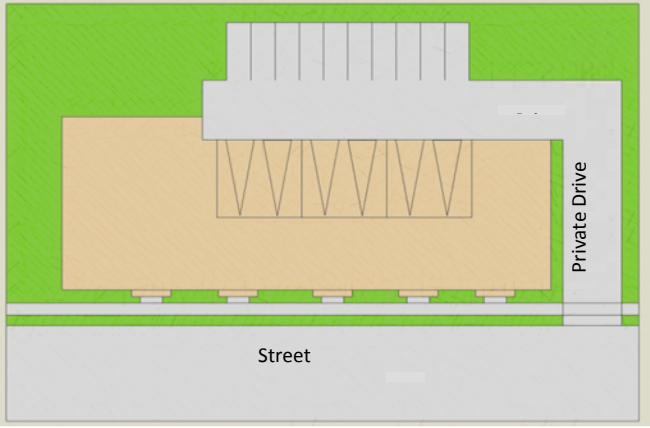
## D. Vehicular Access.

1. Vehicular Access types required for specified zones and building types in Article 5 shall be provided in accordance with Table 8-(below).
2. The Vehicular Access type General Parking Lot is not permitted with Commercial Corridors.
3. Alternative access types not shown in 8-(below) may be approved through Alternative Compliance, Sec. TBD.

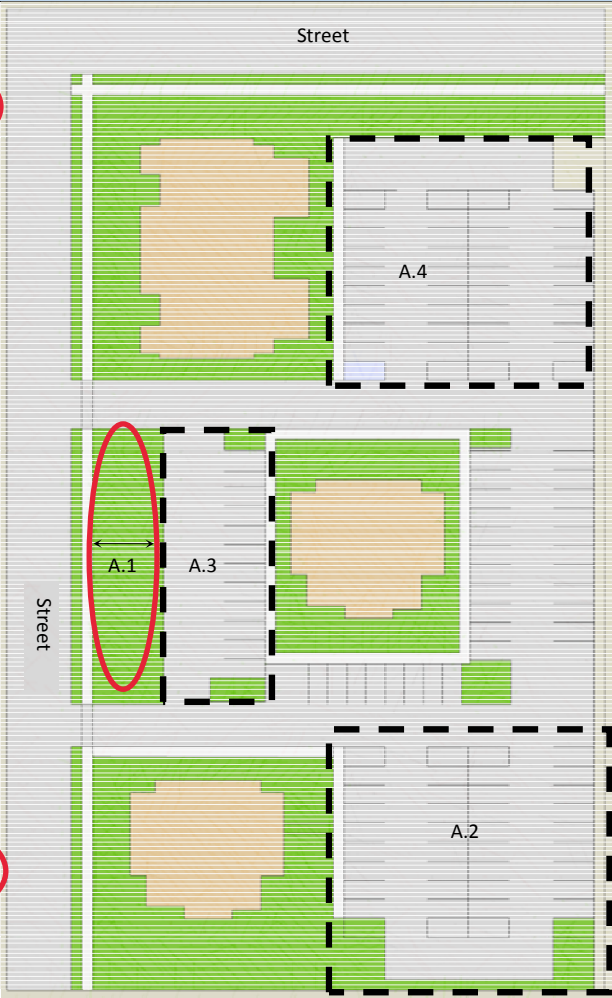
| Table 8- Vehicular Access Standards                                                                                    |                                                                                     |
|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Standard Access                                                                                                        |                                                                                     |
| <b>A Parking Location and Orientation:</b><br><br>Garage facing and accessed from adjacent street.                     |  |
| <b>B Maximum driveway width (within front setback):</b><br><br>24                                                      |                                                                                     |
| <b>C Driveway Length:</b><br><br>20' min between garage and sidewalk                                                   |                                                                                     |
| <b>D Minimum driveway setback (within front setback):</b><br><br>5' minimum setback between driveway and property line |                                                                                     |

| Limited Access                                                         |                                                                                      |
|------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>A Parking Location and Orientation:</b>                             |    |
| <b>B Maximum driveway width (within front setback):</b>                |                                                                                      |
| <b>C Driveway Length:</b>                                              |                                                                                      |
| <b>D Minimum driveway setback (within front setback):</b>              |                                                                                      |
| <b>5' minimum setback between driveway and side property line</b>      |                                                                                      |
| Rear Access                                                            |                                                                                      |
| <b>A Parking Location and Orientation:</b>                             |  |
| <b>B Maximum driveway width (within front or rear setback):</b>        |                                                                                      |
| <b>C Driveway Length</b>                                               |                                                                                      |
| <b>D Minimum driveway setback (within front or rear setback):</b>      |                                                                                      |
| <b>E Maximum private drive width (within front setback):</b>           |                                                                                      |
| <b>24' (additional width may be allowed to accommodate turn lanes)</b> |                                                                                      |

A rear setback between 5' and 20' may be appropriate for a parallel parking space or for utility needs, etc.

| Parking Court Access                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>A Parking Location and Orientation:</b></p> <p>Garages and/or surface parking oriented to the interior of the lot and predominately screened from the street by placement of building.</p> |  <p>The diagram illustrates a parking court access. A building is shown with a parking area behind it. A private drive leads from the street to the parking area. The street is labeled 'Street' and the private drive is labeled 'Private Drive'.</p> |
| <p><b>B Maximum private drive width (within front setback):</b></p> <p>24' (additional width may be allowed to accommodate turn lanes)</p>                                                       |                                                                                                                                                                                                                                                                                                                                          |
| <p><b>C Driveway Length:</b></p> <p>n/a</p>                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                          |
| <p><b>D Minimum driveway setback (within front setback):</b></p> <p>n/a</p>                                                                                                                      |                                                                                                                                                                                                                                                                                                                                          |



| Dispersed Parking Lot Access |                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>A</b>                     | <b>Parking Location and Orientation:</b>                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>A.1</b>                   | Parking areas and drive aisles shall be setback a minimum of 40' from public right-of-way.                                                                                                                                                                                                                                                                                                      |                                                                                     |
| <b>A.2</b>                   | To the greatest extent practicable parking shall be located behind the principal building or, in the case of multifamily uses, behind garages designed in accordance with Section 7.x                                                                                                                                                                                                           |                                                                                     |
| <b>A.3</b>                   | In situations where it is not practicable to locate all parking behind the principal building, parking may be allowed to the side or front of the principal building subject to the following:<br>No more than a single row of parking may be located between the principal building and right-of-way;<br>An architectural wall 36"-42" in height is provided for the length of the parking lot |                                                                                     |
| <b>A.4</b>                   | On lots with multiple street frontages, the principal building shall be located between the street frontage and the parking area on at least one street frontage. On all other street frontages, parking and drive aisles shall be setback a minimum of 20' from right of way and include architectural wall 36"-42" between the parking area and street.                                       |                                                                                     |
| <b>B</b>                     | <b>Max. private drive width (within front setback):</b><br><br>26' generally<br>30' for industrial uses                                                                                                                                                                                                                                                                                         |                                                                                     |



## ARTICLE 8. DEVELOPMENT STANDARDS

|                                   |                                                                                                                                                      |                                    |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|                                   | Additional width may be allowed for turn lanes                                                                                                       |                                    |
| C                                 | <b>Driveway Length:</b><br><br>n/a                                                                                                                   |                                    |
| D                                 | <b>Minimum driveway setback (within front setback):</b><br><br>5'                                                                                    |                                    |
| <b>General Parking Lot Access</b> |                                                                                                                                                      |                                    |
| A                                 | <b>Parking Location and Orientation:</b><br><br>Shall include buffering from street by landscaping and/or fencing and wall. (Section D below)        | <i>Illustration to be included</i> |
| B                                 | <b>Max. driveway width (within front setback):</b><br><br>26' generally<br>30' for industrial uses<br>Additional width may be allowed for turn lanes |                                    |
| C                                 | <b>Driveway Length:</b><br><br>n/a                                                                                                                   |                                    |
| D                                 | <b>Minimum driveway setback (within front setback):</b><br><br>n/a                                                                                   |                                    |



# Land Use Code Update

## Article 5 – Zone Districts

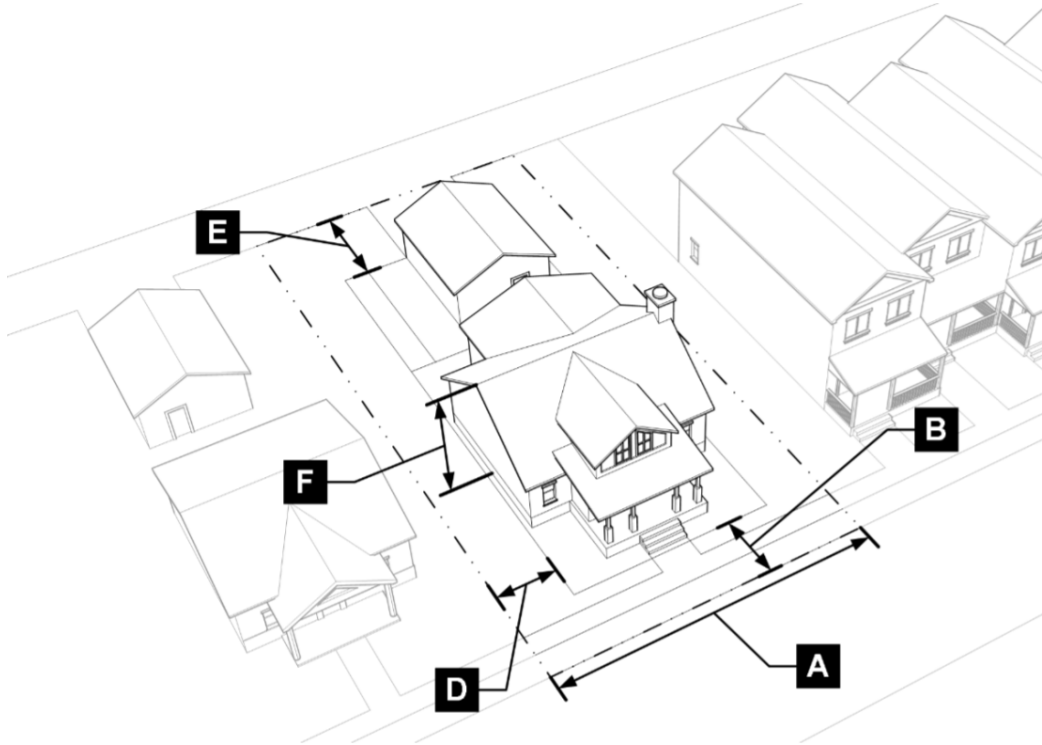
---

*Planning Department*

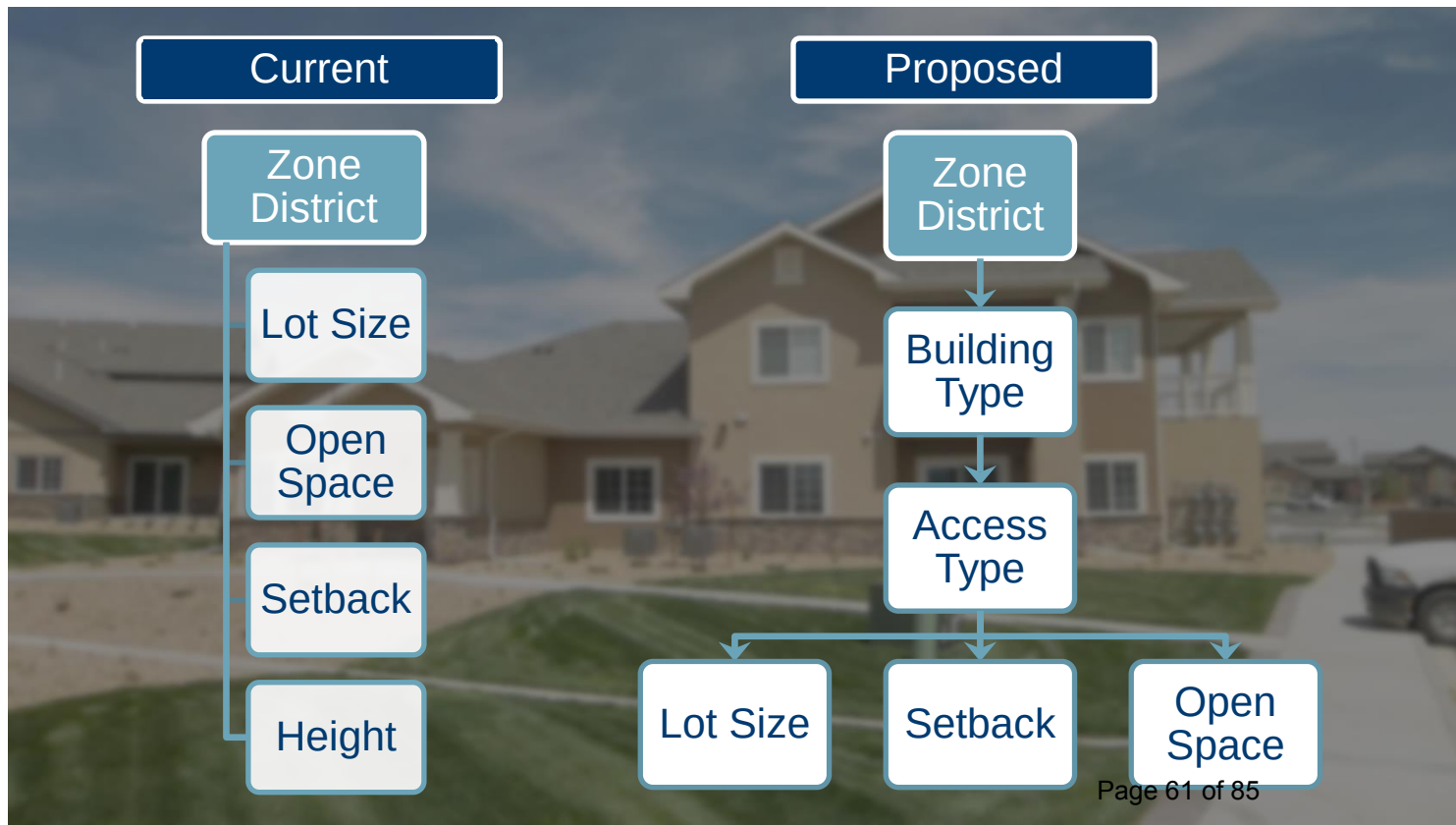
*Town Board/ Planning Commission March 25, 2019*



# Lot Development Standards



# Lot Development Standards

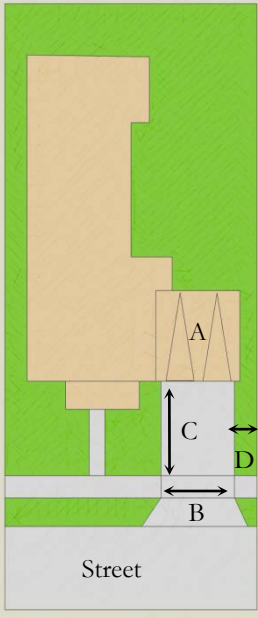
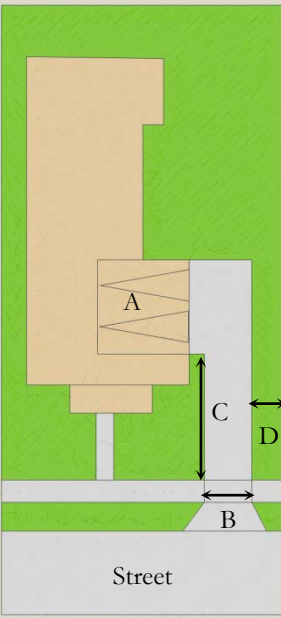
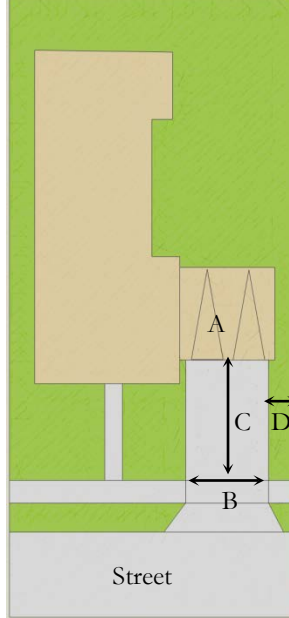
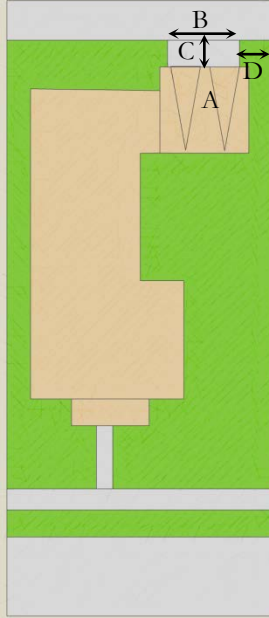
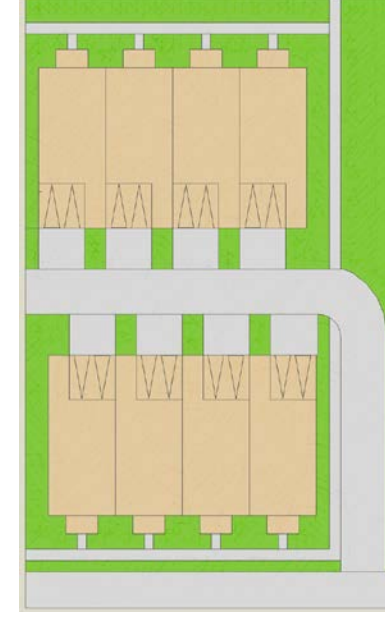


# Building Types



# Vehicular Access Types

## *Excerpt of Vehicular Access Types*

| Standard Access                                                                                                                                                                                                                                            | Limited Access                                                                                                                                                                                                                                                                                                                               | Rear Access                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p>Diagram illustrating Standard Access. A building is shown with a single driveway (A) leading to a street (B). The driveway width is C, and the street width is D.</p> |   <p>Diagram illustrating Limited Access. A building is shown with a single driveway (A) leading to a street (B). The driveway width is C, and the street width is D.</p> |   <p>Diagram illustrating Rear Access. A building is shown with multiple driveways (A) leading to a street (B). The driveway width is C, and the street width is D.</p> |

# “Menu” of Development Options

| Table 5-5 SF-2 Lot Development Standards |                                 |                         |                  |                      |       |                     |                      |      |                        |
|------------------------------------------|---------------------------------|-------------------------|------------------|----------------------|-------|---------------------|----------------------|------|------------------------|
| Building Type                            | Vehicular Access                | Lot Standards           |                  |                      |       | Minimum Setbacks    |                      |      | Building Height        |
|                                          |                                 | Min. Size (square feet) | Min. Width       | Maximum Lot Coverage | Front | Front Entry Feature | Side                 | Rear |                        |
| Single Family Dwelling                   | Standard                        | 6,000                   | 45'              | 60%                  | 20'   | 15'                 | 5'                   | 15'  | 35'                    |
|                                          | Limited or Rear                 | 3,500                   | 35'              | 65%                  | 15'   | 10'                 | 5'                   | 15'  | 35'                    |
| Standard Duplex                          | Standard                        | 4,500 <sup>1</sup>      | 40' <sup>1</sup> | 60%                  | 20'   | 15'                 | 5'                   | 15'  | 35'                    |
|                                          | Limited, Rear, or Parking Court | 3,500 <sup>1</sup>      | 30' <sup>1</sup> | 65%                  | 20'   | 15'                 | 5'                   | 15'  | 35'                    |
| Over-Under Duplex                        | Standard                        | 7,000 <sup>2</sup>      | 55' <sup>2</sup> | 60%                  | 20'   | 15'                 | 5'                   | 15'  | 35'                    |
|                                          | Limited, Rear, or Parking Court | 6,000 <sup>2</sup>      | 50' <sup>2</sup> | 65%                  | 20'   | 15'                 | 5'                   | 15'  | 35'                    |
| Cottage                                  | Rear or Parking Court           | 2,000 <sup>3</sup>      | 25'              | 80%                  | 20'   | 15'                 | 5'                   | 5'   | 18' / 26' <sup>4</sup> |
| Townhouse                                | Standard                        | 2,400 <sup>5</sup>      | 40'              | 80% <sup>5</sup>     | 20'   | 15'                 | 5' / 0' <sup>6</sup> | 15'  | 35'                    |
|                                          | Limited, Rear, or Parking Court | 1,400 <sup>5</sup>      | 20'              | 80% <sup>5</sup>     | 20'   | 15'                 | 5' / 0' <sup>6</sup> | 15'  | 35'                    |
| Multiplex                                | Rear, or Parking Court          | 2,500 <sup>5</sup>      | 80'              | 65%                  | 20'   | 15'                 | 20'                  | 20'  | 40'                    |



# Residential Mixed Use





# Small Lot Examples

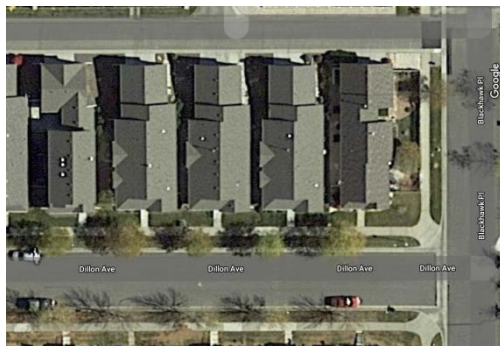
- 4200 s.f. 100' x 42'  
(47' @ street)
- Front access
- Water Valley,  
Windsor





# Small Lot Examples

- 4000 s.f. (100' x 40')
- Rear (alley) access
- Victorian Gardens, Loveland





# Small Lot Examples

- 3400 s.f. (85' x 40')
- Rear (alley) access
- Observatory Village,  
Fort Collins



# Small Lot Examples

- **3400 s.f. (85' x 40')**
- Front access
- Linden, Aurora

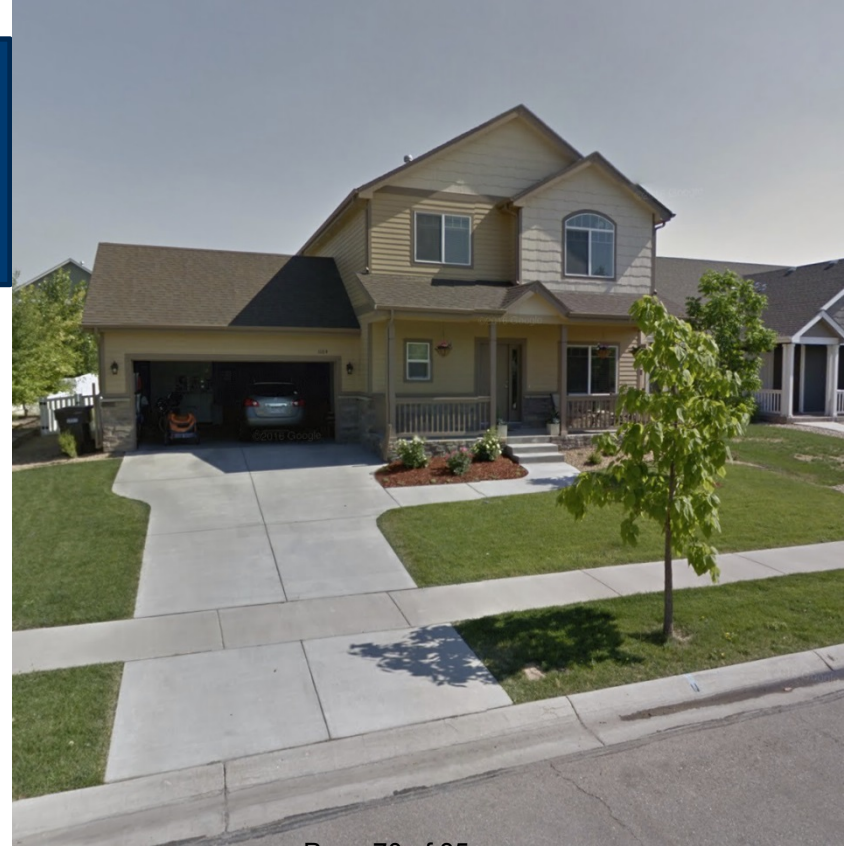


# Small Lot Enhanced Standards

- Detached sidewalks required on local streets
- Rear access required for small lots/ reduced setbacks(2,500 s.f. – 3,999 s.f.)
- Limited or rear access required for medium sized lots/ reduced setbacks (4,000 s.f. – 5,999 s.f.)



*Limited Access: side-loaded garage. Poudre Heights*



Page 70 of 85  
*Limited Access: recessed garage. New Windsor*



# RMU-2 Optional Neighborhood Center

- Minimal Setbacks
- Wider sidewalks
- Uniform streetscape
- Transparency



*Example of neighborhood center development. Rigden Farms, Fort Collins.*

# SF-1 & SF-2

- SF-1: minimal changes outlined in Residential Lot Standards slide
- SF-2: Overhauled similar to RMU zone at lower intensity





# Multifamily

|                      | Existing MF                                            | Proposed MF                                                                                                                          |
|----------------------|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Front Setback</b> | 20'                                                    | 20'<br>15' for entry features                                                                                                        |
| <b>Side Setback</b>  | 6" for every 1' of height                              | 20' for multifamily<br>5' for multiplex, townhouse, & duplex                                                                         |
| <b>Rear Setback</b>  | 6" for every 1' of height                              | 20' for multifamily<br>15' for townhouse, multiplex, & duplex                                                                        |
| <b>Open Space</b>    | 900 s.f. per unit (MF-1)<br>450 s.f. per unit (MF-2)   | 20-40% based on building type                                                                                                        |
| <b>Lot Size</b>      | 2400 s.f. per unit (MF-1)<br>1400 s.f. per unit (MF-2) | 1400 sf per unit for multifamily<br>1400-2400 sf per unit for townhouse<br>2500 sf per unit for multiplex<br>3000-4500 sf per duplex |

# Estate Zones

- Combine E-1 & E-2
- 1-acre lot minimum size. Density bonuses for open space



*Typical estate development. Steeplechase, Windsor.*



# Residential Rear Setbacks

| Rear Setbacks |                       |                       |
|---------------|-----------------------|-----------------------|
| Zone District | Existing Rear Setback | Proposed Rear Setback |
| E-2           | 5'                    | 8' 15'                |
| SF-1          | 5'                    | 8' 15'                |
| SF-2          | 5'                    | 8' 15'                |
| RMU           | 5'                    | 8' 15'                |



# Open Space / Lot Coverage

## Open Space

|                  | Existing                   | Proposed             |
|------------------|----------------------------|----------------------|
| Building Type    | Minimum Livable Open Space | Maximum Lot Coverage |
| Single Family    | 3000 per unit              | 60-65%               |
| Duplex           | 2000 per unit              | 60-65%               |
| Multifamily MF-1 | 900 per unit               | 80%                  |
| Multifamily MF-2 | 450 per unit               | 80%                  |



~ 60% lot coverage



*Vineyard Dr, Windsor.*

# Neighborhood Commercial

- Intent: small-scale commercial that is conveniently located to serve adjacent neighborhoods, such as the “corner store.”
- Limited application
- Buildings oriented toward the street and parking uses in the rear

|                        | Existing NC | Proposed NC |
|------------------------|-------------|-------------|
| <b>Front Setback</b>   | 25'         | 15'         |
| <b>Side Setback</b>    | 25'         | 15'         |
| <b>Rear Setback</b>    | 25'         | 15'         |
| <b>Building Height</b> | 55'         | 40'         |



*Example of neighborhood commercial type development.  
Highland Meadows, Windsor*





# General Commercial

- Reduced setback
- 100' lot width

|               | Existing GC | Proposed GC |
|---------------|-------------|-------------|
| Front Setback | 25'         | 20'         |
| Side Setback  | 20'*        | 20'         |
| Rear Setback  | 20'*        | 20'         |
| Lot Width     | n/a         | 100'        |

\*Planning Commission may approve lesser setback, but no less than 10'



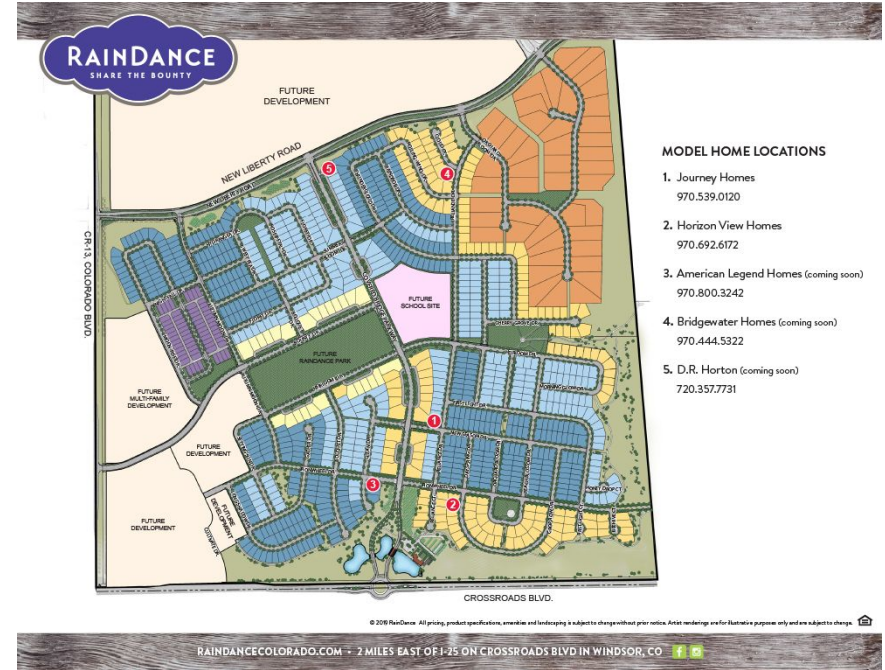
*Typical General Commercial development. King Soopers, Windsor*

# Other Zones

- Central Business – changes will be part of a separate update in order to better engage stakeholders.
- Agriculture Holding zone proposed to be added to allow agricultural properties (livestock, farming, etc.) that are annexed to Town to continue as agriculture when no development is planned
- Recreation and Open Lands renamed from Open Space zone
- Limited and Heavy Industrial – adding minimum lot width
- Mobile Home renamed to eliminate PUD reference to Planned and eliminated and simplified outdated language

# Planned Unit Development

- Negotiated overlay zone district that requires extra resources
- Administration of a PUD after approval also requires additional Town resources
- The intent of PUD zoning is largely to allow flexible or innovative design.
- RMU-2 and SF-2 zone districts intended to offer many of the same advantages of PUD zoning but in a more streamlined manner.





# Height Exceptions

| <b>Table 5- Height Exceptions</b>                                                |                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Belfries, spires, steeples, cupolas, and domes associated with places of worship | May extend above the building roof provided they are not used for dwelling purposes.                                                                                                                                                                                                                                                                               |
| Chimneys, cooling towers, smokestacks, ventilators, or flues                     | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                              |
| Elevator bulkheads and stairway enclosures                                       | May extend up to 10 feet above the building roof provided that such features collectively cover no more than five percent of the horizontal surface area of the roof                                                                                                                                                                                               |
| Parapet walls                                                                    | May extend up to five feet above the building roof                                                                                                                                                                                                                                                                                                                 |
| Public utility and emergency service facilities                                  | For purposes of specifying structure height and limitations, the term "structure" shall not apply to public utility or street lighting poles and appurtenances attached to them, and city-owned emergency communication facilities, including outdoor warning systems and radio and telecommunication structures necessary for the delivery of emergency services. |
| Rooftop mechanical equipment                                                     | May extend up to five feet above the building roof provided the equipment complies with screening requirements in <b>Section TBD</b>                                                                                                                                                                                                                               |
| Roof-mounted solar energy system                                                 | On flat roofs, may extend up to five feet above the building roof.                                                                                                                                                                                                                                                                                                 |
| Utility poles, support structures, water towers, and fire towers                 | May extend up to 10 feet above the building roof provided that such features cover no more than five percent of the horizontal surface area of the roof.                                                                                                                                                                                                           |

# Setback Exceptions

**Table 5- Setback Exceptions**

|                                                                                                                                         |                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accessibility ramps                                                                                                                     | May encroach into any setback but shall be no closer than 2' to any property line.                                                                                                                                                                |
| Decks                                                                                                                                   | May encroach into an interior side or rear setback up to 10', provided they are not located closer than 5' from an adjacent property line and are designed to accommodate lot drainage.                                                           |
| Fences or walls, including trash enclosures, and retaining walls less than 4' in height measured from top of wall to bottom of footer.  | May encroach into any setback subject to fence and wall standards                                                                                                                                                                                 |
| Mail boxes                                                                                                                              | May encroach into any front setback                                                                                                                                                                                                               |
| Mechanical equipment, ground mounted                                                                                                    | May encroach up to five feet into an interior side or rear setback provided no equipment or component of such equipment is located closer than two feet from any property line and the equipment location accommodates drainage, and is screened. |
| Patios                                                                                                                                  | May encroach into any setback provided they are no more than 12 inches above grade and are not located closer than three feet from an adjacent property line and are designed to accommodate lot drainage.                                        |
| Porches                                                                                                                                 | May encroach into an interior side or rear setback up to 10', provided they are not located closer than 5' from an adjacent property line and are designed to accommodate lot drainage.                                                           |
| Stairs, at grade                                                                                                                        | May encroach into any required setback up to six feet.                                                                                                                                                                                            |
| Stairs, above grade                                                                                                                     | May encroach into any required setback up to six feet provided they are not located closer than three feet from an adjacent property line.                                                                                                        |
| Stairs, below grade                                                                                                                     | May encroach into any setback up to six feet provided they are not located closer than three feet from an adjacent property line.                                                                                                                 |
| Structural projections such as cantilevered bay windows, balconies, chimneys, eaves, or other non-foundational overhangs or projections | May encroach into any required setback up to 3'.                                                                                                                                                                                                  |
| Swimming pools, hot tubs and/or spas                                                                                                    | May encroach into interior side and rear setback provided they comply with building code requirements and are designed to accommodate lot drainage.                                                                                               |
| Window Wells                                                                                                                            | May encroach into any setback up to three feet, provided that window wells closer than five feet to the property line are designed to accommodate lot drainage.                                                                                   |



## MEMORANDUM

**Date:** March 25, 2019  
**To:** Mayor and Town Board  
**Via:** Shane Hale, Town Manager  
**From:** Shane Hale, Town Manager  
**Re:** Future Meetings Agenda  
**Item #:** 2.

### ATTACHMENTS:

- ▢ Future Meetings Agenda



## FUTURE TOWN BOARD MEETINGS

---

|                                 |                                                                                                                                                                                                                                         |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| April 1, 2019<br>6:00 p.m.      | Town Board Special Meeting<br>RO Plant Presentation                                                                                                                                                                                     |
| April 8, 2019<br>5:30-6:00 p.m. | Board/Manager/Attorney Monthly Meeting                                                                                                                                                                                                  |
| April 8, 2019<br>6:00 p.m.      | Town Board Special Meeting<br>Cable Franchise Agreement                                                                                                                                                                                 |
| April 8, 2019<br>7:00 p.m.      | Town Board Regular Meeting                                                                                                                                                                                                              |
| April 15, 2019<br>5:30 p.m.     | Town Board Work Session<br>Meet the Board – New Hire Employees<br>7 <sup>th</sup> Street Traffic Update<br>2018 International Building Codes, Contractor Licensing & Residential<br>Guidelines – Joint meeting with Planning Commission |
| April 22, 2019<br>6:00 p.m.     | Town Board Work Session<br>Smoking in the Parks                                                                                                                                                                                         |
| April 22, 2019<br>7:00 p.m.     | Town Board Regular Meeting                                                                                                                                                                                                              |
| April 29, 2019                  | Fifth Monday – No Meeting                                                                                                                                                                                                               |
| May 6, 2019<br>6:00 p.m.        | Town Board Work Session<br>Bright Futures Presentation/Discussion<br>Transportation Master Plan Kick-Off                                                                                                                                |
| May 13, 2019<br>5:30 p.m.       | Board/Manager/Attorney Monthly Meeting<br>Parks, Recreation and Culture Strategic Plan                                                                                                                                                  |
| May 13, 2019                    | Town Board Regular Meeting<br>Kern Board                                                                                                                                                                                                |
| May 20, 2019                    | Town Board Work Session<br>Projected Residential Buildout Based on Existing Land Use                                                                                                                                                    |
| May 27, 2019                    | Meeting Cancelled, Town Hall Closed – Memorial Day                                                                                                                                                                                      |
| June 3, 2019<br>6:00 p.m.       | Town Board Work Session<br>Windsor Water Strategy                                                                                                                                                                                       |

June 10, 2019                      Board/Manager/Attorney Monthly Meeting  
5:30 p.m.

June 10, 2019                      Town Board Regular Meeting  
7:00 p.m.

**Additional Events**

March 28, 2019                      CDOT CO 257 and CO 392 Network Feasibility Study Public Open House  
4:00-6:30 p.m., WSFR Station #1, Windsor, CO  
April 11, 2019                      1<sup>st</sup> Quarter Regional Elected Officials Meeting 5:30-9:00, Wellington Fire  
Department  
April 26, 2019                      Bellvue Water Treatment Plant Tour, Bellvue, CO  
June 18-21, 2019                      Colorado Municipal League Annual Conference, Breckenridge, CO

**Future Work Session Topics**

- Investment Strategy Discussion
- Land Use Code Update meeting with Planning Commission (next code section in series) – Planning
- Economic development/retail needs at 60,000 population
- Parks and Recreation Strategic Plan