

**REQUEST FOR CITY COUNCIL ACTION****TITLE: COUNCIL BILL NO. 04-2020 – AN ORDINANCE AMENDING  
CHAPTER 26 OF THE WHEAT RIDGE CODE OF LAWS  
PERTAINING TO THE DESIGN AND PLATTING OF  
MULTIFAMILY DEVELOPMENT AND ATTACHED SINGLE  
FAMILY HOMES (CASE NO. ZOA-20-02)**

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|--|---|
| <input checked="" type="checkbox"/> PUBLIC HEARING | <input type="checkbox"/> ORDINANCES FOR 1 <sup>ST</sup> READING (02/24/2020)            |
| <input type="checkbox"/> BIDS/MOTIONS              | <input checked="" type="checkbox"/> ORDINANCES FOR 2 <sup>ND</sup> READING (03/09/2020) |
| <input type="checkbox"/> RESOLUTIONS               |   |

QUASI-JUDICIAL:       YES                       NO  
\_\_\_\_\_  
Community Development Director  
\_\_\_\_\_  
City Manager**ISSUE:**

Historically, the zoning code has treated attached single family dwellings, or townhomes, as general “multifamily” development, and very few standards relate specifically to the townhome building form. Given the increasing prevalence of townhomes and the steady inquiries staff continue to receive, this code amendment updates certain provisions that specifically apply to the design and platting of attached single family dwellings.

**PRIOR ACTION:**

These issues of design and platting were presented to City Council at a study session on January 6, 2020 at which time Council gave direction to proceed with a code amendment. Planning Commission reviewed the proposed ordinance at a public hearing on February 20, 2020 and recommended approval. Draft meeting minutes from the Planning Commission public hearing are attached.

**FINANCIAL IMPACT:**

There are no direct financial impacts to the City.

**BACKGROUND:**

*Site and Building Design*

The enclosed ordinance fine tunes and buttresses the City’s existing mixed use code to ensure high quality design specifically for townhome units that are adjacent to a public street. The code amendment addresses four specific design issues:

1. The ordinance includes provisions that require front facades (those with front doors) be oriented to the street. This ensures that pedestrian features engage the public realm as is typical of a residential neighborhood.
2. The ordinance includes variation in rooflines as a means to achieving articulation (this was previously incorporated into the Architectural and Site Design Manual (ASDM) by administrative amendment in Section 4.A.5, but the ASDM does not apply to mixed use districts).
3. The ordinance includes provisions that require variation in plane depth specifically for attached single family dwellings regardless of the length of the building. This provides shadow lines and visual interest particularly along the long side of building.
4. The ordinance establishes a maximum of eight (8) side-by-side units within a building. This ensures that building massing remains residential and human in scale.

If the ordinance is approved, the Architectural and Site Design Manual will be updated by staff to reflect these same four design provisions. Per Section 26-224 of the code, the ASDM is a regulatory document that may be amended and updated by staff.

These additional regulations ensure that proposed projects are consistent with the City’s design goals, limit the ability for “slot home” development, and provide better leverage for staff when requiring revisions for development applications. Historically, staff has been successful in obtaining developer compliance with these design goals based on more generic language in the code; but codifying these requirements is beneficial and would clarify expectations for applicants, the public, and staff.

*Lot Line Adjustments*

With townhomes, a property owners owns the dwelling unit *and* the underlying or surrounding land. Townhomes are platted according to the subdivision regulations (Chapter 26, Article IV) and the review process is dependent on the number of lots affected. With these attached products, the width of the platted lot determines the width of the unit to be constructed.

A lot line adjustment (LLA) adjusts the common property line or boundaries between two or more parcels. LLAs occur more frequently for townhome projects than for detached single family subdivisions because if homebuyer preferences shift, then the unit width can shift, and the underlying lot may need to shift. These shifts can also be the result of drafting or construction errors.

Townhome lot line adjustments are often minor in nature—a matter of inches or feet—but under current regulations these requests are processed as though they are a new subdivision. Review of

townhome LLAs at a public hearing requires resources and time that are often disproportionate with the extent of the proposed changes. For these reasons, the proposed ordinance establishes a new and narrow classification of administrative plats for lot line adjustments of a previously approved townhome plat that complies with the following criteria:

- the request does not create new or additional lots or parcels,
- the request does not materially alter the subdivision design, and
- the request conforms to all subdivision and zoning regulations.

The attached Planning Division staff report provides additional context and background information on these two issues of design and platting.

**RECOMMENDATIONS:**

Staff recommends approval of the ordinance.

**RECOMMENDED MOTION:**

“I move to approve Council Bill No. 04-2020, an ordinance amending Chapter 26 of the Wheat Ridge Code of Laws pertaining to the design and platting of multifamily development and attached single family homes, on second reading, and that it take effect 15 days after final publication.”

Or,

“I move to postpone indefinitely Council Bill No. 04-2020, an ordinance amending Chapter 26 of the Wheat Ridge Code of Laws pertaining to the design and platting of multifamily development and attached single family homes, for the following reason(s)  
\_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Lauren Mikulak, Planning Manager  
Kenneth Johnstone, Community Development Director  
Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 04-2020
2. Planning Division Staff Report
3. Planning Commission Draft Meeting Minutes