



## PLANNING COMMISSION

441 3rd Street, Mead  
Wednesday, November 15, 2023

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### AGENDA

**6:00 p.m.**

**REGULAR MEETING**

*In accordance with the Town's Remote Participation and Remote Meeting Policy adopted by the Board of Trustees on March 13, 2023 by Resolution No. 21-R-2023, remote participation will be allowed. The meeting link will be provided on the Town's website/designated posting place at least 24 hours prior to the meeting.*

**1. Call to Order – Roll Call**

Chairman Ryan Sword  
Chair Pro Tem Diana Kure  
Commissioner Gerald Abshier  
Commissioner Charles Gehringer  
Commissioner Karen Peterson  
Commissioner Alternate Chad Rademacher  
Commissioner Alternate Vacant

**2. Pledge of Allegiance to the Flag**

**3. Review and Approve Agenda**

**4. Public Comment:** *3 minute time limit. Comment is for any item whether it is on the agenda or not, unless it is set for public hearing.*

**5. Approval of Minutes**

a. Approval of May 17, 2023 Meeting Minutes

**6. Public Hearing**

**a. Code Amendments**

i. **Resolution 08-PC-2023** – A Resolution of the Planning Commission of the Town of Mead, Colorado, Recommending Approval of Staff-Initiated Text Amendments to Sections 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(e)(2), 16-3-90(g), AND 16-11-40(9) of the *Mead Municipal Code*, Regarding Floor Area Ratio Standards for Development and Encroachments into Setbacks

**7. New Business**

**a.** Alternate Commissioner - Vacancy

**8. Adjournment**

*In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact the Town Clerk's Office at 970-805-4182 within 48 hours prior to the meeting in order to request such assistance.*



# PLANNING COMMISSION

441 3rd Street, Mead  
Wednesday, May 17, 2023

## MINUTES

### 1. Call to Order – Roll Call

Chairman Sword called the regular meeting of the Planning Commission to order at 6:06 p.m.

#### **PRESENT**

Chairman Ryan Sword  
Chair Pro Tem Diana Kure  
Commissioner Gerald Abshier  
Commissioner Charles Gehringer  
Commissioner Karen Peterson

#### **ABSENT**

Commissioner Alternate Timothy Moorman - excused

**Also Present:** Town Community Development Director Jason Bradford; Town Planner Kyle Estrada-Clarke; Town Attorney Marcus McAskin (attended via Zoom); Secretary Jeannine Reed; and Commissioner Alternate Applicant Chad Rademacher.

### 2. Pledge of Allegiance to the Flag

All present recited the Pledge.

### 3. Review and Approve Agenda

*Motion made by Commissioner Kure, Seconded by Commissioner Gehringer to Approve the Agenda of the May 17, 2023 Regular Planning Commission Meeting as Written.*

*Voting Yea: Chairman Sword, Commissioner Kure, Commissioner Gehringer, Commissioner Peterson, Commissioner Abshier. Motion carried 5-0.*

### 4. Public Comment: 3 minute time limit. Comment is for any item whether it is on the agenda or not, unless it is set for public hearing.

There were no public comments.

### 5. Approval of Minutes

#### a. Approval of April 19, 2023 Meeting Minutes

*Motion made by Commissioner Peterson, Seconded by Commissioner Abshier to Approve the April 19, 2023 Regular Meeting of the Planning Commission Minutes as Written.*

*Voting Yea: Chairman Sword, Commissioner Kure, Commissioner Gehringer, Commissioner Peterson, Commissioner Abshier. Motion carried 5-0.*

6. Public Hearing

a. Buffalo Highlands Annexation and Zoning

- i. **Resolution No. 07-PC-2023** - A Resolution of the Planning Commission of the Town of Mead, Colorado Recommending Approval of the Buffalo Highlands Annexation Nos. 1-4, and Further Recommending the Establishment of Initial Zoning for the Subject Property as Residential Single Family-4 (RSF-4), Light Industrial (LI), And Agricultural (A)

Chairman Sword opened the public hearing at 6:11 p.m.

Mr. Jason Bradford presented the Staff Report and summarized Staff’s findings and recommendation.

Mr. Matt Hengel with Westside Investments presented proposed plans for the subject property and offered to answer questions on behalf of the Applicant EAS 2020, LLC.

The public comment portion of the hearing was opened at 6:27 p.m.

Public Comments were made by the following people:

- Becky Zipp, of Platteville - Presentations made available, water shares for property, condition of CR 36, number of units
- Colleen Peppler, of Platteville, - Industrial designation, CR 9 1/2,
- Gail Powers, of Platteville - Industrial designation, CR 38 access, condition of roads
- Gus Robson, of Platteville - Paving of CR 38, utility line placement

The public comment portion of the hearing was closed at 6:41 p.m.

Mr. Bradford and Mr. Hengel answered questions.

The Commissioners, staff and applicant further discussed the proposed resolution.

*Motion made by Commissioner Gehringer, Seconded by Commissioner Kure to Approve Resolution No. 07-PC-2023 - A Resolution of the Planning Commission of the Town of Mead, Colorado Recommending Approval of the Buffalo Highlands Annexation Nos. 1-4, and Further Recommending the Establishment of Initial Zoning for the Subject Property as Residential Single Family-4 (RSF-4), Light Industrial (LI), And Agricultural (A)*

*Voting Yea: Chairman Sword, Commissioner Kure, Commissioner Gehringer, Commissioner Peterson, Commissioner Abshier. Motion carried 5-0.*

Chairman sword closed the public Hearing at 7:13 p.m.

7. New Business

a. Introduce Commissioner Alternate Applicant - Chad Rademacher

Mr. Bradford introduced Commissioner Alternate Applicant Chad Rademacher to the Commissioners. Mr. Rademacher gave a brief background of himself and explained why he would like to join the Planning Commission.

**8. Adjournment**

*Motion made by Commissioner Kure to Adjourn the Regular Meeting of the Planning Commission of May 17, 2023.*

*Voting Yea: Chairman Sword, Commissioner Kure, Commissioner Gehringer, Commissioner Peterson, Commissioner Abshier. Motion carried 5-0.*

\_\_\_\_\_  
Ryan Sword, Chair

ATTEST:

\_\_\_\_\_  
Jeannine Reed, Secretary



# Agenda Item Summary

MEETING DATE: November 15, 2023

SUBJECT: **Resolution 08-PC-2023** – A Resolution of the Planning Commission of the Town of Mead, Colorado, Recommending Approval of Staff-Initiated Text Amendments to Sections 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(e)(2), 16-3-90(g), AND 16-11-40(9) of the *Mead Municipal Code*, Regarding Floor Area Ratio Standards for Development and Encroachments into Setbacks

PRESENTED BY: Collin Mieras, Planner II

## SUMMARY

Staff is proposing text amendments to Chapter 16 – Land Use Code of the Mead Municipal Code (“MMC”) relating to density and dimensional standards for lots and structures. Specifically, the proposed text amendments aim to (1) eliminate floor area ratio (FAR) standards, and (2) add permissible distances for non-foundational flatwork encroaching into setbacks and add encroachment standards for window wells (together, the “Text Amendments”). The Text Amendments are laid out with specificity in Exhibit A to the draft ordinance (“Ordinance”) attached as Exhibit 1 to Resolution No. 08-PC-2023.

Section 16-3-160 of the MMC states that amendments to the text of the Land Use Code may be initiated by Town Staff, and changes to Article III of the Land Use Code shall be reviewed and considered by the Planning Commission prior to referral to the Board of Trustees for consideration and enactment by ordinance.

This AIS recommends that the Planning Commission recommend approval of the proposed Text Amendments to the Board of Trustees.

## OVERVIEW

### (1) Text Amendments to Eliminate Floor Area Ratio Standards

FAR is the gross floor area of a building on a lot divided by the total area of the lot. For example, a 25,000 square-foot, one-story building located on a 100,000 square-foot lot would have a FAR of .25. See the provided attachment for a graphic representation of FAR.

A FAR maximum is typically used in land use codes to control the intensity of a development. Staff has found that the FAR maximum in the MMC is unnecessary as other density and dimensional standards already appropriately limit the intensity of development. Therefore, the Text Amendments include the following:

- Amend Section 16-1-150 to delete the definition of the term “floor area ratio.”
- Amend Section 16-3-80. – Table 3.3, which outlines the Density and Dimensional Standards for zoning districts in the Town. The proposed amendment removes the maximum Floor Area Ratio (FAR) standard from the table, as well as references to FAR.
- Amend Section 16-3-90(g) to remove the explanation of how FAR is to be measured.

- Amend Section 16-11-40(9) to eliminate the FAR standard for manufactured housing (for which the MMC includes lot and structure area dimensional standards).

**(2) Text Amendments to Add Permissible Distances for Non-foundation Flatwork Encroaching into Setbacks and Add Encroachment Standards for Window Wells**

The MMC creates setback requirements for all structures from lot lines by zone district. MMC Section 16-3-90(e)(2) identifies the allowable encroachments into setbacks on a lot. Improvements such as porches and heating and cooling equipment are allowed to encroach a set distance into the setback. Non-foundational flatwork, such as driveways, sidewalks, walkways, patios, parking lots etc. have also been permitted to encroach into the setback, but with no limitation on the distance of encroachment. The proposed Text Amendments add limitations to the distance that non-foundational flatwork can encroach into the setback, among other changes. Specifically, the Text Amendments amend MMC Section 16-3-90(e)(2) to specify:

- Encroachments cannot encroach into easements without easement holder’s permission;
- Driveways and sidewalks can only encroach into front setbacks and only if shared access or rear alley access is not provided;
- Non-foundational flatwork such as patios and walkways can encroach not closer than five feet to the nearest property line;
- Parking lots and drive aisles not closer than five feet to the nearest property line; and
- Window wells not to exceed three feet.

**REVIEW CRITERIA ANALYSIS**

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**Zoning Amendment Review Criteria (MMC Section 16-3-160. Amendments)**

The criteria by which text amendments to Chapter 16 of the Code (“Land Use Code”) are evaluated are set forth in Section 16-3-160(f), *Criteria for text amendments to the Zoning Code*. This subsection reads as follows:

“For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the text of this Article shall not be amended except:

- (1) To correct a manifest error in the text of this Article; or
- (2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff; or
- (3) To accommodate innovations in land use and development practices that were not contemplated at the adoption of this Article; or
- (4) To further the implementation of the goals and objectives of the Town Comprehensive Plan.”

Only one of the review criteria listed above must be met for the proposed Text Amendments to be approved. Staff believes the Text Amendments meet the following criteria:

*(2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff;*

**(1) Text Amendments to Eliminate Floor Area Ratio Standards**

Staff has found that the use of FAR in the MMC is unnecessary, as the MMC includes other density and dimensional standards that control the intensity of development. These standards include maximum lot coverage, height, and dwelling units per acre, as well as on-site parking and landscaping requirements.

When the FAR maximum is implemented along with the other density and dimensional standards listed above, it becomes increasingly complicated and burdensome for the developer to design their site and meet all the standards. Taking out the FAR maximum will allow for property owners to have more

flexibility in designing their site, while still being limited by the other density and dimensional standards to the appropriate intensity of use for the property.

**(2) Text Amendments to Add Permissible Distances for Non-foundation Flatwork Encroaching into Setbacks and Add Encroachment Standards for Window Wells**

Recently constructed residential developments in the Town have had smaller lot sizes than historically seen with older subdivisions in the Town. The smaller lot sizes have resulted in less area within the building envelope for accessory structures and improvements. Staff has seen an increasing number of residents constructing non-foundational flatwork, such as patios and walkways, within their side and rear setbacks as a result of the smaller lot sizes.

To mitigate any potential issues with having flatwork in the setbacks on these lots, Staff is proposing to require non-foundational flatwork to not be allowed to encroach closer than 5 ft. from the property line.

Staff has also included a revision to not allow flatwork to be constructed in or over any easements unless easement holders permit. Construction that occurs within an easement can conflict, for example, with utility companies’ access to their infrastructure for maintenance. Typically, the companies will remove the construction at the cost of the property owner and not replace the removed construction. To prevent these conflicts in the future, Staff is recommending that flatwork not be allowed to be constructed in or over an easement unless the easement holder so permits.

**FINANCIAL CONSIDERATIONS**

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N/A

**STAFF RECOMMENDATION/ACTION REQUIRED**

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Staff finds that the proposed Text Amendments, as outlined, satisfactorily meet the criteria for approval as set forth in Section 16-3-160(f) of the MMC and request that the Planning Commission approve Resolution No. 08-PC-2023, recommending approval of Staff-Initiated Text Amendments to the Board of Trustees via the following motion:

Suggested Motion:  
“I MOVE TO APPROVE RESOLUTION NO. 08-PC-2023, A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF MEAD, COLORADO RECOMMENDING APPROVAL OF THE STAFF-INITIATED TEXT AMENDMENTS TO SECTIONS 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(e)(2), 16-3-90(g), AND 16-11-40(9) OF THE MEAD MUNICIPAL CODE.”

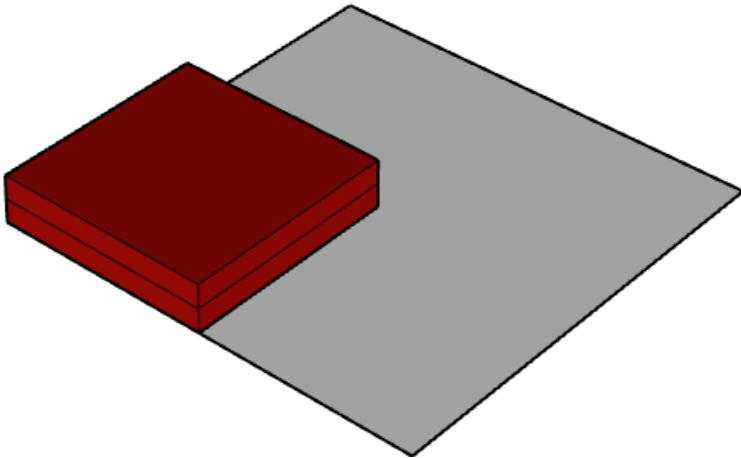
**ATTACHMENTS**

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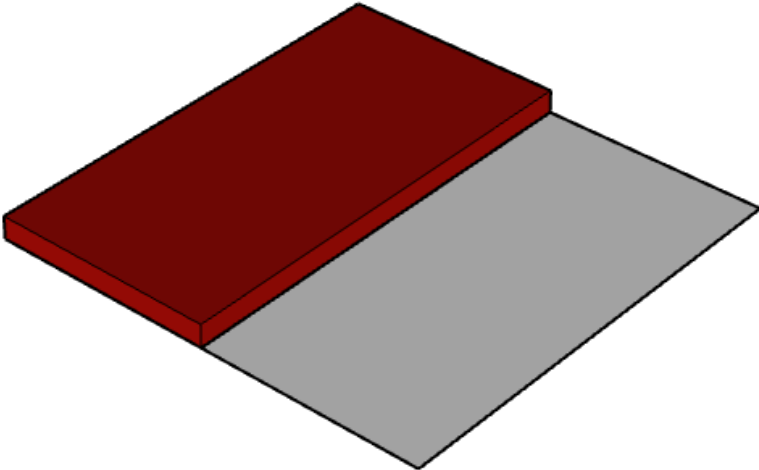
- 1. FAR Representation Graphic
- 2. Resolution 08-PC-2023
  - EXHIBIT 1 to Resolution: Draft Ordinance Amending Sections 16-1-150, 16-3-80 - Table 3.3, 16-3-90(e)(2), 16-3-90(g), and 16-11-40(9)
  - EXHIBIT A to Ordinance: Text Amendments shown with additions underlined and deletions in strike-through

# Floor Area Ratio (FAR) Graphic

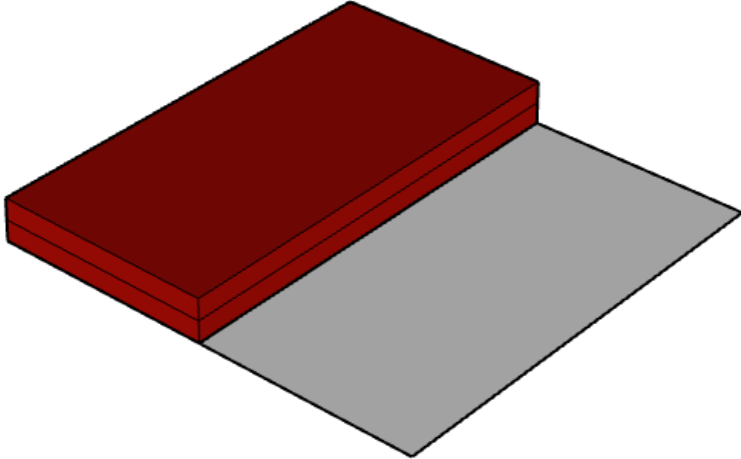
Section a, Item i.



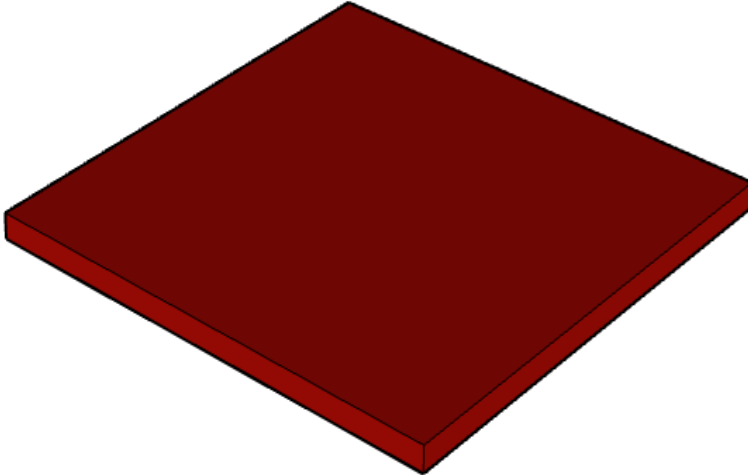
**FAR: .5**  
**Stories: 2**  
**Lot Coverage: 25%**



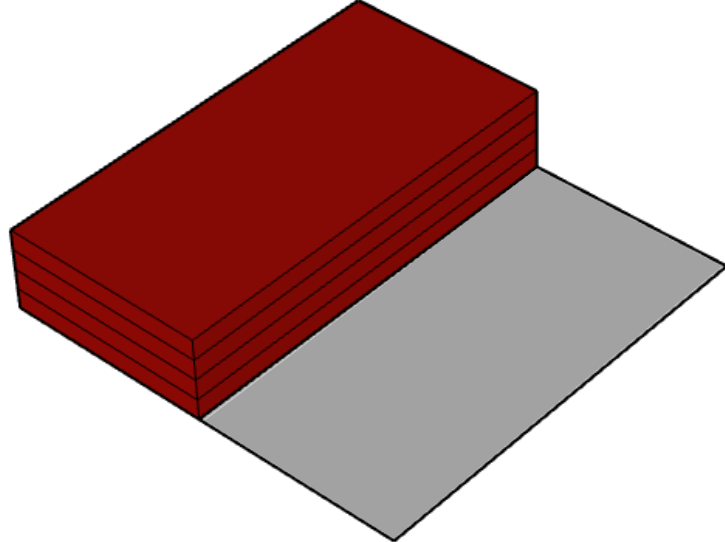
**FAR: .5**  
**Stories: 1**  
**Lot Coverage: 50%**



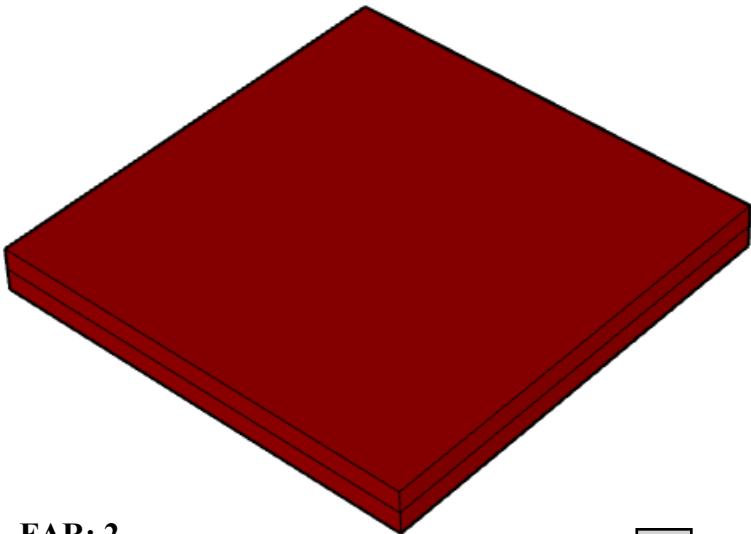
**FAR: 1**  
**Stories: 2**  
**Lot Coverage: 50%**



**FAR: 1**  
**Stories: 1**  
**Lot Coverage: 100%**



**FAR: 2**  
**Stories: 4**  
**Lot Coverage: 50%**



**FAR: 2**  
**Stories: 2**  
**Lot Coverage: 100%**



**TOWN OF MEAD, COLORADO  
PLANNING COMMISSION  
RESOLUTION NO. 08-PC-2023**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF MEAD, COLORADO, RECOMMENDING APPROVAL OF STAFF-INITIATED TEXT AMENDMENTS TO SECTIONS 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(e)(2), 16-3-90(g), AND 16-11-40(9) OF THE MEAD MUNICIPAL CODE, REGARDING FLOOR AREA RATIO STANDARDS FOR DEVELOPMENT AND ENCROACHMENTS INTO SETBACKS**

**WHEREAS**, Section 16-3-160(d) of the Town of Mead Municipal Code ("MMC") sets forth that any amendments to the text of Chapter 16 of the MMC ("Land Use Code") may be initiated by the Board of Trustees, the Planning Commission, Town Staff, or the written application of any property owner or resident of the Town, and certain of such text amendments shall be reviewed and considered by the Planning Commission, prior to consideration by the Board of Trustees for enactment by ordinance; and

**WHEREAS**, Town Staff has proposed to amend Sections 16-1-150, 16-3-80- Table 3.3, 16-3-90(e)(2), 16-3-90(g), and 16-11-40(9) of the MMC, regarding floor area ratio standards for development and encroachments into setbacks, as shown in Exhibit A to the proposed ordinance attached to this Resolution as **EXHIBIT 1** (collectively, the "Amendments"); and

**WHEREAS**, the criteria by which text amendments to the Land Use Code are evaluated are set forth in Section 16-3-160(f) of the MMC; and

**WHEREAS**, in accordance with applicable requirements of the MMC, the Town Clerk has caused a notice of the Planning Commission public hearing on the Amendments to be published no later than fifteen (15) days prior to the hearing in a newspaper of general circulation; and

**WHEREAS**, the Planning Commission conducted the duly noticed public hearing on November 15, 2023, to consider the Amendments; and

**WHEREAS**, the MMC requires the Planning Commission to make a recommendation to the Board of Trustees to approve, conditionally approve or deny any proposed text amendment; and

**WHEREAS**, based upon evidence set forth in the Agenda Item Summary that was presented to the Planning Commission and other evidence offered and accepted at the public hearing, the Planning Commission has determined that the approval criteria set forth in Sec. 16-3-160(f)(2) of the MMC have been satisfied in that the Amendments, if approved by the Board of Trustees, will assist with the accommodation of innovations in land use and development practices that were not contemplated at the adoption of the Town's existing Code, and will further the implementation of the goals and objectives of the Town's Comprehensive Plan; and

**WHEREAS**, the Planning Commission desires to recommend approval of the Amendments to the Board of Trustees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the Town of Mead, Colorado, that:

**Section 1.** Recitals incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Planning Commission.

**Section 2.** Recommendation. The Planning Commission finds and determines that it reviewed the Amendments in accordance with the procedure set forth in Sec. 16-3-160 of the MMC and that the public hearing on the Amendments was held, conducted and concluded in accordance with Sec. 16-3-160 of the MMC. The Planning Commission recommends that the Board of Trustees approve the Amendments.

**Section 3.** Effective Date. This resolution shall become effective immediately upon adoption.

**INTRODUCED, READ, PASSED AND ADOPTED THIS 15TH DAY OF NOVEMBER, 2023.**

ATTEST:

TOWN OF MEAD PLANNING COMMISSION:

By: \_\_\_\_\_  
Jeannine Read, Secretary

By: \_\_\_\_\_  
Chair

**EXHIBIT 1**

PROPOSED ORDINANCE AMENDING SECTIONS 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(e)(2),  
16-3-90(g), AND 16-11-40(9) OF THE *MEAD MUNICIPAL CODE*

[Attached.]

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. XX**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,  
AMENDING SECTIONS 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(e)(2), 16-3-90(g), AND 16-11-40(9) OF THE MEAD MUNICIPAL CODE, REGARDING FLOOR AREA RATIO STANDARDS FOR DEVELOPMENT AND ENCROACHMENTS INTO SETBACKS**

**WHEREAS**, in accordance with Section 16-3-160 of the Town of Mead Municipal Code ("MMC"), amendments to the text of Chapter 16 of the MMC may be initiated by the Board of Trustees, the Planning Commission, the Town Staff or written application of any property owner or resident of the Town; and

**WHEREAS**, certain text amendments are required to be reviewed by the Planning Commission at a public hearing; and

**WHEREAS**, following review and consideration of the Board of Trustees following a public hearing, text amendments to Chapter 16 of the MMC are enacted by Ordinance;

**WHEREAS**, Town Staff has proposed certain text amendments to Sections 16-1-150, 16-3-80-Table 3.3, 16-3-90(e)(2), 16-3-90(g), and 16-11-40(9) of the MMC, regarding floor area ratio standards for development and encroachments into setbacks, as shown in **Exhibit A** attached to this Ordinance (collectively, the "Amendments"); and

**WHEREAS**, the Planning Commission considered the Amendments at a duly noticed public hearing on November 15, 2023, and recommended approval of the Amendments by Resolution [redacted]; and

**WHEREAS**, in accordance with applicable requirements of the MMC, the Town Clerk has caused a notice of the Board of Trustees public hearing, regarding the Amendments, to be published no later than fifteen (15) days prior to the public hearing in a newspaper of general circulation; and

**WHEREAS**, the Board of Trustees considered the Amendments at a duly noticed public hearing on [redacted], 2023; and

**WHEREAS**, the Board of Trustees desires to approve the Amendments as specifically set forth in **Exhibit A** attached hereto, finds that the approval of the Amendments is in the best interest of the health, safety, and welfare of the public, and further finds that the criteria for text amendments to the zoning code set forth in Section 16-3-160(f) have been satisfied.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

**Section 1. Recitals incorporated.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

**Section 2. Amendment.** The Amendments set forth in **Exhibit A** of this Ordinance are hereby approved.

**Section 3. Effective Date.** This Ordinance shall be published and become effective as provided by law.

**Section 4. Remaining Provisions.** Except as specifically amended hereby, all other provisions of the MMC shall continue in full force and effect.

**Section 5. Instructions to Codifier.** The codifier of the MMC is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the Amendments set forth in **Exhibit A** of this Ordinance within the MMC.

**Section 6. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

**Section 7. Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

**Section 8. Certification.** The Town Clerk shall certify the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS [ ] DAY OF [ ], 2023.**

**ATTEST:**

**TOWN OF MEAD:**

By: \_\_\_\_\_  
Mary E. Strutt, MMC, Town Clerk

By: \_\_\_\_\_  
Colleen G. Whitlow, Mayor

**EXHIBIT A**

Amendments – Mead Municipal Code Sections 16-1-150, 16-3-80 – Table 3.3, 16-3-90(e)(2), 16-3-90(g), and 16-11-40(9)

**Section 16-1-150 is hereby amended to delete the definition of Floor Area Ratio (FAR), as shown below in strike-through. Section 16-1-150 shall remain unchanged except as explicitly provided in this Exhibit A.**

~~*Floor Area Ratio (FAR) means the amount of gross floor area of all principal buildings on a lot or block, as the case may be, divided by the total area of such lot, or the block size, respectively, on which such buildings are located. For mixed-use blocks, the residential square footage shall be added to the commercial development for a total block FAR.*~~

**Section 16-3-80 – Table 3.3 is hereby amended as reflected below, with additions shown underlined and deletions in strike-through.**

[Attached beginning on the following page.]

**Sec. 16-3-80. - Density and dimensional standards.**

Table 3-3 lists the density and dimensional standards that apply within zoning districts. These are base standards, not guarantees that stated minimums or maximums can be achieved on every site. Other regulations of this land use code or site-specific conditions may further limit development.

Zoning district	Density (dwelling units per acre)		Minimum lot size (net) <sup>7, 15</sup>		Min. Street Frontage <sup>4</sup> (feet)	Minimum Setbacks Principal/Accessory <sup>9, 5</sup>			Max. Lot Coverage (%)	<del>Max. FAR<sup>5, 7.5</sup></del>	Max. Building Size <sup>3</sup> (sq. ft.)	Max. Height (feet)
	Max	Min.	Area (sq. ft.)	Width (ft.)		Street <sup>1</sup> (feet)	Side <sup>2</sup> (feet)	Rear (feet)				
Residential Zoning Districts												
RSF-E	1 per 2.5 Ac.	na	2.5 Ac	100	50	20/25	15/5	25/10	15	<del>na</del>	na	35/30
RSF-1	1.0	2.5	43,560	100	50	20/25	15/10	30/10	20	<del>na</del>	na	35/30
RSF-4 <sup>8</sup>	4	2	6,250	50	40	20/25	5/5	25/10	50	<del>na</del>	na	35/30
RMF-8	8	4	5,000 <sup>7, 15</sup>	50 <sup>15</sup>	20	20/25 <sup>15</sup>	See Notes 10, 15	25/10 <sup>15</sup>	70	<del>0.45</del>	na	35/30
RMF - 14	14	8	4,000 <sup>7, 15</sup>	40 <sup>15</sup>	20	20/25	5/5	25/10 <sup>15</sup>	75	<del>0.75</del>	na	47
Nonresidential zoning districts												
DMU	14	na	5,000 <sup>15</sup>	50 <sup>15</sup>	na	0/0 <sup>11, 15</sup>	0/0 <sup>6, 15</sup>	0/0 <sup>6, 15</sup>	100	<del>4.00</del>	15,000	40
HC	8	na	7,500	50 <sup>15</sup>	na	20/25 <sup>15</sup>	0/0	0/0 <sup>6</sup>	75	<del>0.50</del>		40
GC	8	na	1 ac <sup>15</sup>	50 <sup>15</sup>	na	20/25 <sup>15</sup>	0/0	0/0 <sup>6</sup>	80	<del>0.50</del>	125,000 per business use	40
LI	8	na	1 ac	100	na	20/25	0/0	25/25	80	<del>0.25</del>		40

Zoning district	Density (dwelling units per acre)		Minimum lot size (net) <sup>7, 15</sup>		Min. Street Frontage <sup>4</sup> (feet)	Minimum Setbacks Principal/Accessory <sup>9, 5</sup>			Max. Lot Coverage (%)	<del>Max.</del> FAR <sup>5, 13</sup>	Max. Building Size <sup>3</sup> (sq. ft.)	Max. Height (feet)
	Max	Min.	Area (sq. ft.)	Width (ft.)		Street <sup>1</sup> (feet)	Side <sup>2</sup> (feet)	Rear (feet)		<del>na</del>		
AG	1 per 5 Ac.	na	na	na	na	na	na	na	na	<del>na</del>	na	na

Notes to Table 3-3

- <sup>1</sup> Garages with street facing doors shall be setback 23 feet from the street property line in all urban residential zones. Garages may be up to 5 feet in front of enclosed living areas of the home.
- <sup>2</sup> Side setbacks for accessory structures apply to those that are located on the rear half of the lot. Principal setbacks apply to accessory structures that are not located on the rear half of the lot.
- <sup>3</sup> Buildings in excess of stated maximum size limits may be approved in accordance with the Conditional Use Permit procedures in this Code.
- <sup>4</sup> Minimum street frontage on a cul-de-sac is reduced to 30 feet.
- <sup>5</sup> ~~FAR = Floor Area Ratio. Reserved for future note.~~
- <sup>6</sup> Five (5) foot setback between adjacent residential uses, ten (10) foot setback between residential zone or use and a commercial use.
- <sup>7</sup> In RSF-4 and all RMF districts the minimum lot area is required for each dwelling unit.
- <sup>8</sup> In RSF-4 districts, lot size may be reduced by not more than ten percent (10%), provided that the overall average lot size within the district is 6,250 square feet, (i.e., total area within the lots/number of lots = 6,250 square feet) The ten percent (10%) lot reduction provision does not trigger the clustering of lots as provided in Section 16-3-110(4).
- <sup>9</sup> A Principal structure is defined as the structure containing the principal use on the property including structures which are attached to and architecturally integrated with the principal structure. An accessory structure is defined in other sections of this Code.
- <sup>10</sup> RMF-8 Side yard setbacks for single family residences require a minimum of 5 feet from side lot line on one side and a minimum of 10 feet from side lot line on the other side retaining a minimum separation between adjacent principal structures of 15 feet. Accessory structures may be located 3 feet from side lot line. Multi-family setbacks for principal structures are 20 feet minimum from one side yard property and a minimum of 5 feet from the other side property line retaining a required minimum separation of 25 feet between multi-family principal structures on adjacent lots. Accessory structures to multi-family structures must be set back 5 feet from the property line.
- <sup>11</sup> In DMU districts the minimum street setback for residential property is 20/25.
- <sup>12</sup> In RSF-4 districts, on corner lots, the side lot line adjacent to a street shall have a minimum setback of 15 feet.
- <sup>13</sup> In RSF-4 districts, ranch style homes may have a maximum lot coverage of 60%.
- <sup>14</sup> General Note: See the Alternative Residential Development Standards of this Code for additional information regarding Flagpole Lots, Attached Housing, Zero Lot Line and Cluster Development.



(1) The minimum lot size shall be one thousand six hundred (1,600) square feet.

~~(2) FAR calculation shall not apply to this type of development.~~

~~(3)~~(2) The front setback shall be ten (10) feet from the lot line, rear setback shall be twenty (20) feet, side setbacks shall be zero (0) for interior lots and ten (10) feet for end or corner lots, or the same as the underlying zone district.

~~(4)~~(3) For additional clarification, refer to Land Use Code Section 16-3-110 alternative residential development options (2)a., (2)b., and (2)c.

Section 16-3-90(e)(2) is hereby amended as shown below, with additions underlined. Section 16-3-90 shall remain unchanged except as explicitly provided herein.

- (2) Exceptions and permitted encroachments. Setbacks must be unobstructed from the ground to the sky, except that the following features may encroach into required setbacks, as long as they do not interfere with the site triangle of roadways, alleys and streets, and as long as they do not encroach into or over an easement without the grantee's permission:

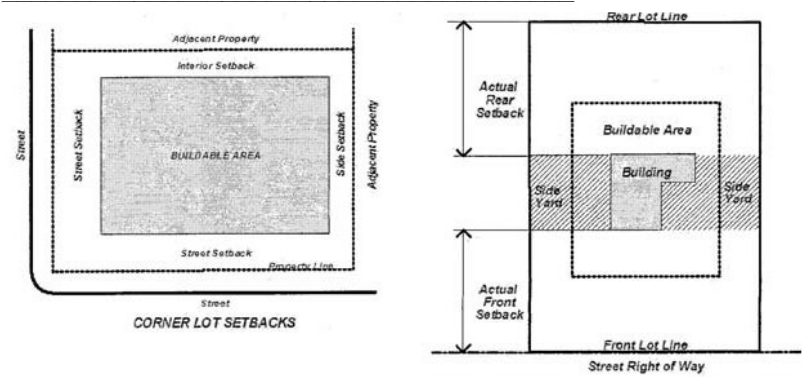


Figure 3.2 Corner Lot Setbacks and Figure 3.3 Measurements of Setbacks

- a. Landscaping;
- b. Clothesline post;
- c. Driveways, eCurbs and sidewalks;
- d. Driveways and sidewalks, within the front setback only, unless a shared access or a rear alley access is proposed, provided that the driveway complies with the requirements outlined in Sec. 16-2-70(b)(2);
- e. Patios, walkways, and other non-foundational flatwork not specified in this section, not closer than five (5) feet from the nearest property line;
- f. Parking lots and drive aisles, unless otherwise specified in Sec. 16-2-150, not closer than five (5) feet from the nearest property line, unless shared off-street parking is proposed;
- g. Window wells, not to exceed three (3) feet;
- dh. Flagpoles;
- ei. Heating and cooling units, not to exceed three (3) feet;
- fj. Mailboxes;
- gk. Overhanging roof, eave, gutter, cornice or other architectural feature and awnings, not to exceed two (2) feet;
- hl. Septic systems, wells and underground utilities;
- im. Signs;
- jn. Steps, stairs or fire escapes (non-enclosed), not to exceed six (6) feet;
- ko. Uncovered, unenclosed terraces or porches, not to exceed six (6) feet within front and rear setbacks only;
- lp. Accessory buildings, within required rear setbacks only;
- mq. Fences or walls six (6) feet or less in height, if otherwise allowed by Town regulations (Note: fences or walls over six (6) feet in height require a Building Permit and shall be subject to all setback standards); and
- nr. Yard and service lighting fixtures and poles.

**Section 16-3-90(g) is hereby amended as shown below, with additions underlined and deletions in strike-through. Section 16-3-90 shall remain unchanged except as explicitly provided in this Exhibit A.**

(g) *Floor Area Ratio (FAR)* is measured as the ~~gross floor area~~ of all buildings on a lot or parcel, divided by the lot area. ~~Floor Area Ratio = Gross Floor Area &div; Lot Area~~ Reserved.

**Section 16-11-40(9) is hereby amended as shown below, with additions underlined and deletions in strike-through. Section 16-11-40 shall remain unchanged except as explicitly provided in this Exhibit A.**

(9) ~~Floor area ratio: not to exceed 0.4.~~ Reserved.