

# **Land Development Code Update**

## **City Council / Planning Commission Workshop**

**August 13, 2018**

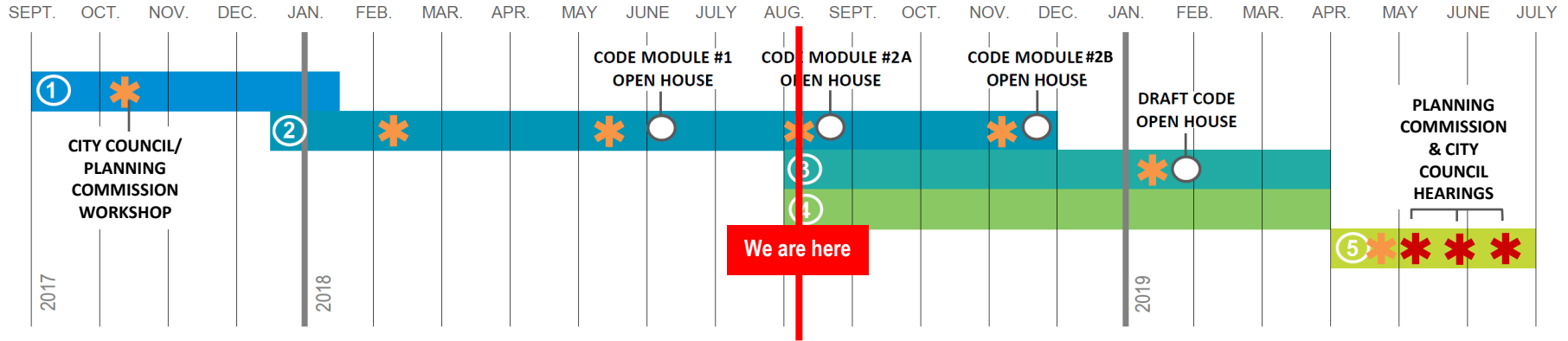


**We Dream Big and Deliver**

# PURPOSE OF MEETING

- To provide a summary of “Module 2”
- To request Council and Planning Commissions thoughts on key topics:
  - Self-Storage Moratorium
  - Short-Term Rentals
  - Accessory Dwelling Units
  - Options for Home Businesses
  - Strategies for Residential Conservation

# THE WORK PLAN



**1. Project initiation**

**2. Code Modules preparation and public review**

**3. Draft Code development and public review**

**4. Remapping of zoning Districts**

**5. Code completion and approval**

# MODULE 2 OVERVIEW

## MODULE 2 FOCUS

- ZONING DISTRICTS, LAND USE, BUILDINGS, AND STRUCTURES
  - *What Can I Do?*
  - *How Much Can I Do?*
  - *What Does it Have to Look Like?*
  - *What Are Standards for Particular Land Uses?*
  
- DEFINITIONS
  - *What do the Words and Acronyms Mean?*

# USE-SPECIFIC STANDARDS

- Certain land uses have relatively predictable impacts or design features that the City has an interest in regulating
- Uses that are designated in the land use tables as “Limited” or “Conditional” are subject to use-specific standards to mitigate their impacts
- Use-specific standards are influenced by existing code provisions, but updated to match land uses in the new land use tables

# TEMPORARY USES

- City's existing temporary use framework is carried forward. Standards are provided for:
  - Contractor offices and temporary construction uses
  - Credit union car sales
  - Farmers markets
  - Food truck vending
  - Produce stands
  - Special events
  - Temporary outdoor sales
  - Temporary real estate offices
  - Transient merchants and entertainment
  - Other temporary uses
- There is additional work to do with Staff to reduce the complexity of the temporary use standards.

# BUSINESS USE OF THE HOME

- Standards provided for home occupations, home child care, short-term rentals, and bed and breakfast uses



# DENSITY, INTENSITY, AND OPEN SPACE

- Tables are provided that answer the question “how much can I build?” with limitations on density and minimum requirements for open spaces or landscaped areas.
- Standards are intended to reinforce the desired character (balance of buildings, landscaping, and pavement) in each zoning district.

# LOTS, BUILDINGS, AND STRUCTURES

- Lot, setback, and building standards are provided for the various Residential Conservation subdistricts (subdistricts that represent the City’s existing neighborhood types)
- A “Housing Palette” is provided to allow for a range of options for the development of residential uses in zoning districts that are intended for new (“greenfield”) residential development
- Olde Town standards are simplified somewhat
- Lot, setback, and building standards are provided for nonresidential and mixed-use zoning districts

# SIGNS

- Sign code is recalibrated to address the new zoning districts
- Prior work on the sign code was kept almost entirely intact

# KEY TOPICS

# SELF-STORAGE MORATORIUM

## Issue:

Moratorium expires in early October

## Three options:

1. Let the moratorium expire and keep in existing districts
2. Proceed to draft ordinance to remove use from PUD-BP
3. Proceed to draft ordinance to remove use from PUD-BP and PUD-I (so would be in I-1 and I-2)

## Thoughts?

# SHORT-TERM RENTALS

**Short-term Rentals:** Residential properties are available for rent for 1-29 days through websites such as VRBO.com and AirBnB.com

## **Current Situation:**

- City doesn't allow short-term rentals, however they do exist in Arvada

## **Issues:**

- **Pros:**
  - Provides property owner with additional income
  - Brings tourists that can support local businesses in the area + taxes
- **Cons:**
  - Can remove long-term rentals from the market increasing rents
  - May impact neighborhood character

# SHORT-TERM RENTALS

## Options:

- Require short-term rentals be licensed with either annual renewal or renewal every 2 years to create registry and community standards. Collect lodging tax.
- Require property to be primary residence for landlord (e.g., *Denver*)
- Allow one listing per parcel. This prevents renting out of multiple rooms in homes, and limits rentals in multifamily buildings (e.g., *Denver*)
- Allow short-term rentals in dwelling units that are not occupied by the owner (e.g., whole house rental, *Fort Collins*)
- Include in LDC for single-family and multifamily zoning districts as accessory use

# SHORT-TERM RENTALS

## If considering allowing short-term rentals:

- Establish short-term rental break-out group with Advisory Committee, citizens, representatives of neighborhood groups, short-term rental owners and users, Arvada Visitors Center, Arvada Chamber of Commerce, and AEDA to assist staff
  - Determine requirements for licensing (e.g., building code, parking, insurance, respect for neighbors, etc.)
  - Address speculative house purchases
  - Hold public meetings for review, comment and feedback

## Thoughts?



# ACCESSORY DWELLING UNITS

## Current Situation:

- ADUs allowed by City since July, 2007
- Goal for ADUs was to provide housing options that are:
  - “more affordable, and allow through income generation, seniors and others on a fixed income to retain their homes, or fund maintenance expenses”
  - “fostering a diverse mix of housing in the community”
  - “increasing the opportunity for affordable housing”
  - “encouraging infill development that is compatible with the City’s single-family housing stock”

# ACCESSORY DWELLING UNITS

## Existing Conditions:

- Allowed only with single-family detached dwelling in residential zoning districts, must meet setback requirements
- **8 Type A** ADUs in Arvada (Detached and separate dwelling, can be rented)
- **11 Type B** ADUs in Arvada (Inside or attached to dwelling, locked, and can be rented)
- **Approx. 25 Type C** ADUs (located within principal dwelling, not locked or rented)
- Home occupations are not allowed in ADUs

# ACCESSORY DWELLING UNITS

## Size and Design of ADUs:

- ADUs can be between 400 and 800 SF depending on size of primary dwelling
- All ADUs must be > 200 SF, and can be studio, 1- or 2-bedrooms units
- If ADU is within the footprint of an existing home, can be up to 50% of principal dwelling including basement
- If ADU  $\leq$  600 SF, no more than 2 persons can live there, and if > 600 SF, the maximum number is 3 residents
- One parking space is required
- ADU shall have “similar exterior wall materials, window types, door and window trims, roofing materials and roof pitch and colors” to primary dwelling

# ACCESSORY DWELLING UNITS

## Recorded Deed Restrictions:

- Require property owner occupancy in either principal dwelling or ADU
- Prohibition of separate sale of the ADU unless the lot can be legally subdivided
- Size of ADU is restricted to the approved size
- Type C unit cannot be rented unless changed to a Type B through City process
- Time consuming process to remove restriction when conditions change

# ACCESSORY DWELLING UNITS

## Issues:

1. Height and scale of ADUs – currently no max. height other than 35 ft. and roof similar to primary unit.
2. Size maximums are dependent on size of home , not lot size.
3. High visibility of ADUs on corner lots due to challenges with setbacks
4. Challenge of having “similar materials” to existing homes, elements such as roof pitch and other design standards in LDC
5. Deed restriction requirement

# ACCESSORY DWELLING UNITS

## Issues:

1. Height and scale of ADUs
2. Maximum size is independent of lot size
3. Corner lots challenges

## Options:

- Reduce height of Type A ADUs from 35 ft. to 27 ft. Type B ADUs would be within proposed max. height of principal residence in zoning district.
- Scale the maximum size of ADUs relative to the size of residence and lot
- Corner lots:
  - Allow greater reductions in setback requirements for corner lots; or
  - Prohibit ADUs on corner lots adjacent to any street frontage

# ACCESSORY DWELLING UNITS

## Issues:

4. Challenge of having “similar materials” to existing homes, elements such as roof pitch and other design standards in LDC

## Options:

- Review ADU design standards to address compatible design elements and allow more latitude for modern design elements (e.g., roof pitch doesn't need to match primary residence)
- Only allow at locations with limited visual impact on adjacent streets

# ACCESSORY DWELLING UNITS

## Issues:

5. Deed restriction requirement

## Options:

- Retain deed restriction as is
- Remove deed restriction requirement and simply include the standard in the LDC that one of the units be owner-occupied

## Thoughts?



# EXPANDED BUSINESS USE OF THE HOME

## Home occupations currently:

- Can occur in principal dwelling unit only but not in a garage, any accessory building, guest house, or ADU
- Can be carried out only by residents of dwelling

## Issue:

- Limits opportunities for home occupations such as artists in separate studios and other creative spaces, limited workshops, small scale operations (coffee roasting), etc.

## Options:

- Allow home occupations in a garage and accessory structure, and ADU
- Accessory structure could be a office, studio, workshop (with bathroom but no kitchen)
- Allow expanded use opportunities (no exterior impact)

## Thoughts?

# NEIGHBORHOOD CONSERVATION STRATEGIES

## Issue:

Concern expressed to maintain neighborhood character of established neighborhoods

## Options:

- Reduce residential building height (max. 35 ft. to 27 ft.)
- Limit the amount of increased development that can occur on a lot to maintain neighborhood integrity and character, yet allow modernization and small-scale change
- Scale number and size of accessory structures to lot size

## Thoughts?

# NEXT STEPS

## NEXT STEPS

- Additional discussions with Advisory Committee and internal Technical Committee
- Iterative process of input and drafting
- Summary of Code Module 1 public comments in “What We Heard” document at next open house and on website

## OPEN HOUSES (ANNE CAMPBELL ROOM AND ATRIUM)

- **Community Open House #2, Code Module 2A** – Wednesday, August 29, 6:00 – 8:00 p.m.
- **City Council/Planning Commission Workshop, Code Module 2B** – November 12
- **Community Open House #3, Code Module 2B** – Thursday, Nov. 29, 6:00 – 8:00 p.m.
- **City Council/Planning Commission Workshop, Code Module 3** – January 14, 2019
- **Community Open House #4, Code Module 3** – 1<sup>st</sup> Quarter 2019

# CONTINUED PUBLIC OUTREACH AND ENGAGEMENT



- Community open houses
- Website – [AdvanceArvada.org](https://www.advancearvada.org)
  - Meeting notices and minutes
  - Issue papers and surveys
  - Public review and comment on Code modules
  - Information on remapping
- Social media and newsletters

# Questions?