



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: December 4, 2018**

**AGENDA TITLE:** Discussion of the Large Homes and Lots in residential zoning districts code change project including but not limited to a proposed phased schedule/timeline, draft community engagement plan, updated scope and purpose statements, additional data, and proposed options moving forward. The council will also discuss whether a temporary Suspension of Permits or interim development regulations related to Large Homes and Lots should be undertaken to allow the project to be completed in phases.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Chris Meschuk, Asst. City Manager/Interim Director of Planning  
Jim Robertson, Comprehensive Planning Manager  
Charles Ferro, Development Review Manager, Planning  
Karl Guiler, Senior Planner / Code Amendment Specialist  
Andrew Collins, Planner II / Code Amendment Specialist

**EXECUTIVE SUMMARY**

The purpose of this memorandum is to update the City Council on the next steps of the Large Home and Lots code change project currently in progress. The discussion is intended as a follow up from the Sept. 25, 2018 study session where council commented on the proposed project scope, goals and areas of focus, and the Oct. 16, 2018 public hearing where two moratoria options were discussed but not acted upon. Staff is seeking any additional feedback on the project the council may have before moving forward with community outreach and code drafting, including whether or not a temporary suspension on permits for homes over a certain size or an interim development regulation will be necessary as part of the first phase or later phases of the project.

This memo contains the updated Scope, Why and Purpose Statements, and the preliminary goals for the project. This includes encouraging and/or requiring smaller home sizes to align with the city's goals for improved energy conservation, providing creative housing and affordability choices within residential neighborhoods, encouraging a more efficient use of land, and improving the form and bulk standards where needed. A draft Community Engagement Plan (**Attachment D**) and recommended project phasing is included within the memo. This includes potential options and strategies to create new development regulations that address the project's goals and purpose. Phase One is anticipated as a 3-6 month process to develop near-term form and bulk recommendations (such as floor area ratio) to address large homes sizes and allowing for community input. Phase Two is a longer term (9- 12 months) process to develop creative residential infill regulations that by their nature will require more time to create and analyze, as well as requiring additional community involvement.

The materials and summaries from the prior discussions can be found below:

[Sept. 25<sup>th</sup> Study Session memorandum](#)  
[Sept. 25<sup>th</sup> Study Session summary dated Oct. 16<sup>th</sup>](#)  
[Oct. 16<sup>th</sup> Public Hearing presentation](#)

The main components of this memorandum are as follows:

Large Homes and Lots Code Change project

- I. Updated Why and Purpose Statements, Preliminary Goals, & Scope (page 6)
- II. Community Engagement and Revised Project Timeline (page 8)
- III. Data on Large Homes Construction and Demolition of Existing Homes (page 10)
- IV. Case Studies of Peer Community Approaches to Large Homes (page 17)
- V. Potential Regulatory Strategies and Matrix of Options (page 18)
- VI. Questions for City Council (page 20)
  1. *Project Scope - Does council agree with the updated scope of the project?*
    - a. *Which zones should be included in the scope (all residential zones, or only RR and RE, etc.)?*
    - b. *Should the scope include all lots in the applicable zones, regardless of lot size?*
  2. *Project Goals - Does council agree with the updated why and purpose statements, the preliminary goals for the project, and the community engagement plan?*
  3. *Project Phasing and Options - Does council wish to move forward with a phased approach and timeline as outlined in the matrix of options?*
    - a. *Does council have any questions about the data and case studies provided?*
    - b. *Does council agree with the options that will be explored in each phase?*
    - c. *Are there options that should be added, removed, or prioritized at this time?*

## **BACKGROUND**

The Large Homes and Lots code change project stems out of concerns about the size of recent home construction in the city, particularly in North Boulder, and its impact on neighborhood character, diversity of housing type and housing affordability. Previous city efforts to address house size and neighborhood character were done through the Compatible Infill Development project of 2008/2009, the background of which can be found in the Sept. 25<sup>th</sup> Study Session memorandum [here](#).

City Council provided planning staff detailed comments on the scope, goals, areas of focus and timeline of the project as well as discussing potential code changes to address the character and affordability concerns including but not limited to updated floor area ratio (FAR) regulations, a new floor area maximum, and accelerating the city's energy code regulations with respect to single-family homes and net zero construction. Incentives such as allowing appropriate infill of smaller homes or duplexes etc. and special subdivision standards aimed at preserving existing housing stock were also topics discussed.

On Oct. 16, 2018, City Council considered two potential moratorium options on the construction of single-family residences 3,500 square feet or greater on lot sizes 10,000 square feet or greater, to allow for the development of new regulations to address the issue of large homes and result in homes more in character within residential neighborhoods. Following public comment, council opted not to pass a moratorium, but requested that an updated project plan be prepared including potential regulatory options, phasing approaches, a draft community engagement plan and timeline that would inform whether or not a moratorium should be passed. As part of this consideration, City Council requested specific data on single-family home construction, including demolition permits, to assess the extent of the problem. That data can be reviewed [here](#). Additional data since the Oct. 16<sup>th</sup> meeting has also been assembled and can be found on page 13.

## **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic – This project is considering a number of potential options to encourage or require smaller homes sizes and creative residential infill solutions on large lots. Strategies considered may include fee increases or fee reductions (for example increased fees for the demolition of homes in good-standing, or reduced fees for construction of creative infill development with affordable units). In addition, allowing more smaller homes, may potentially increase the amount of residential building permits. At this time given the multiple strategies and variables still being considered, the economic impacts would require further study.
- Environmental – This project has the potential to improve the environmental impact of new infill residential development. A key strategy being considered is accelerating Boulder's Energy Conservation Code requirements by reducing the Energy Rating Index (ERI) score requirements for new homes, thereby attaining net-zero energy goals sooner. In addition, the project is considering new residential infill solutions of large lots, which when viewed on a city-wide or regional context,

encourages an efficient and sustainable use of land, rather than continuing a sprawling development pattern of a single home on a single large lot. Other potential energy conservation measures that mitigate environmental impacts of infill residential development, include potential embodied energy parameters for the construction of new homes and the demolition of existing homes that could be included as part of the Energy Conservation Code update. For more information see **Attachment B**.

- Social – This project seeks to encourage creative residential infill resolutions, which have the potential to support a broader housing and economic diversity in the city’s residential neighborhoods. The project also recognizes that care must be given to ensure that the scale and form of infill development is compatible with the neighborhoods. Acknowledging that the current trend of large home infill development is incongruent with the scale and form of the established neighborhoods, requiring smaller homes and encouraging a broader array of housing and economic diversity within the city’s neighborhoods will be a benefit for the community.

## **OTHER IMPACTS**

- Fiscal – This project is being completed using existing resources.
- Staff time – This project is being completed using existing staff resources. The prioritization of this project will be a focus of planning staff’s immediate work program for the coming year, including phase one near term solutions and community engagement beginning in January 2019. The project is anticipated to be completed by the end of 2019. Other work plan items including the Community Benefits project, Urban Open Space, and Comprehensive Design Standards will be pushed out approximately 4 to 7 months more than previously anticipated at the start of 2018. Those projects are now anticipated to be complete by the middle of 2020.

## **BOARD AND COMMISSION FEEDBACK**

A Matters Item was held with the Planning Board to discuss the Large Homes and Lots project on Nov. 15, 2018. The purpose of the discussion was to update the board on the preliminary scope and goals of the project and to receive feedback. The three questions below framed the discussion and feedback from Planning Board:

1. Does Planning Board have any feedback regarding the project scope, draft Why and Purpose statements, and the community engagement approach?
2. Does the board have any suggestions for potential solutions to address the goals of the project?
3. Does the board have any suggestions on phasing the project to achieve near-term solutions on home size, and potentially longer-term creative infill solutions?

Planning Board was generally in support of the project scope, Why and Purpose statements, and community engagement approach. One board member questioned the urgency of the project when only approximately 25 large homes were being constructed per year. Other board members stated that each large home that is constructed or lot that is infilled, represents a lost opportunity for better residential development that would accomplish the city's goals and policies as reflected in the project scope. Suggestions included:

- Consider Agriculture zones within the scope.
- The project may be two separate projects: Large Homes, and then Large Lot infill redevelopment – but both should be addressed.
- Large homes seem to be the prevailing issue, regardless of lot size.
- Saving existing housing alone will not preserve affordability.
- Need a predictable outcome and streamlined review process for creative infill, and it should be incentivized.
- Rural Character may or may not factor in – does it even exist in the RR and RE districts given the existing large homes, and is it something to preserve?
- Visual surveys will be important during the community engagement to help the public visualize different infill concepts.

The board had a thorough discussion regarding potential solutions to address the goals of the project, many of them echoing the ideas discussed by council during the Sept. 25, 2018 study session. Suggestions included:

- A fee component will be important to incorporate as incentives/disincentives.
- A Second home tax should be applied, similar to Steamboat Springs, CO.
- Increased fees for demolition of homes could be a strategy.
- Inclusionary housing fee should still apply to a one-to-one replacement of an existing home.
- Supportive of subdivisions of large lots into more than one lot, and supportive of potentially additional ADU's on a single lot. Revise review process to expedite.
- Should be a pathway both for affordability requirements, but also for people who may not want to provide an affordable second unit on their land.
- Increasing density should be on the table, perhaps on a set schedule, potentially with FAR adjustments.
- Consider developing a tiny home pilot-project and pocket neighborhoods such as the Poplar Project.

Planning Board was generally supportive of a phased approach to the project (near-term size adjustments, and longer-term creative infill solutions), provided community engagement took place. The board was generally not in support of an immediate moratorium. Interim regulations without a level of community engagement occurring was also a concern. Additional feedback included:

- An immediate moratorium would not be prudent given the investments many people have already made on design and engineering of homes that may not already be in the system. There does not seem to be an immediate emergency necessitating a moratorium.
- Interim regulations could make sense if community engagement occurs along with it.
- Supportive of a phased approach, so long as community engagement occurs before implementing FAR or other form and bulk adjustments.
- The creative infill solutions will require much more community conversation.

## **PUBLIC FEEDBACK**

The announcement of a possible moratorium on house size to preserve existing neighborhood character and promote affordability prompted the attendance of potentially impacted residents and design professionals to the Oct. 16<sup>th</sup> public hearing. Opinions ranged from some support for a moratorium and to others that expressed concern that their ‘in progress’ plans to build large homes would be seriously impacted after significant investment. A link to the video of the public hearing is provided [here](#) and written public feedback received up to the publishing of this memorandum are found within **Attachment E**.

## **ANALYSIS**

### **I. UPDATED WHY AND PURPOSE STATEMENTS, GOALS, & SCOPE**

At the Sept. 25<sup>th</sup> Study Session, City Council made specific comments on the proposed Why and Purpose Statements, the preliminary goals, and the scope for the project. These can be found in the study session summary found [here](#).

Based on this feedback, staff has included an updated Why and Purpose Statements, as well as the preliminary goals, and the scope of the project for council review below. The project’s preliminary goals are a starting point for the project, and council recognizes and expects the community’s input to inform any recommendations and decisions made on the project throughout the process. The public’s feedback will inform the development of potential options, and as yet-to-be-determined recommendations. Suggestions and ideas from the community are strongly encouraged, and the community’s feedback will be imperative to the success of the project.

#### **Updated Why Statement:**

The city’s residential neighborhoods are experiencing a dramatic demographic and economic shift with the replacement of modest more-affordable homes with larger more-expensive homes. These large homes are often inconsistent with the existing character of the neighborhoods, and are an inefficient use of land that has exacerbated the city’s housing / jobs imbalance and the high-cost of housing. In addition, large homes do not align with the city’s energy-conservation goals and

policies as they consume greater amounts of energy, both in operation and construction, than do modest-sized homes. To address these shortcomings, smaller home sizes and creative infill solutions that consider the potential for multiple smaller-homes in large lot areas (where appropriate), should be encouraged to foster a more efficient use of land, energy and resources, and to support a broader housing and economic diversity in the city's residential neighborhoods.

**Updated Purpose Statement:**

Consistent with newly updated [Boulder Valley Comprehensive Plan \(BVCP\) policies](#) (see below), staff will amend the Land Use Code to require smaller homes in residential zones that are consistent with the character of the existing neighborhoods, and that advance the city's energy-efficiency, climate sustainability, and housing affordability goals and policies. This includes creative solutions for both the preservation of existing homes and the development of more small houses (rather than fewer large houses) in residential zones.

**Preliminary Goals:**

- 1) Consider creative solutions to potentially allow infill redevelopment of large lots into two or more houses / units – additional units may be allowed where appropriate, provided they are more affordable and designed in such a way as to be sensitive to the neighborhood context.
- 2) Consider a hard cap on floor area for single family residential development.
- 3) Study incentives / disincentives for preserving existing housing stock, and creative infill solutions that are also affordable.
- 4) Analyze potential strategies and phasing for adjusting the Land Use Code's size, form and bulk compatibility standards.
- 5) Consider updates to the city Energy Conservation Code to accelerate the city's energy conservation goals.

**Scope:**

The project includes the study of potential land use and energy related regulatory tools to address large homes being constructed within the residential zoning districts of the city, including but not limited to the Residential – Estate (RE) and Residential – Rural (RR) zoning districts, that may be incompatible with the existing neighborhood character, and the city's energy-efficiency and affordability goals. The project will explore regulations related to:

- Form, bulk, and intensity standards of the Land Use Code.
- Incentives or disincentives, to encourage the construction of smaller energy-efficient homes and/or the preservation of existing homes.
- Creative infill standards to consider multiple smaller-units on large lots (where appropriate), including the subdivision of large lots into two or more smaller lots.

## II. COMMUNITY ENGAGEMENT & REVISED PROJECT TIMELINE

### Draft Community Engagement Plan:

The project will follow Boulder’s Decision-Making Process as outlined in the City’s Strategic Engagement Framework. This will include meaningful public engagement and participation at community events, as well as online resources, and tools for feedback. The project is currently in the initial Planning Stage, where the project is scoped, issues and affected stakeholders are identified, and a Community Engagement Plan is drafted. The Planning Stage is anticipated to run through Winter 2018/2019. Community engagement events for the Large Homes and Lots project have been conceptualized to run concurrently with the engagement for the Use Table and Standards project. This will enable staff to work efficiently through both projects, and avoids meeting fatigue for the public, who would otherwise have to attend twice the number of meetings.

Ultimately, the project may be phased such that readily attainable adjustments to the form and bulk standards of the Land Use Code are implemented within a three to six- month timeframe, and strategies requiring more in-depth consideration and community discussion phased to conclude by the winter of 2019. Any proposed changes to the Land Use Code will require a recommendation from Planning Board and ultimately City Council approval, including public hearings. An initial draft community engagement outline is found in **Attachment D**.

### Proposed Project Timeline:

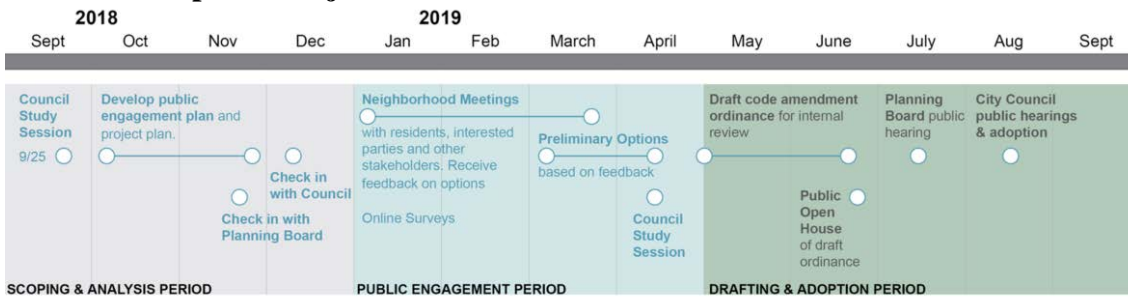


Figure 1- Previously proposed timeline (Sept. 25, 2018)

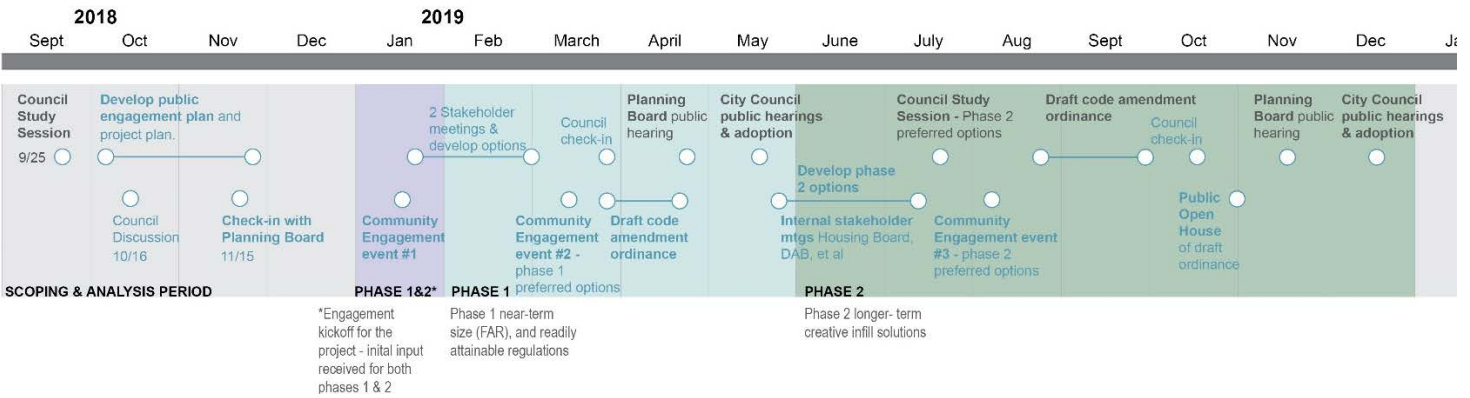


Figure 2- Proposed phased timeline



Above is the original timeframe of the project that was presented to the City Council at the Sept. 25, 2018 study session. Based on recently expressed council concerns on the timing, staff is proposing a phased approach including short-term and long-term code changes such that readily attainable adjustments to the form and bulk standards of the Land Use Code (e.g., a revised floor area calculation or new floor area maximum) and/or changes to the energy code (e.g., acceleration of the net zero requirements for single-family homes) could be implemented within a shorter timeframe (i.e., 3-6 months), and strategies requiring more in-depth consideration and community discussion (e.g., new subdivision or density incentives etc.) would be a later phase intended to conclude by the 4<sup>th</sup> Quarter 2019, at least two months after the original projected conclusion of the project timeline shown above. Staff suggests the subdivision and additional density options as the second phase since this will require more public outreach, but may also necessitate Boulder Valley Comprehensive Plan (BVCP) land use map changes or rezoning's to implement. The total timeframe would generally fit within the original one-year timeline of the project, albeit would be at least 2-3 months longer than originally planned to allow for the interim, phase one adoption processes.

Any proposed changes to the Land Use Code will require a recommendation from Planning Board and ultimately City Council approval, including public hearings. Following community outreach, staff is proposing to return with a package of code changes in December 2019 to hear input from the council.

**Impact to other 2018/2019 Work Plan Items:**

Acceleration of the first phase of the project will impact the timing of other work program items, as staff resources will be focused on conducting community outreach and analyzing different floor area and/or energy code options. Much of the outreach for Large Homes and Lots can be done to some extent in unison with the underway Use Standards and Tables project, which may or may not also include changes to use requirements in single-family zoning districts - staff is not proposing to slow down the Use Standards project. The Use Standards and Table project, which was included in the Land Use Code change list as a top priority and was recommended by Planning Board, commenced in August of this year and has already included four productive sessions with the subcommittee. Council will receive an Information Packet on Dec. 6<sup>th</sup> detailing the work of the subcommittee including the project scope, Why and Purpose statements, preliminary goals, and the community engagement plan. There will be a joint community engagement workshop planned for January 2019, staff proposes to keep that project on its original timeline to complete code changes by the 3<sup>rd</sup> quarter of next year.

Staff is proposing that the following projects have adjusted timelines to allow for the Phase 1 Large Homes and Lots effort:

1. Community benefit and enhanced Site Review criteria – (4 month delay, anticipated completion Dec. 2019-Feb. 2020)
2. Urban Open Space in Development Projects (6-7 month delay, anticipated completion Mid-2020).

3. Comprehensive Design Standards (6-7 month delay, anticipated completion mid-2020)

### **III. DATA ON LARGE HOMES CONSTRUCTION AND DEMOLITION OF EXISTING HOMES**

To inform whether or not to pass an interim development regulation limiting house size, council requested that data concerning house size, demolitions and remodels in the Rural Residential, Estate Residential and Low Density Residential zoning districts per year be provided to the council so that it could be better understand the extent of the issue. The Residential Low – 2 (RL-2) zone was not included in the study session discussion or included for further analysis since the zone generally includes smaller sized lots (e.g., many less than 6,000 square feet in size) through the aggregation of common open space. In addition, home sizes in the RL-2 zone are generally limited by Planned Unit Development or Site Review approvals, unlike the other zones that have larger lot sizes and generally are not subject to PUD or Site Review approvals. All data represented in the memo was compiled with the assistance of the city’s Information Resources team using issued final certificate of occupancy data as well as demolition permit data. 2018 year data are incomplete as reflected in the charts below. Pre-2004 data was added in the city’s permitting system prior to consistent implementation of the building permit valuation calculator, therefore square footage data from before 2004 may include gaps and/or inaccurate information.

On Oct. 16<sup>th</sup>, staff prepared a presentation (found [here](#)) that provided a holistic overview of construction in residential zoning districts city wide. The following observations were made:

- Per Figure 2 below, most lots that are 10,000 square feet or greater are in the Rural Residential (RR) and Estate Residential (RE) zones – both with over 80 percent of the lots greater than 10,000 square feet. Nearly 20 percent of lots in Residential Low – 1 (RL-1) are greater than 10,000 square feet. The minimum lots size in each district is as follows: RR – 30,000 square feet; RE – 15,000 square feet, and RL-1 – 7,000 square feet.

	<b>RR (1 and 2)</b>	<b>RE</b>	<b>RL-1</b>	<b>TOTAL</b>
<b>Lots over 10,000 SF</b>	337	1,328	2,149	3,814
<b>Total number of Lots</b>	382	1,537	10,951	12,870
<b>Percentage of Lots &gt;10,000 SF</b>	88.2%	86.4%	19.6%	29.6%

*Figure 2- Number and percentages of lots over 10,000 sf in residential zones.*

- In the RE, RR and RL-1 zones, the number of demolitions on lots 10,000 SF or greater between 2010 and 2018, has ranged from four to 23 per year, with 2015 having the highest amount. The 2018 number will likely be more than that represented in Figure 3 below once more projects are given certificates of occupancy before the end of the year. The average between 2010 and 2017 is twelve per year. Figure 3 below:

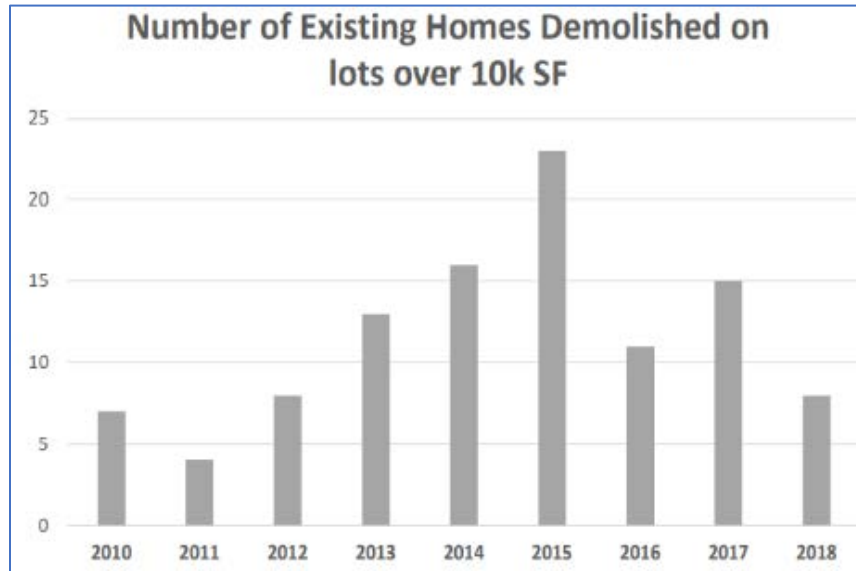


Figure 3- Number of existing homes demolished on lot over 10,000 sf from 2010 to 2018 in the RE, RR, and RL-1 zones.

- In the same zones, Figure 4 shows that there has been an increasing trend of new homes being constructed on lots greater than 10,000 square feet. Again, the 2018 figure is low because not all are yet finalized. The replacement homes are significantly larger with an average home size of 2,206 square feet being demolished since 2010, and being replaced by an average new home size of 6,105 square feet.

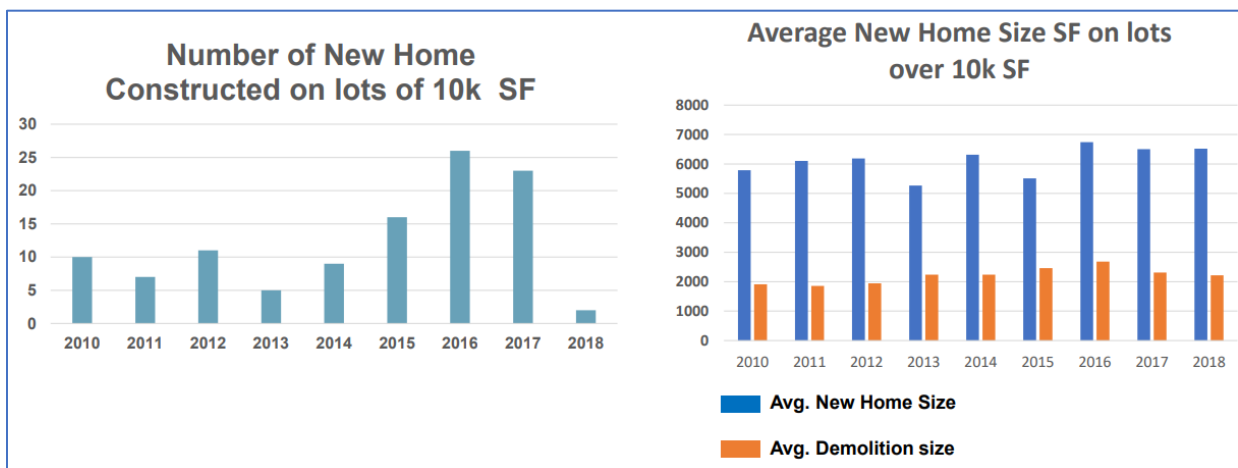


Figure 4- New of new homes constructed on lots greater than 10,000 sf and average new home size versus existing home size on lots greater than 10,000 sf from 2010 to 2018 in the RE, RR, and RL-1 zones.

- In terms of remodels with new square footage, this has also been trending upward; however, with the exception of 2012, the amount of additions has remained relatively constant since 2010 as Figure 5 below demonstrates in the RE, RR, and RL-1 zones:

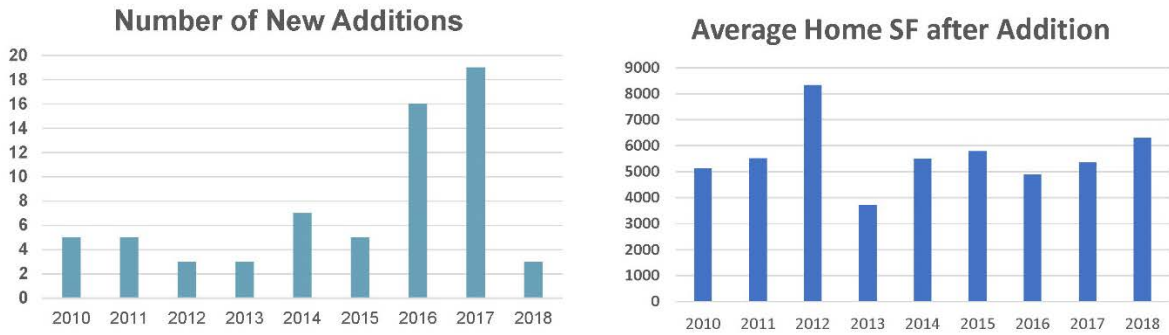


Figure 5- Number of permits for new additions between 2010 and 2018 and the average home size after an addition per year in the RE, RR, and RL-1 zones. Note: due to permit data constraints the difference in size is not reported.

- While there is no discernable increase in square footage in new homes since 2010 when viewing the table in Figure 6 below, the extended view back to 2000 shows that there has been a cityside and localized (i.e., RE, RR and RL-1 zones) increase in house size with the RE, RR and RL-1 zones seeing the largest sized homes comparatively. The average new homes size in 2000 was approximately 3,318 SF across all residential zones and 4,747 SF in the RE, RR, and RL-1 zones, and approximately in 2018 is 4,835 SF across all residential zones and 6,520 SF in the RE, RR, and RL-1 zones.

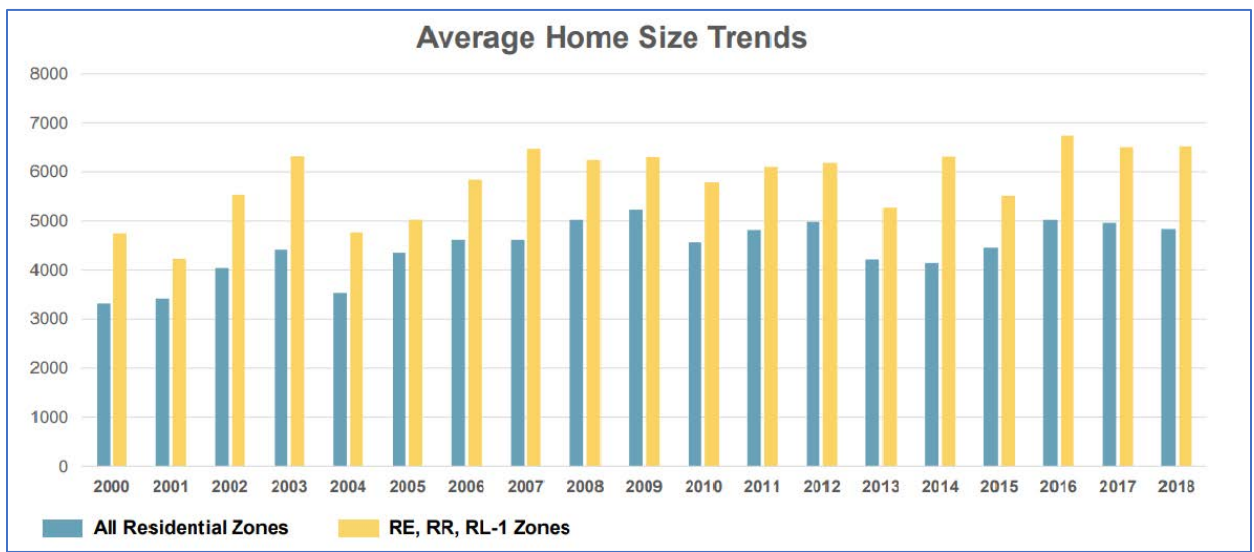


Figure 6- Average home size trends by residential zones citywide and in the RE, RR, and RL-1 zones between 2000 and 2018.

### **Additional Data**

Staff has compiled additional figures for new home size and demolition in response to council's feedback during the Oct. 16, 2018 council meeting. 2018 year data are incomplete and therefore are not included in the updated charts below.

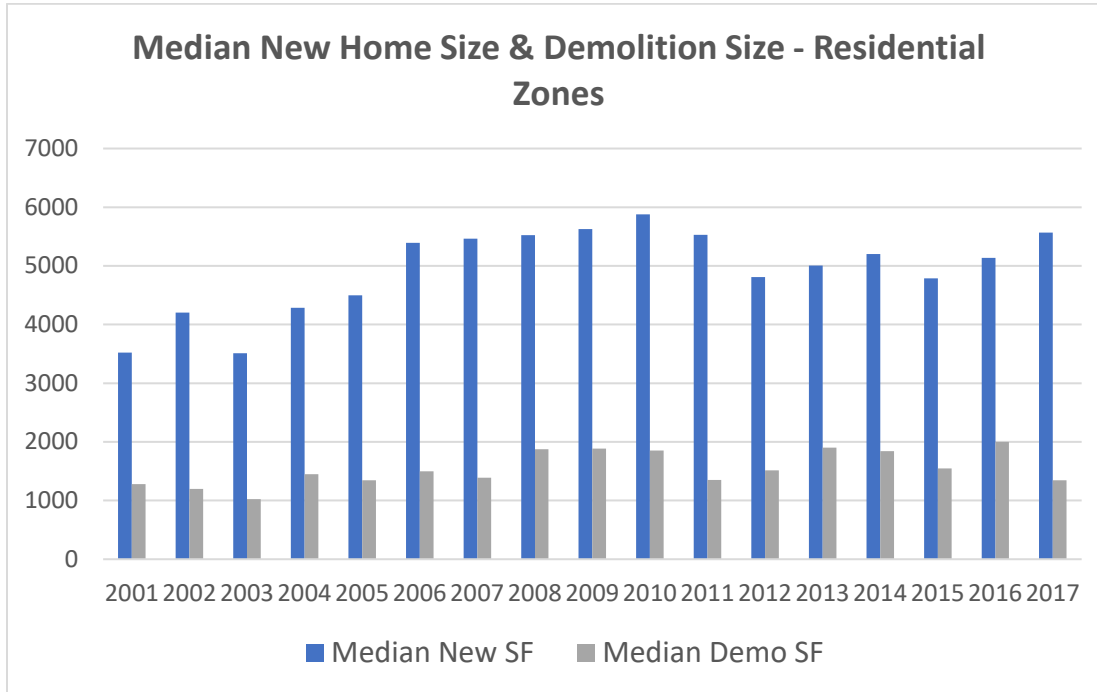


Figure 7- Median size (sf) of new homes constructed and of demolished homes per year in residential zones over time.

- In 2017, the median new home size in the residential zones was approximately 5,600 SF. Since 2006 the trend in median new home size is consistently in the 5,000 to 6,000 SF range. The homes that have been demolished in residential zones since 2006 have had a median size in the 1,200 to 2,000 SF range. New homes constructed have been nearly three times as large as the homes that have been demolished since 2001.

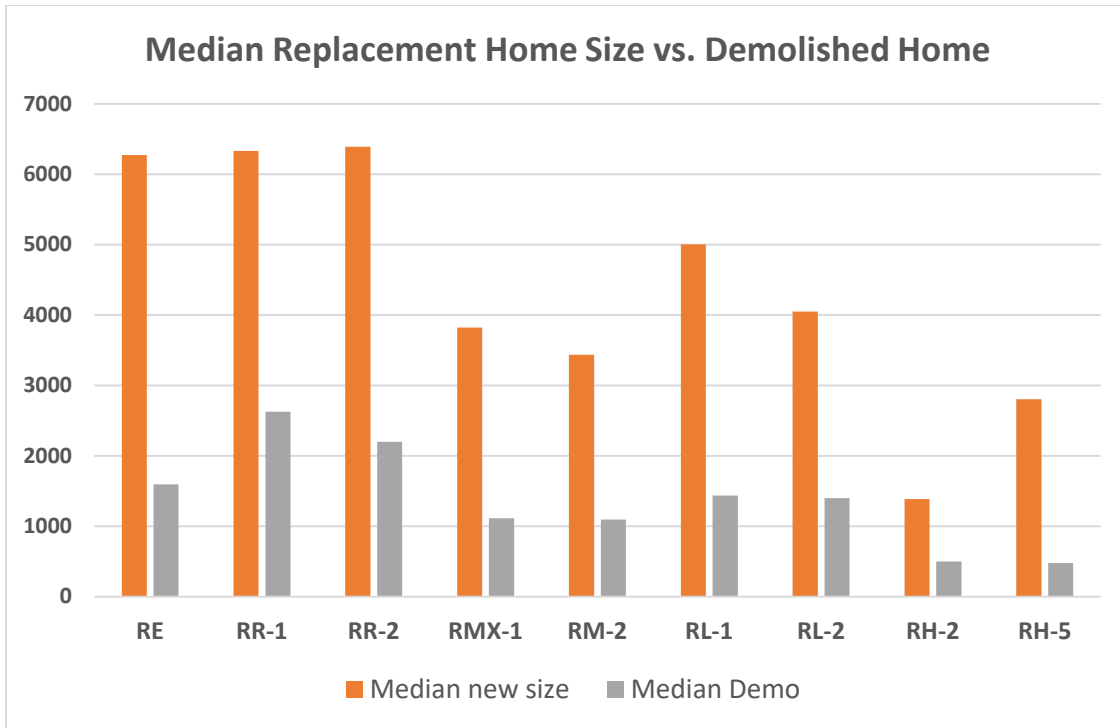


Figure 8 - Median size (sf) of new homes constructed versus demolished homes they replaced for 2000 to present.

- Figure 8 displays the median size of replacement homes by zoning district from 2001 to present. This is derived from comparing the square footage of an existing house that was demolished to the new home size constructed on the same lot. RE and RR zones have the largest new homes constructed, as well as the largest existing home size. Replacement median home size in the RE zone has been nearly four times as large as the homes they have replaced since 2001. The RE and RR zones have a larger minimum lot size which in turn allows a greater floor area under today’s regulations.

### Number of Replacement Homes per Residential Zone

Zone	Number of Replacement Homes	Median New Size (SF)	Median Demolished Size (SF)
RE	31	6,274	1,596
RR-1	16	6,333	2,628
RR-2	35	6,392	2,200
RMX-1	12	3,823	1,115
RM-2	6	3,439	1,097
RL-1	252	5,003	1,436
RL-2	15	4,051	1,400
RH-2	1	1,387	500
RH-5	1	2,807	480

Figure 9 – Number of Replacement Homes (“pops & scrapes”) per residential zone, and median size (sf) of new homes constructed versus demolished homes they replaced for 2000 to present.

- Figure 9 displays the number of replacement homes per zoning district since 2001. The RL-1 zoning district has seen the highest number of replacement homes at 252, which in-part led to the original compatible development ordinance in 2008/2009 that established more restrictive floor area limits. The RE and RR zoning districts have seen a combined 92 Replacement Homes since 2001, and with the largest new home median size at approximately 6,300 SF.

**New Homes Median Square Footage per Year by Zone**

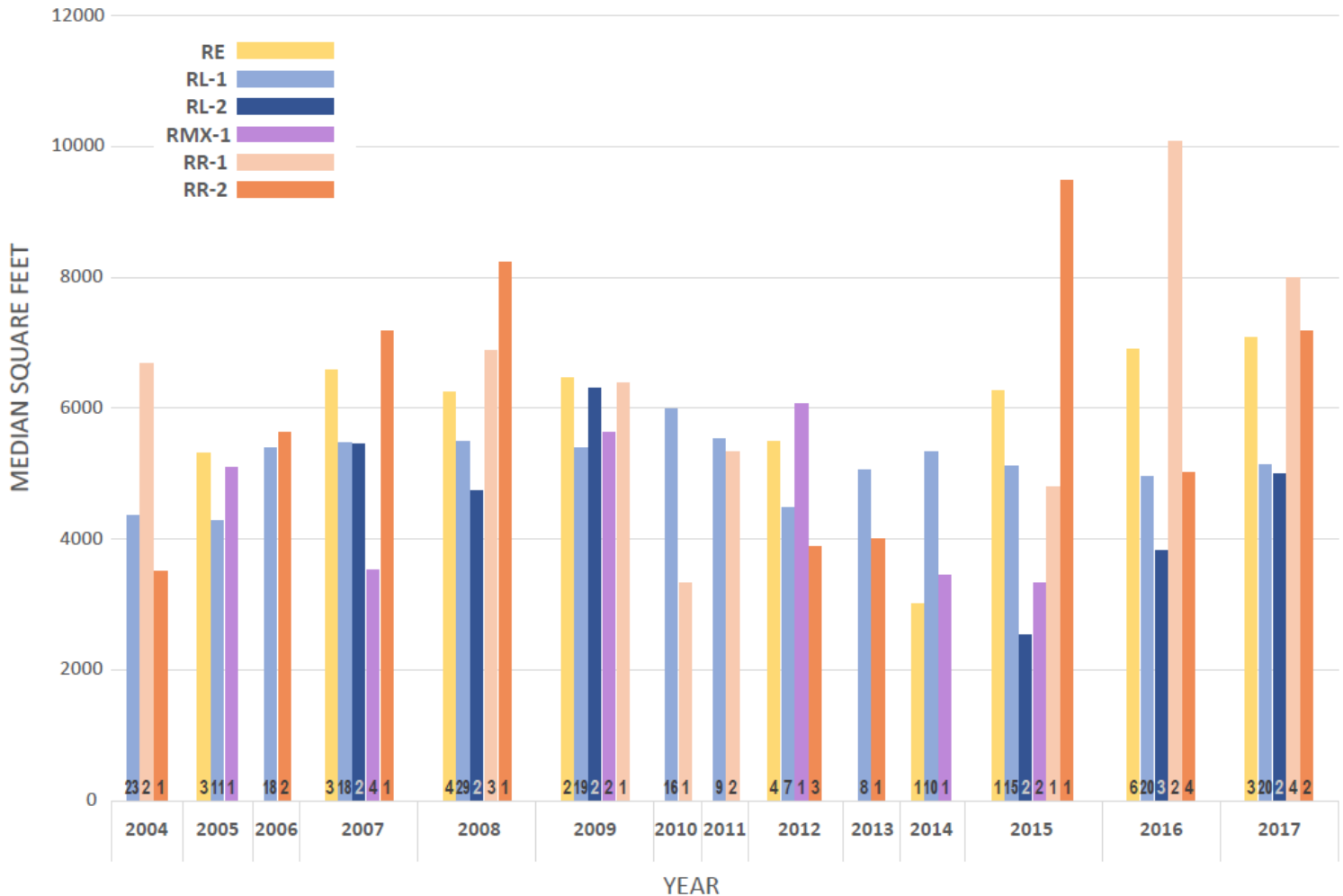


Figure 10 – Median size (sf) of new homes constructed per Year by Zone from 2004 to 2017. Note: If there is not a Zone column shown in a given year, then no new homes were issued a certificate of occupancy within the zone that year. The small number at the bottom of each column is the number of final certificate of occupancies issued that year for each zone.

- Figure 10 displays the median square foot size of new homes constructed within the RE, RL-1, RL-2, RMX-1, RR1 and RR2 zones from 2004 to 2017. Since 2010, median home size has increased the greatest amount within the RE and RR zones particularly within the last three years. RL-1, which accounts for the greatest number of new homes constructed within these zones, has seen its median home size slightly decrease from its 2010 peak of 6,000 SF - but remains around the 5,000 SF mark.

- Figure 11 below displays the number of replacement homes by [subcommunity](#) planning area since 2001. The RL-1 infill development accounts for the bulk of replacement homes in the Central Boulder subcommunity. The North Boulder subcommunity has experience the greatest number of replacement homes in the RE zones and a high number of RR zones, and to a lesser extent the RL zones. The RE, RR, and RL zone replacement homes have largely been confined to the Central and North Boulder subcommunities.

<b>Number of Replacement Homes by Subcommunity and Zone</b>			
	<b>Number of Replaced Homes</b>	<b>Median Demolished Home SF</b>	<b>Median New Home SF</b>
<b>Central Boulder</b>			
RE	7	2,526	8,563
RR's	16	2,114	6,781
RL-1	228	1,400	4,980
RL-2	2	1,981	3,940
RMX's	12	1,115	3,823
RM's	4	1,047	3,925
RH's	2	490	2,097
<b>Crossroads</b>			
RM's	1	1,540	2,806
<b>North Boulder</b>			
RE	23	1,080	5,947
RR's	14	2,877	6,510
RL-1	10	1,594	4,363
RL-2	11	1,100	4,051
RM's	1	1,100	1,104
<b>South Boulder</b>			
RL-1	14	2,120	6,299



RL-2	2	1,900	4,276
<b>Southeast Boulder</b>			
RE	1	2,980	5,518

Figure 11 – Number of Replacement Homes (“pops & scrapes”) by Subcommunity planning area, and per residential zone, with median size (sf) of new homes constructed versus demolished homes they replaced for 2000 to present. Note: The table only displays Subcommunities and zones that have at least one replacement home.

#### **IV. CASE STUDIES OF PEER COMMUNITY APPROACHES TO LARGE HOMES**

Much like the City of Boulder, many different communities grapple with compatibility and affordability issues associated with the ongoing residential infill of their neighborhoods. Staff has reviewed 13 communities’ single-family development regulations to glean insight into how their respective regulations compare. The case studies also highlight potential regulatory tools (such as FAR bonuses, overlays, and conservation districts) that could be implemented in addition to adjustments to typical form, bulk and intensity standards.

Below are key takeaways from the case studies review (**Attachment C**):

- Boulder’s current FAR regulations are generally in-line or more restrictive for moderate to large-sized lots (lots greater than 7,000 SF), compared to the communities reviewed that have FAR requirements (.25 to .5 in Boulder vs. approx. .3 to .7 for other communities).
- Boulder allows a greater FAR for smaller lots (lots 7,000 SF and smaller) compared to the communities reviewed that have FAR requirements (.5 to .62 in Boulder vs. approx. .3 to .4 for other communities).
- Of the communities’ reviewed that have FAR requirements, none have hard cap limits on floor area, only a ratio or a sliding percentage calculation.
- Boulder permits among the tallest building height for single-family development (35’) compared to the 13 communities reviewed (typically 30’ range, or a sliding scale from as low as 24’ to 36’ max. depending on roof structure, design and/or special review). Note that Boulder measures height from the lowest adjacent grade within 25’ of the structure, and varies among the other communities.
- Additional potential tools to regulate homes, size, character and compatibility:
  - Neighborhood Conservation Districts – Denver, Boulder County
  - FAR Overlay Districts – Glendale, CA
  - Design Review Boards – Glendale, CA, Santa Clara, CA, Sausalito, CA
- Potential context-based / designated neighborhood standards – Boulder County, Malibu, CA
- Potential creative residential infill incentives and tools:
  - Portland – Residential Infill Project – FAR bonuses from duplexes, Triplexes, ADU’s and affordability restrictions. Reduction in single-family home allowed FAR

- Denver – Form-based infill design regulations such as garden courts, townhomes, etc.

**V. POTENTIAL REGULATORY STRATEGIES AND MATRIX OF OPTIONS**

Following the Sept. 25, 2018 study session on large home and lots, staff moved forward with the development of an array of options suggested by the City Council in efforts to encourage or require smaller homes, allow for more creative infill of multiple smaller units, enhance housing affordability, promote sustainable development and the efficient use of land, preserve and protect neighborhood character, allow for permeability (openness between homes) and preserve existing housing stock. To address these goals, the following categories have been created as areas to address:

- Limit Home Size, Bulk and Massing
- Energy Conservation Code
- Creative Infill
- Incentivize Preservation of Existing Homes

For more detail on what is included in each of the categories, **Attachment A** includes a comprehensive list. For additional detail on potential Energy Conservation Code strategies and accelerated timing see **Attachment B**. Using these options, staff has created a summary matrix on the following page that outlines addressing these options in part and/or in a phased timeline. The proposed phases of the project have been conceptualized as follows:

- Phase 0:** Immediate code changes / Interim development regulations
- Phase 1:** Revise regulations related to home size including form and bulk, and intensity standards.
- Phase 2:** Revise regulations related to additional dwelling unit / density options.

<b>City Council Potential Options Matrix</b>	
<b>Phase 0 (before the end of 2018)</b>	
<i>Description of Options</i>	<i>Staff notes</i>
Prepare an ordinance for an <b>interim regulation of 6 months</b> to limit the issuance of building permits for single-family homes to 4,000 square feet on lots 10,000 square feet or greater to allow Phase 1 provisions to be developed and adopted	<ul style="list-style-type: none"> <li>• Based on council feedback, staff could bring back an ordinance for consideration on Dec. 18, 2018</li> </ul>
Prepare an ordinance for an <b>interim regulation of one year</b> to limit the issuance of building permits for single-family homes to 4,000 square feet on lots 10,000 square feet or greater to allow Phase 1 and Phase 2 provisions to be developed and adopted	

Prepare an ordinance for an <b>interim regulation that includes a different timeframe</b> (e.g., 4 months, 9 months) <b>or scope</b> (e.g., lot size, square footage)	
No interim regulation ordinance	N/A
<b>Phase 1 – Short Term options (3-6 months)</b>	
<b>Description of Options</b>	<b>Staff notes</b>
Create <b>new floor area maximum</b> for RE and RR zoned lots <sup>1</sup>	<ul style="list-style-type: none"> <li>Staff will begin an outreach process in Jan. 2019 to discuss the different options with stakeholders before returning to City Council with developed options, followed by ordinance drafting</li> </ul>
Create <b>new floor area maximum</b> for RE, RR, RL-1 and RMX-1 zoned lots <sup>1</sup>	
<b>Accelerate net zero requirements</b> for single-family homes such that a 3,000 sf home must be net zero by the end of 2019 instead of 2022. <sup>4</sup>	
Combination of options above <sup>1</sup>	
No action	N/A
<b>Phase 2 – Long Term options (6 months after Phase 1)</b>	
<b>Description of Options</b>	<b>Staff notes</b>
Explore and develop regulations for limited subdivisions that <b>encourage cottage court type infill homes</b> instead of single large homes <sup>2</sup>	<ul style="list-style-type: none"> <li>May alter neighborhood character</li> <li>May necessitate creation of special subdivision regulations</li> <li>May necessitate BVCP land use map changes and rezonings</li> <li>New floor area or bulk reducing regulations may be necessary to limit bulk of new units</li> </ul>
Explore and develop regulations for the allowance for <b>limited duplexes and triplexes</b> instead of single large homes <sup>2</sup>	
Explore and develop regulations for the allowance for <b>limited additional accessory dwelling units</b> instead of single large homes <sup>2</sup>	
Explore and develop a <b>tiny home pilot project</b> <sup>2</sup>	
Explore and develop regulations or incentives to <b>preserve existing housing stock</b> , including but not limited to new regulations or financial incentives <sup>3</sup>	
Explore and develop incentives to <b>reduce embodied energy</b> in construction materials <sup>4</sup>	
Includes <b>all options</b> above	Same as above
<b>Some options</b> above	Same as above
No action	N/A
<b>Alternative Phase – Combination of Phase 1 and 2 Above (9-10 months)</b>	
<b>Follow the original timeline</b> and conduct outreach on both Phase 1 and 2 changes simultaneously with only one Planning Board/City Council adoption process with anticipated completion by the Aug.-Sept. 2019.	Same as above.

<sup>1</sup> also includes other bulk limiting possibilities listed within the “Limit Home Size, Bulk and Massing” category in Attachment A.

<sup>2</sup> for a more detailed description of the option see the “Creative Infill” category in Attachment A.

<sup>3</sup> other financial options are listed in the “Incentivize Preservation of Existing Homes” category in Attachment A.

<sup>4</sup> for more information on potential Energy Conservation Code options see Attachment B.

#### **IV. QUESTIONS FOR CITY COUNCIL**

- 1. Project Scope - Does council agree with the updated scope of the project?**
  - a. Which zones should be included in the scope (all residential zones, or only RR and RE, etc.)?**
  - b. Should the scope include all lots in the applicable zones, regardless of lot size?**
  
- 2. Project Goals - Does council agree with the updated why and purpose statements, the preliminary goals for the project, and the community engagement plan?**
  
- 3. Project Phasing and Options - Does council wish to move forward with a phased approach and timeline as outlined in the matrix of options?**
  - a. Does council have any questions about the data and case studies provided?**
  - b. Does council agree with the options that will be explored in each phase?**
  - c. Are there options that should be added, removed, or prioritized at this time?**

#### **ATTACHMENTS**

- A: Potential Regulatory Strategies
- B: Energy Conservation Code Potential Strategies
- C: Case Studies Review
- D: Draft Community Engagement Plan
- E: Written Public Feedback Received

**LARGE HOMES AND LOTS - STRATEGY OPTIONS DRAFT**

Approach	Strategy	What it Achieves	Zones affected	Phase	Depts. Involved	Council Target Goals
LIMIT HOME SIZE, BULK AND MASSING	<b>Floor Area Ratio (FAR) Reduced</b>	Reduces the buildable square footage	RE, RR's, RL's?	1	Planning	<ul style="list-style-type: none"> <li>• smaller homes</li> <li>• compatible neighborhood character</li> <li>• sustainable development</li> </ul>
	<b>Building Coverage reduced</b>	Reduces the building footprint (ground level coverage)	RE, RR's, RL's?	1	Planning	<ul style="list-style-type: none"> <li>• smaller homes</li> <li>• compatible neighborhood character</li> <li>• sustainable development</li> <li>• permeability (openness between homes)</li> </ul>
	<b>Side and/or Rear Setback increased</b>	Pushes buildings further away from side/rear property lines, reduces the building envelope	RE, RR's, RL's?	1	Planning	<ul style="list-style-type: none"> <li>• compatible neighborhood character</li> <li>• permeability (openness between homes)</li> </ul>
	<b>Side-Yard Bulk-Plane reduced</b>	Reduces the volume of the 3dimensional building envelope	RE, RR's, RL's?	1	Planning	<ul style="list-style-type: none"> <li>• smaller homes</li> <li>• compatible neighborhood character</li> </ul>
	<b>Side-Yard Wall Articulation increased</b>	Require a shorter length or greater setback for tall walls along side property lines	RE, RR's, RL's?	1	Planning	<ul style="list-style-type: none"> <li>• compatible neighborhood character</li> <li>• permeability (openness between homes)</li> </ul>
	<b>Building Height reduced</b>	Reduce the allowable building height for homes	RE, RR's, RL's?	1	Planning	<ul style="list-style-type: none"> <li>• smaller homer</li> <li>• compatible neighborhood character</li> </ul>
	<b>Neighborhood Conservation Districts / overlays</b>	Opt-in overlay districts at the neighborhood level that establish additional form, design, massing, and character requirements based on the unique neighborhood context. May or may not include a historic element.	TBD, opt-in	2	Planning	<ul style="list-style-type: none"> <li>• smaller homes (potentially)</li> <li>• compatible neighborhood character</li> <li>• creative residential infill (potentially)</li> <li>• permeability (potentially)</li> <li>• preserves existing homes (potentially)</li> </ul>

ENERGY CONSERVATION CODE	<b>Accelerate Net-Zero requirements</b>	Requires homes to achieve net-zero sooner; lowers the SF threshold tied to greater energy conservation	All	1 - Parallel but separate process	Public Works (Building Services Division), Planning, Climate Initiatives	<ul style="list-style-type: none"> <li>• smaller homes</li> <li>• sustainable development</li> </ul>
	<b>Institute Embodied Energy reduction incentives for construction materials</b>	Adds to the standards for energy conservation - regulations for building materials	All	2 - Parallel but separate process	Public Works (Building Services Division), Planning, Climate Initiatives	<ul style="list-style-type: none"> <li>• sustainable development</li> </ul>
	<b>Disincentivize heated pools and spas</b>	Adds to the requirements for energy conservation - regulations to discourage pools and spas that consume energy	All	2 - Parallel but separate process	Public Works (Building Services Division), Planning, Climate Initiatives	<ul style="list-style-type: none"> <li>• sustainable development</li> </ul>

CREATIVE INFILL	<b>Allow large lots to subdivide into two or more smaller lots</b>	Allows multiple smaller-homes on a large lot rather than single large-home	TBD	2	Planning	<ul style="list-style-type: none"> <li>• smaller homes</li> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability (potentially)</li> </ul>
	<b>Explicitly allow Cottage Court type infill as a use.</b> Develop design regs, use standards, and conditions.	Allows multiple smaller-homes around a shared courtyard / greenspace	RE, RR's, RL's, RMX's, RM's?	2	Planning	<ul style="list-style-type: none"> <li>• smaller homes</li> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability (potentially)</li> <li>• compatible neighborhood character (potentially)</li> </ul>
	<b>Develop a tiny-home pilot project</b>	Permits tiny homes in a pilot project, provides alternative housing	TBD	2	Planning, Housing	<ul style="list-style-type: none"> <li>• smaller homes</li> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability</li> <li>• sustainable development (potentially)</li> </ul>
	<b>Allow ADU's in RL-2, and additional ADU's in other zones</b> (not permitted today), follows same ADU's regs. as will be adopted by ADU Ord. 8256	Allows Accessory Dwelling Units in the city's largest residential zone	RL-2	2	Planning, Housing	<ul style="list-style-type: none"> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability</li> </ul>
	<b>Allow multiple ADU's on a given lot</b> (not permitted today), follows same ADU's regs. as will be adopted by ADU Ord. 8257	Allows Accessory Dwelling Units in the city's largest residential zone	RE, RR's, RL-1	2	Planning, Housing	<ul style="list-style-type: none"> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability</li> </ul>
	<b>Allow Duplexes and Triplexes in zones not currently permitted scaled to fit the neighborhood, and read as one home - in zones not currently permitted</b> Require affordability / deed restrictions on all units other than one market rate unit permitted. Develop design regs, use standards, and conditions.	Allows greater housing variety and multiple smaller-units on a given property, rather than a single larger home.	RE, RR's, RL's, RMX's, RM's?	2	Planning	<ul style="list-style-type: none"> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability</li> </ul>

INCENTIVIZE PRESERVATION OF EXISTING HOMES	<b>Allow large lots that preserve an existing home</b> as a principal dwelling to have a <u>detached ADU at market</u> rate prices and SF. Conservation easement must be recorded. Relax occupancy limits.	Provides incentives to preserve an existing home on a large lot.	RE, RR's	2	Planning, Housing	<ul style="list-style-type: none"> <li>• preserves existing housing</li> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability</li> </ul>
	<b>Allow lots that preserve an existing home</b> as a principal dwelling a bonus SF for any attached/detached ADU. Protection ordinance/ Easement must be in place. Relax occupancy limits.	Provides incentives to preserve an existing home on a lot.	TBD	2	Planning, Housing	<ul style="list-style-type: none"> <li>• preserves existing homes</li> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability</li> </ul>
	<b>Allow lots that Landmark an existing home</b> an <u>additional</u> floor area or density bonus and <u>market</u> rate prices for any attached / detached ADU. Official Landmark procedures must be followed. Relax occupancy limits.	Provides incentives to preserve an existing home on a lot.	TBD	2	Planning, Housing, Historic	<ul style="list-style-type: none"> <li>• preserves existing homes</li> <li>• creative residential infill</li> <li>• efficient use of land</li> <li>• housing affordability</li> <li>• compatible neighborhood character</li> </ul>
	<b>Institute an additional fee for the demolition of existing homes</b> in good-repair (scrapes), and not due to disaster or dereliction	Institutes a disincentive for the demolition of existing homes.	TBD	2	Planning, Finance	<ul style="list-style-type: none"> <li>• preserves existing homes</li> <li>• compatible neighborhood character</li> </ul>
	<b>Provide a property tax-break</b> to homeowners 65+ years old, and that have owned the same home for over 15 years.	Provides an incentive to preserve an existing home, and to abate rising property tax costs for established residents.	TBD	2	Boulder County Assessor, Planning, Finance	<ul style="list-style-type: none"> <li>• preserves existing housing</li> <li>• compatible neighborhood character</li> </ul>

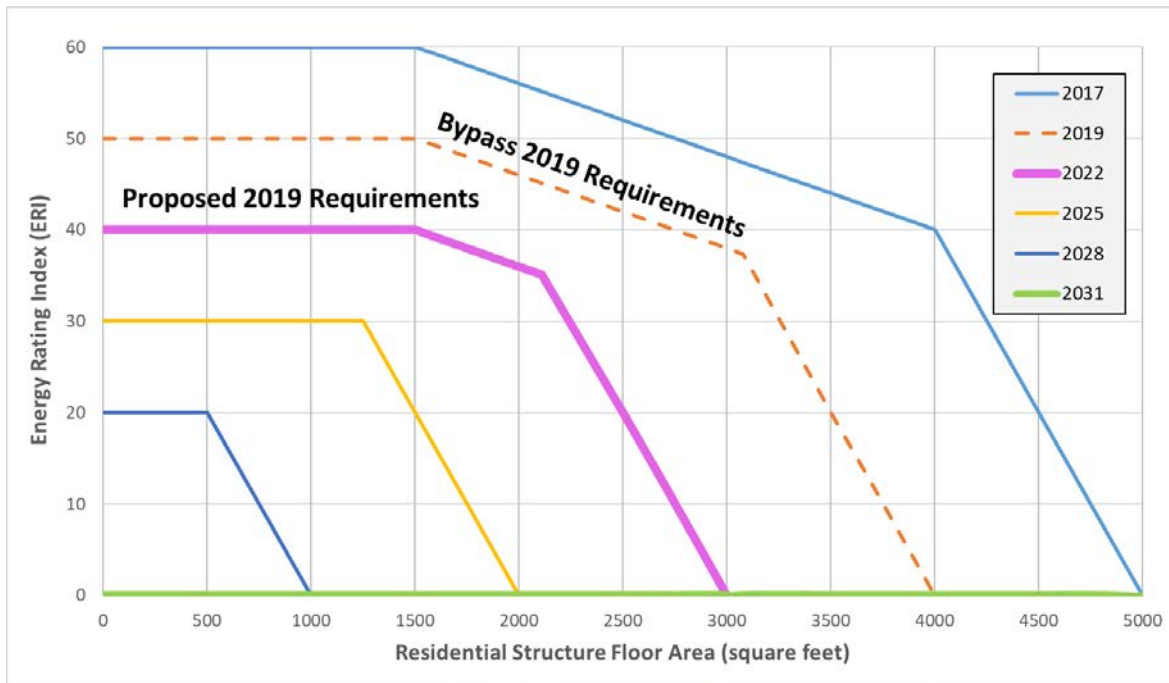
**Goals are to encourage:** smaller homes, creative infill of large lots with multiple smaller-units (where appropriate), housing affordability, sustainable development, efficient use of land, compatible neighborhood character, permeability (openness between homes), preservation of existing homes.

## **BOULDER ENERGY CONSERVATION CODE – POTENTIAL STRATEGIES FOR HOME SIZE AND ENERGY**

A factor to consider as average home size increases each year is the correlation between home size and energy consumption. As square footage increases, the burden on heating and cooling equipment rises, lighting requirements increase, and the likelihood that the household uses more than one refrigerator increases, as does the presence of home theaters, outdoor pools, spas, and similar high-energy-consuming features. Home energy usage is well regulated by Boulder's energy code and homes are increasingly being required to be Net Zero Energy, however, there is room for increasing these requirements as a tool to incentivize smaller homes, or to at least further mitigate the impact of larger homes. Below, energy conservation staff have proposed an acceleration of existing energy code requirements as well as other strategies that might be considered.

### **Operational Energy**

Boulder has approximately 44,000 residential dwelling units that consume 15% of the city's energy annually. A key strategy in the city's roadmap for meeting our climate commitment goals is developing an increasingly stringent energy code to curb this consumption. The city currently has a robust energy code that is one of the strictest in the nation. New homes and major renovations must achieve an Energy Rating Index (ERI) score no greater than 60. An ERI score is a common energy efficiency metric defined as a numerical score from 0-100, where 100 is equivalent to the 2006 code compliant home and zero is equivalent to a Net Zero Energy (NZE) home. To mitigate the environmental impact of larger homes, a sliding scale was incorporated into the code that increased the stringency of the code for homes with larger floor area. As Figure 1 illustrates, under the current code, all homes greater than 5,000 square feet are required to be NZE. The current long-term code strategy is to incrementally work towards NZE codes by 2031 with increasing stringency every three years, which is also illustrated in Figure 1. The next planned update to the energy code will occur in 2019. Analysis to support the development of the new code language is currently underway. The new code will advance requirements for all homes as well as commercial construction.



**Figure 1: Residential Energy Code ERI Requirements for New Construction.**

Staff propose an acceleration of these ERI requirements with the 2019 planned update; and propose moving straight to the 2022 ERI requirements in Figure 1. This would require all new homes to have an ERI score of 40 or less and all new homes greater than 3,000 square feet would be required to be NZE. The current timeline for new energy code adoption is December 2019.

These increased efficiency requirements are well supported by new cost effectiveness studies suggesting the economics for building NZE homes are improving. Rocky Mountain Institute (RMI) recently released [Economics of Zero-Energy Homes: Single Family Insights](#), which shows NZE homes are reaching cost parity with conventional construction and that, as the underlying technologies and design elements continue to improve and scale, these costs will continue to decline. In Boulder, a reduction in the price of solar, as well as technical advancement in heat pump technology and adoption is paving the way for this new math.

In the September 25, 2018 Study Session with City Council, there was discussion of requiring large homes to go beyond net zero energy and to be net positive, energy producing. Over producing electricity in Colorado has a regulated limit. The size of the solar panel system allowed on a customer's residence is determined by the customer's total electricity usage. The total output of the system must not be greater than 120% of the energy used by the customer. Therefore, grid connectivity becomes a barrier to requiring homes to be net positive. In future net positive metering may be possible; either through a municipal electric utility or further partnership with Xcel Energy to reinterpret the 120% policy. Staff will continue to monitor this topic and look for ways to increase distributed solar generation through building codes.

### Embodied Energy

As home size increases, the energy used to build and maintain the home increases, as well. Home construction contributes significantly to resource consumption and CO2 emissions. Larger homes consume more energy to construct. Electricity and fuels are consumed during the extraction, manufacture, delivery and maintenance of a home’s constituent materials. Energy that is embedded in all products and processes used in constructing a building is known as embodied energy.

Boulder’s energy codes currently only address operational energy. Most homes are being built tighter, with better insulation, high performance heating and ventilation systems, and high efficiency lighting and water heating equipment. As the operational energy requirements of high-performance homes drop, the embodied energy due to home construction become a more significant part of the life cycle building energy. Refer to Figure 2

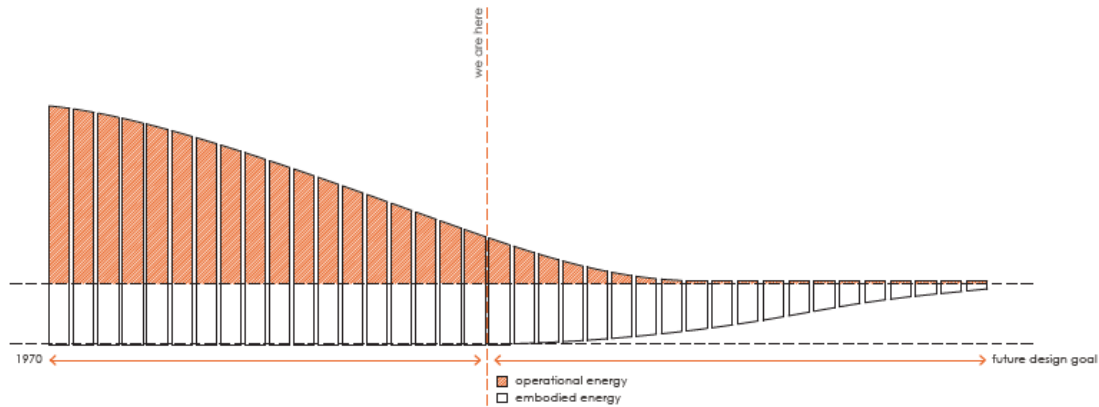


Figure 2: Building Life-cycle Energy<sup>1</sup>

Tracking, understanding, and curbing this consumption is challenging due to the various calculation methodologies, source data, and calculation boundaries. Nevertheless, staff is beginning to engage local design professionals to understand how the city could best encourage reduction in embodied energy. Further analysis during the community outreach process will help in formulating strategies around embodied energy.

<sup>1</sup> Reducing the Environmental Impacts of Building Materials: Embodied Energy Analysis of a High-Performance Building, May 2017



## Case Studies Review – Large Homes and Lots Project

This attachment describes how several communities regulate single-family residential development including Floor Area requirements and form, bulk and intensity standards. This review is based on existing city ordinances and additional information available online. The 13 case studies also highlight potential regulatory tools (such as FAR bonuses, overlays, and conservation districts) that could be implemented in addition to adjustments to typical form, bulk and intensity standards.

Below are key takeaways from the from case studies:

- Of the communities' reviewed that have FAR requirements, none have a hard cap on floor area, only a ratio or sliding percentage calculation.
- Boulder's current FAR regulations are generally in-line or more restrictive for moderate to large-sized lots (lots greater than 7,000 SF), compared to the communities reviewed that have FAR requirements (.25 to .5 in Boulder vs. approx. .3 to .7 for other communities).
- Boulder allows a greater FAR for smaller lots (lots 7,000 SF and smaller) compared to the communities reviewed that have FAR requirements (.5 to .62 in Boulder vs. approx. .3 to .4 for other communities).
- Boulder permits among the tallest building height for single-family development (35') compared to the 13 communities reviewed (typically 30' range, or a sliding scale from as low as 24' to 36' max. depending on roof structure, design and/or special review).
- Additional potential tools to regulate homes, size, character and compatibility:
  - Neighborhood Conservation Districts – City of Denver, Boulder County, CO
  - FAR Overlay Districts – City of Glendale, CA
  - Design Review Boards – City of Glendale, CA, City of Santa Clara, CA, City of Sausalito, CA
- Potential context-based / designated neighborhood standards – Boulder County, CO, City of Malibu, CA
- Potential creative residential infill incentives and tools:
  - City of Portland – Residential Infill Project – FAR bonuses for duplexes, Triplexes, ADU's and affordability restrictions. Reduction in single-family allowed FAR
  - City of Denver – Form-based infill design regulations such as garden courts, townhomes, etc.

## Boulder County, CO Single-Family Zoning

### Overview

Boulder County regulates new home size to the *greater* of 125% of the median residential floor area in the defined neighborhood, or 1,500 SF in townsites and 2,500 SF everywhere else in the county. Development of a lot requires administrative review per the Site Plan Review (SPR) process and criteria. Essentially 2,500 SF is the floor for single-family home size in the majority of Boulder County, and 1,500 SF in the townsites.

- Neighborhoods are defined as the platted subdivision of a given parcel. If not within a platted subdivision with 7 or more developed parcels, then defined as any developed parcels within 1,500 feet of the applicable parcel.
- Townsites – the mapped townsites of Eldora, Allenspark, Eldorado Springs, Raymond, and Riverside.
- New homes 6,000 SF and greater are required to purchase TDC (Transferable Development credits).

### Single-Family Development Regulations

Comparative Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Control - Floor Area
Rural Residential (RE) zone - Residential areas developed at a density and charter compatible with agricultural uses.	1 acre	Front: 25' Rear: 15' Side: 7'	30', not to exceed 35' via site review or if platted prior to 1994	Must be within the greater of 125% of the median floor area of the defined neighborhood; or a total residential floor area of up to <b>1,500 SF</b> within Allenspark, Eldora, Eldorado Springs, Raymond, and Riverside, and <b>2,500 SF</b> within all other areas of the County. Exceptions may be allowed if the adjacent properties exceed the above limits and proposal is compatible with them.
Estate Residential (ER) zone - Low density urban residential areas.	1 acre	Front: 35' Rear: 25' Side: 10'		
Suburban Residential (SR) zone - Low density suburban residential areas.	7,500 square feet	Front: 25' Rear: 15' Side: 7'		

### Additional Information:

#### **Site Plan Review:**

Administrative review required for:

1. Any development on vacant parcels in unincorporated Boulder County.
2. Any increase in residential floor area which results in a total residential floor area greater than 125% of the median residential floor area for the defined neighborhood in which the subject parcel is located. In determining if the proposed development is greater than 125% of the residential median floor area, any demolition and rebuilding of any existing residential structure or any portions thereof, shall be counted toward the threshold.

**Floor Area compatibility of residential structures:**

Either: (1) 125% of the median residential floor area for that defined neighborhood or (2) of a total residential floor area of 1,500 square feet in the mapped townships of Allenspark, Eldora, Eldorado Springs, Raymond, and Riverside, or 2,500 square feet for all other areas of the County, are compatible with that neighborhood, subject also to a determination that the resulting size complies with the other Site Plan Review standards of the Land Use Code.

A project may exceed the above provisions if it can demonstrate it's compatible with the adjacent properties (additional factors covered by site review also apply):

The distribution of residential floor area within the defined neighborhood, taking into consideration the sizes (a minimum of two) adjacent to the subject property. (1) If the proposed development is able to overcome the size presumption due to the adjacent sizes, the size of the resulting development may not exceed the median residential floor area of those adjacent to the subject property that are over the size presumption.

**Residential Floor Area Definition:** For the purposes of Site Plan Review and the presumptive size thresholds associated with the Expanded Transfer of Development Rights Program, Residential Floor Area includes all attached and detached floor area (as defined in 18-162) on a parcel including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, storage sheds, home offices, and workshops. (Exemptions: Gazebos, carports, detached greenhouses and hoop houses up to a total combined size of 400 square feet.)

**Boulder County Neighborhood Conservation Overlay (NCO) Districts:**

NCO's are another potential tool for regulating home size and compatibility in the county, however no such overlays do so today. Establishment of Neighborhood Conservation Overlays require 60% consent of the affected property owners, Planning Commission review, and Board of County Commissioner's approval. Only one Neighborhood Conservation Overlay currently exists in the county - Fairview Estates with regulations to preserve westward views.

Purpose of NCO Districts:

1. To preserve and protect the character or valued features of established neighborhoods
2. To recognize the diversity of issues and character in individual neighborhoods in the unincorporated parts of Boulder County.
3. To reduce conflicts between new construction and existing development in established neighborhoods.
4. To provide knowledge and reliance about the parameters of neighborhood character.
5. To allow neighborhoods to work together with the County to formulate a plan that defines their community of common interest and that fosters a defined community character consistent with County zoning, the Land Use Code, and the Comprehensive Plan.
6. To complement the County's Site Plan Review process in neighborhoods that have defined their community character pursuant to these regulations.

NCO's may regulate form, massing, size, height and other development regulations. Development in Neighborhood Conservation Overlays may not require Site Plan Review.

**City of Bozeman Montana, Single-Family Zoning**

Overview

The City of Bozeman, Montana adopted a new Unified Development Code in 2018, with streamlined zoning regulations including for single-family residential development. The city’s FAR regulations are straightforward and moderate in terms of allowance.

Single-Family Development Regulations

Comparative Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
R-1 Residential Low Density	5,000 SF Min. Lot width: 40'-50'	Front: 15' Rear: 20' Side: 5'	24' – 36', depending on roof pitch. An area up to 10% of the building footprint may extend above the max. building height by up to 12' (this includes habitable space), so long as it's setback at least 5' from the building edge.	40% max. lot coverage .5 max. FAR
R-2 Residential Moderate Density	4,000 SF Min. Lot width: 40'-50'			40% max. lot coverage .75 max. FAR

Additional Information:

**Neighborhood Conservation Overlay Districts (historic):**

Creates additional Design Board regulations and review requirements. However, the overlay covers historic districts and landmarked buildings, thus its purpose is for compatible infill development in Bozeman’s historic neighborhoods only.

Purpose: to protect and enhance neighborhoods or areas of significant land planning or architectural character, historic landmarks or other built or natural features for the educational, cultural, economic benefit or enjoyment of citizens of the city.

**City of Denver Conservation Overlay Districts & Residential Zoning**

**Conservation Overlay Districts (from *Historic Denver*)**

Overview

The City of Denver updated the city zoning code in 2010 and included a new tool, the Conservation Overlay District. The conservation districts create special zoning that supports the character of a neighborhood, often times near established historic districts or in neighborhoods where the preservation of an existing character is important. For example, if a neighborhood is a low-slung, mid-century neighborhood you can create zoning that reinforces these attributes and requires new construction to meet certain, objective, parameters. If a neighborhood has tall homes on narrow lots, a conservation district can provide the opportunity to build a little differently than allowed in a typical zone district. Like historic districts, conservation districts must ultimately be approved by the Denver City Council. Unlike historic districts, conservation districts require 51% landowner consent. They also do not regulate demolition of historic structures and require design review for modifications.

There are currently five Conservation Districts in Denver each with specific regulations tailored to meet the need of their given neighborhood. For instance, the Krisana Park district incorporates development regulations that ensure low profile and single story heights, and compatible building additions.

Denver’s Zoning Code underwent a major updated in 2010 with a Form-Based approach. As such, the zoning code is based on building form rather than intensity controls based on traditional zoning. Some comparisons can be drawn, but in general Denver’s zoning is more permissive of development intensity. Their zoning code does allow for creative infill opportunities such as “Garden Courts” in addition to traditional single-family houses.

Single-Family Development Regulations

<b>Comparative Zoning Districts</b>	<b>Lot Size Min.</b>	<b>Setbacks</b>	<b>Height Max.</b>	<b>Intensity Controls</b>
<a href="#">Suburban Neighborhood context</a>  <a href="#">Urban Edge Neighborhood context</a>	Varies from 3,000 SF to 12,000 SF	Street: 10’-20’ min.  Side: 5’-15’ min.  Rear: 10’-20’ min.	Generally 2 to 3 stories & 30’ - 32’  Bulk Plane - 10’ up at side property lines, then 45 degree inward angle.	<b>Building Coverage: 37.5% or 50% max., or N/A</b> - depending on lot size and building type , and zone. Garden Court for example in Urban Neighborhood context has no max. lot coverage.

## Additional Information (City of Denver)

## Examples from Denver's form-based Zoning Code for residential development in the Suburban and Urban Neighborhood Contexts:

Article 4. Urban Edge Neighborhood Context  
Division 4.3 Design Standards**GARDEN COURT**

<b>HEIGHT</b>		<b>E-MU-2.5</b>
<b>A</b>	Stories, front 65% / rear 35% of zone lot depth (max)	2.5/1
<b>A</b>	Feet, front 65% / rear 35% of zone lot depth (max)	30'/19'
	Feet, front 65% of zone lot depth, permitted height increase	1' for every 5' increase in lot width over 50' up to a maximum height of 35'
	Side Wall Plate Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'
<b>B</b>	Upper Story Setback, for Low-Slope Roof, above 25': Side, Interior and Side Street	15'
<b>SITING</b>		<b>E-MU-2.5</b>
<b>ZONE LOT</b>		
	Zone Lot Size (min)	9,000 sf
<b>C</b>	Zone Lot Width (min)	75'
	Dwelling Units per Primary Residential Structure (max)	10
<b>SETBACKS</b>		
	Primary Street, block sensitive setback required	yes
<b>D</b>	Primary Street, where block sensitive setback does not apply (min)	20'
<b>E</b>	Side Street (min)	5'
<b>F</b>	Side Interior (min)	5'
	Rear, alley/no alley (min)	12'/20'
<b>G</b>	Required Separation Between Primary Structures (min)	10'
<b>PARKING</b>		
	Surface Parking between building and Primary Street/Side Street	Not Allowed/Not Allowed
<b>H</b>	Off-Street Parking Area	Shall be setback a minimum of 50' from the Primary Street
	Surface Parking Screening	See Article 10, Division 10.5
	Vehicle Access	From Alley; or Street access allowed when no Alley present
	<b>DETACHED ACCESSORY STRUCTURES</b>	See Sec. 4.3.4
<b>DESIGN ELEMENTS</b>		<b>E-MU-2.5</b>
<b>BUILDING CONFIGURATION</b>		
<b>I</b>	Upper Story Stepback, for any portion of building with Low-Slope Roof, above 25': Primary Street (min)	10'
<b>J</b>	Street-Facing Garden Court Width, (min)	30' or 33% of Zone Lot width, whichever is greater.
<b>K</b>	Street-Facing Garden Court Depth (min)	30'
	Garden Court Design Standards	See Sec. 4.3.5.3
	Rooftop and/or Second Story Decks	See Section 4.3.5.2
	Attached Garage Allowed	May follow the Detached Garage building form Side Street, Side Interior and Rear setbacks
<b>STREET LEVEL ACTIVATION</b>		

### F. Garden Court

Not to Scale. Illustrative Only.



## City of Glendale CA, Single-Family Zoning

### Overview

The City of Glendale adopted FAR regulations for Single-Family residential zones in the 1990's. The regulations establish FAR districts tiered from least FAR to the greatest at District I, II, and III. These FAR districts are a zoning map overlay, and generally correspond the existing lot size pattern, such that the larger lots are within the FAR District III, and the smaller lots generally within FAR District I.

As part of the review process a Design Review Board must approve any new homes, as well as additions over 700 SF to existing homes, as well as fences over three feet in height. Design guidelines such as materials and aesthetic cues are also part of the review. The city also further protects historic residential neighborhoods through Historic Overlay Districts.

### Single-Family Development Regulations

Comparative Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
ROS Residential Open Space	12,000 SF for new lots,  7,500 SF for lots created prior to 1986  Min. Lot Width: 100'	Front: 15'  Side: 10' Street Side: 15'  Rear: 10'	32' +, 3' for a pitched roof w/ min. pitch of 3:12	<p><b>Floor Area Ratio Max.</b>  <b>District I:</b> 0.30 for the 1st 10,000 sq. ft. of lot area and 0.10 for the portion of lot area thereafter  <b>District II:</b> 0.40 for the 1st 10,000 sq. ft. of lot area and 0.10 for the portion of lot area thereafter  <b>District III:</b> 0.45 for the 1st 10,000 sq. ft. of lot area and 0.10 for the portion of lot area thereafter</p> <p>FAR shall not include up to 500 sq. ft. of garage area as specified in the definition of the term for dwelling units having a floor area of less than 3,500 sq. ft. Up to 700 sq. ft. of garage area shall not be included for dwelling units having a floor area of 3,500 sq. ft. or more. Subterranean garages do not count toward FAR.</p> <p><b>Max. Lot Coverage (ROS and R1R only):</b> 40%</p> <p><b>Min. Landscape Open Space:</b> 40%</p>
R1R Restricted Residential	12,000 SF for new lots,  7,500 SF for lots created prior to 1986  Min. Lot Width: 100'	Front: 15'  Side*: 10' Street Side: 15'  Rear (new buildings)*: 10'  *Additions to buildings constructed before 1991 may be setback closer.	2 stories - 3 <sup>d</sup> story allowed when located ins loped lot averaging 40%	
R1 Low Density Residential	5,500 SF for new lots,  5,000 SF for lots created prior to 1986	Front: 25'  Side*: 6' Street Side: 6'  Rear (new buildings)*: 6'  *Additions to buildings constructed before 1991 may be setback closer.	25' +, 3' for a pitched roof w/ min. pitch of 3:12	



Additional Information (City of Glendale)

FAR Districts:

- Consists of three FAR districts that covers the ROS, R1R and R1 residential zoning districts (ranging from .3 to .45 FAR). Usually established at a block or neighborhood level – typically relate to the lot size and hillside topography, but there are no quantifiable limits or thresholds to the different districts.

Design Review Board required:

- Intent includes to ensure single-family design which is compatible with the character inherent within the surrounding neighborhood;
- And new structure, and specifically new single family homes, and additions over 700 SF, as well as fences over 3'
- A neighborhood survey is required as part of the application process in which the FAR, lot size, number of stories, and house area provided for all homes within a 300 ft. radius. A new project must be somewhat consistent with the neighborhood average, or have valid reasons why the proposal may be consistent and compatible with the neighborhood (ex. located on a flag not and not visible from the street, or the massing is such that the project looks like a 1-1/2 story structure, etc).

Historic Overlay Zones

- Protect most sensitive single-family neighborhoods that are historic in nature, approx. 350 lots.
- More restrictive development standards
- Greater protection from demolition and redevelopment.

**Madison Wisconsin, Single-Family Zoning**

Overview

The City of Madison Wisconsin does not regulate building Floor Area directly, instead home size is limited by the overall Lot coverage allowance as well as the setbacks. This allows for larger homes throughout most of the city’s neighborhoods.

Single-Family Development Regulations

Comparative Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
SR districts (C1-C3) Suburban Residential Consistent districts established to stabilize and protect the essential characteristics of low- to moderate-density residential areas typically located in the outlying parts of the City	6,000 – 8,000 SF Min. Lot width: 50'-60'	Front: var.25' or 30' Side: var. 5' to 7' Rear: Lesser of 30% of lot depth or 35'* (if principal structure covers 20% or less of lot, may be reduced to 25% of lot depth).	2 stories and 35'	Max. lot coverage: var. 50% or 60% Usable Open Space: var. 1,300 to 750 SF
TR-R district Traditional Residential Rustic district established to stabilize and protect the natural beauty, historic character and park-like setting of certain heavily wooded low-density residential neighborhoods	.6 acres (26,136 SF) Min. Lot width: 65'	Front: 50' Side: var. 30' Rear: 40'	3 stories and 40'	Max. lot coverage: 15%

Additional Information

**Front setback averaging:** Where at least fifty percent (50%) of the front footage of any block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the existing principal structures on the block face or the normal setback requirement in the district whichever is less, but no less than ten (10) feet

**Sidewall Offset:** A maximum of forty (40) feet of a principal building's side wall may be placed at the minimum sidewall setback. In order to avoid the monotonous appearance of long unbroken building facades from streets or abutting properties, any portion of a building side wall located within eighteen (18) feet of the side lot line that exceeds forty (40) feet in depth shall be set back an additional two (2) inches from the side lot line for every foot over forty (40) feet in depth. (Residential building with windows, Doors, and other architectural features that articulate the facade are exempt).

Additional Information (City of Madison, WI)

**Single-family detached building width:** Buildings facing a public street shall not exceed a width of fifty (50) feet along a single plane on the axis facing the street. Additional building wings facing the street shall be set back at least five (5) feet behind the front plane of the building.

**City of Malibu, CA, Single-Family Zoning**

Overview

The City of Malibu’s Single Family (SF) regulates the majority of the city’s single-family residential parcels. The intent of the district is to enhance the rural characteristics of the community by maintaining low density residential development in a manner which respects surrounding property owners and the natural environment.

Single-Family Development Regulations

Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
SF-L Single Family - Low	2 acres  Min. Lot Width: 80’ Min. Loth Depth: 120’	Front: 20% of the lot depth or 65’, whichever is less  Side: 10% of the lot width or 5’, whichever is greater  Combined Side: 25% min. of the lot width  Rear: 15% of the lot depth or 15’, whichever is greater	18’ except for appurtenances 2 stories max. above grade	<b>Structure Size</b> (total development square footage max): Lots 5k SF or less: 1,885 SF Lots up to .5 acre: 17.7% of lot area + 1k SF Btw .5 and 1 acres: same as above + 10% of lot area exceeding .5 acre Btw 1 acres and 1.5 acres: + 5% of lot area exceeding 1 acre Btw 1.5 acre and 5 acres: + 2% of lot area exceeding 1.5 acres 5 acres or greater: 11,172 SF  <b>Impermeable Coverage</b> (includes building) Lots up to .25 acres 45% Btw. .25 - .5 acres 35% Over .5 acres 30% Max. of 25k SF
SF-M Single Family - Medium	.25 acre Min. Lot Width: 80’ Min. Loth Depth: 120’			
Beachfront	.25 acre  Min. Lot Width: 45’ Min. Loth Depth: 120’	Front: 20’ max. or avg. of two immediate neighbors, whichever is less  Side: 10% of the lot width, w/ 3’ min. and 5’ max.  Rear: determine by stringline rule (contextual with nearest up and down coast existing setbacks)	24’ for a flat roof, 28’ for a pitched roof 2 stories max. above grade	<b>Structure Size</b> (total development square footage max.): Lots 5k SF or less: 1,885 SF Lots up to .5 acre: 17.7% of lot area + 1k SF Btw .5 and 1 acres: same as above + 10% of lot area exceeding .5 acre Btw 1 acres and 1.5 acres: + 5% of lot area exceeding 1 acre Btw 1.5 acre and 5 acres: + 2% of lot area exceeding 1.5 acres 5 acres or greater: 11,172 SF

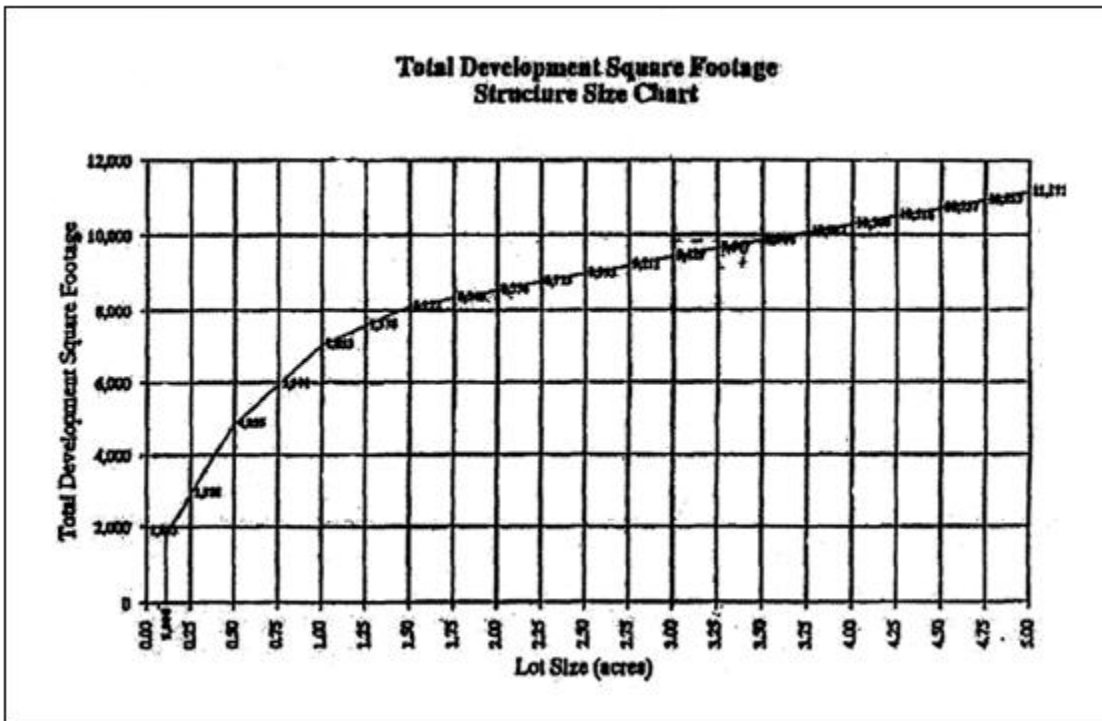
Additional Information (City of Malibu, CA)

The director may issue a development permit, pursuant to the site plan review process, to allow heights up to twenty-four (24) feet for flat roofs and twenty-eight (28) feet for pitched or sloped roofs. In no event shall the maximum number of stories above grade be greater than two.

**Neighborhood Standards.** Upon application and pursuant to Section 17.62.040, the planning commission may approve or conditionally approve increased height, structure size and/or development area and/or decreased setbacks where such modifications do not exceed the neighborhood standards and where the planning commission affirmatively makes all the findings set forth in Section 17.62.040(D).

Neighborhood standards apply where there are at least ten (10) developed lots within a five hundred (500)-foot radius of the subject site located in the same neighborhood. A neighborhood is defined by the presence of such features as common access, beachfront or landside orientation or by being a part of the same subdivision or development, or by being within the same proximate area of the city with no intervening major natural or manmade physical features such as major roads or flood control channels, canyons, watercourses, hills, ridges or mountains, and sharing similar zoning and other development characteristics such as lot and house size.

“Neighborhood standards” means the average structure size and/or development, setback, or height, of at least eighty (80) percent of all the legal lots developed with a single-family residence within a five hundred (500)-foot radius of the subject site located in the same neighborhood. In such cases the eighty (80) percent shall be determined by excluding the smallest ten (10) percent and the largest ten (10) percent of lots in terms of structure size and/or development area and height, and the smallest twenty (20) percent of lots in terms of yard setbacks.



**Marin County, CA, Single-Family Zoning**

Overview

Marin County’s Single-Family residential development standards are intended to preserve sensitive coastal environments and to keep new home construction in scale with the existing neighborhoods. Floor Area is limited to .3 for Lots of 7,500 SF in size (minimum lot size) or greater. Multi-family residential and planned residential districts do not have FAR limitations.

Single-Family Development Regulations

Comparative Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
RA, RR, RE, R1, and R2	7,500 SF	Front: 25’ Side: 6’ (10’ on street side) Rear: 20% of lot depth to max. 25’	30’	Max. FAR: .3
C-RA, C-R1, and C-R2 (coastal residential districts)	7,500 SF Average Lot Width: 60’	Front: 25’ Side: 6’ Rear: 20% of lot depth to max. 25’	25’	Max. FAR: .3

Additional Information

**Exceptions to height limits:** Dwellings in an A, A2, RA, RR, RE, R1, and R2 zoning district may be increased in height without Variance approval by a maximum of 10 feet when side setbacks of 15 feet or greater are provided, subject to the regulations of [Chapter 22.42](#) (Design Review).

**Setback averaging.** The front building setback, garage entrance setback, and the setback of decks, balconies, and porches may be reduced to the average of the respective setbacks on the abutting lots. See Chapter 33.930, Measurements, for more information.

## Mercer Island, Washington Single-Family Zoning

### Overview

The town of Mercer Island, Washington has recently experience the construction of large homes on existing lots that were not in alignment with their Comprehensive Plan's goals and policy for residential development. To bring single-family development into alignment with their policies and goals, the city passed more restrictive single family residential development regulations aimed at smaller and more compatible homes in September 2017. The new regulations reduce the permitted FAR to the *lesser* of 40% of the lot area or a capped square footage, across all residential zones. Mercer Island's regulation on Gross floor Area is very restrictive, as smaller lots are still limited to an effective .4 FAR.

### Single-Family Development Regulations

Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
R-15	15,000 SF 90' min. lot width, 80' min. lot depth			<b>Gross Floor Area</b> 12,000 SF or 40%, whichever is less.  <b>Lot Coverage (includes building)</b> Lot Slope < 15% – 40% Lot Cov. 15% to <30% – 35% Lot Cov. 30% to 50% SF – 30% Lot Cov. > 50% – 20% Lot Cov.
R-12 Single Family - Medium	12,000 SF 75' min. lot width, 80' min. lot depth	Front: 20'  Rear: 20'  Side: 5'-10'	30' from the average building elevation to the highest point of the roof	<b>Gross Floor Area</b> 10,000 SF or 40%, whichever is less.  <b>Lot Coverage (includes building)</b> Lot Slope < 15% – 40% Lot Cov. 15% to <30% – 35% Lot Cov. 30% to 50% SF – 30% Lot Cov. > 50% – 20% Lot Cov.
R-9.6	9,600 SF 75' min. lot width, 80' min. lot depth	Combined Side: 15', or for lots greater than 90' wide -17% of the lot width,		<b>Gross Floor Area</b> 8,000 SF or 40%, whichever is less.  <b>Lot Coverage (includes building)</b> Lot Slope < 15% – 40% Lot Cov. 15% to <30% – 35% Lot Cov. 30% to 50% SF – 30% Lot Cov. > 50% – 20% Lot Cov.
R-8.4	8,400 SF 60' min. lot width, 80' min. lot depth			<b>Gross Floor Area</b> 5,000 SF or 40%, whichever is less.  <b>Lot Coverage (includes building)</b> Lot Slope < 15% – 40% Lot Cov. 15% to <30% – 35% Lot Cov. 30% to 50% SF – 30% Lot Cov. > 50% – 20% Lot Cov.

Additional Information (Mercer Island, WA)

**Gross Floor Area adjustments** for tall ceilings –

- 150% of the floor area for portions of rooms with a ceiling height of 12 – 16 feet.
- 200% of the floor area for portions of rooms with a ceiling height more than 16 feet.

**Large Lots** – required to provide a subdivision plan to ensure that the construction of a single-family home on a large lot does not preclude compliance standards related to the potential subdivisions as prescribed by code, of the large lot, as applicable.

**Lot Coverage - Landscaping Area** – Required as the remainder percentage of the Lot coverage. A min. of 9% of the landscaping area may consist of hardscape such as walkways and decks.

**City of Portland, OR – Residential Infill Project**

Overview

Portland Oregon is in the process of updating their development regulations to better regulate the size of new infill single family homes (reducing the base size in some districts), while also providing greater flexibility for housing variety in their residential zones. The Residential Infill project started in fall of 2015, and implementation measures have not yet been adopted. The project is occurring in two phases, the first phase was completed in December of 2017 and resulted in the [Concept Report \(link\)](#), where the Portland City Council approved the following concepts:

Reflecting community input, the Council approved and amended the concepts as follows:

- Reduce the maximum size of new houses and remodels in single-dwelling zones.
- Establish an overlay zone in single-dwelling zones that will allow more housing types (i.e. houses with two ADUs, duplexes, duplexes with a detached ADU, and triplexes on corner lots).
- Explore overlay zone boundary options near designated neighborhood centers and corridors with good transit service; consider property lines, physical barriers, natural features, topography and infrastructure constraints.
- Provide added flexibility for internal conversions of existing houses citywide.
- Increase flexibility for cottage clusters on large lots citywide.
- Explore incentives for age-friendliness, affordability and tree preservation.
- Restrict historically narrow lots from being developed in the R5 zone.
- Revise the development standards for houses on R2.5-zoned narrow lots.

City of Portland Continued

Phase II includes the implementation of the above goals and will create new FAR regulations that will lower the floor area for single-family homes to within the .4 to .5 FAR range for the R7, R5, and R2.5 districts. It will also revise height to be measured based on the lowest average grade (rather than the highest average grade that is now in effect). Proposed changes also include the recommendation for a new overlay zone for the R7, R5, and R2.5 zones that grants FAR bonuses for duplexes, triplexes and possibly fourplexes in order to incentivize more affordability, density and a diversity of housing units within neighborhoods. The R10, R20, and RF zones (largest lot size residential districts) would be allow 1 ADU for each detached primary unit.

The proposed overlay would allow a floor area bonus if creating additional units on a given lot. For example, a 5,000 SF lot would permit 2,500 SF for a single-family home, 3,000 SF for a duplex, and 3,500 SF for a triplex (fourplexes are still being considered). The Planning and Sustainability Commission voted to recommend the [proposed changes](#) to Portland City Council on September 18, 2018.

Single-Family Development Regulations (City of Portland) – Subject to change with the Residential Infill project


Comparative Zoning Districts	Lot Size min. (typ.)	Setbacks	Height Max.	Intensity Controls
RF, R20, R10	RF: 52,000 SF R20: 12,000 SF R10: 6,000 SF  Min. Lot width: 36'	Front: 20'  Side: 10'  Rear: 10'	30'	Max. Building Coverage: Lots less than 3k SF: 50% of lot area Lots 3k-5k Sf: 1,500 SF + 37.5% area over 3k SF Lots 5k-20k Sf: 2,250 SF + 15% area over 5k SF Lots 20k+ Sf: 4,500 SF + 7.5% area over 20k SF  Required Outdoor Area: 250 SF
R7	R7: 7,000 SF  Min. Lot width: 36' typ.	Front: 15'  Side: 5'  Rear: 5'		
R5	5,000 SF Min. Lot width: 36' typ.	Front: 10'  Side: 5'		
R2.5	2,500 SF Min. Lot width: 36' typ.	Rear: 5'	35'	



City of Portland, OR – Proposed Overlay FAR regulations and Bonuses (underlined are proposed changes):

Standard	RF	R20	R10	R7	R5	R2.5	
						detached See 33.110.270	attached See 33.110.240.C
<u>Maximum FAR</u> (See 33.110.215;	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>0.4 to 1</u>	<u>0.5 to 1</u>	<u>0.5 to 1</u>	<u>0.7 to 1</u>
Maximum Height (See 33.110.220 <del>15</del> )	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	<del>30</del> 35 ft.	35 ft.
Minimum Setbacks - Front building setback - Side building setback - Rear building setback - Garage entrance setback (See 33.110.225 <del>20</del> )	20 ft. 10 ft. 10 ft. 18 ft.	20 ft. 10 ft. 10 ft. 18 ft.	20 ft. 10 ft. 10 ft. 18 ft.	15 ft. 5 ft. 5 ft. 18 ft.	<del>15</del> 10 ft. 5 ft. 5 ft. 18 ft.	10 ft. 5 ft. 5 ft. 18 ft.	10 ft. 0/5 ft. 5 ft. 18 ft.
Required Outdoor Area - Minimum area - Minimum dimension (See 33.110.245 <del>235</del> )	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	200 sq. ft. 10 ft. x 10 ft.

Units	Allowed Housing Type	R7		R5				R2.5	
		FAR		FAR		SF of BLDG (on 5K SF lot)		FAR	
		Base	W/ Bonus	Base	W/ Bonus	Base	W/ Bonus	Base	W/ Bonus
1	House	.4	NA	.5	NA	2,500	NA	.7	NA
2	Duplex or House + ADU	.5	.6	.6	.7	3,000	3,500	.8	.9
<b>Minimum lot size (1-2 units)</b>		4,200 sq. ft.		3,000 sq. ft.				1,600 sq. ft.	
3	Triplex, Duplex + ADU, or House + 2 ADUs	.6	.7	.7	.8	3,500	4,000	.9	1.0
4	Fourplex								
<b>Minimum lot size (3+ units)</b>		<del>6,300</del> sq. ft. <u>5,000</u> sq. ft.		4,500 sq. ft.				3,200 sq. ft.	

 = staff's original proposed base FAR for all housing types.

**City of San Rafael, CA, Single-Family Zoning**

Overview

The city of San Rafael’s, California single-family residential districts provide opportunities for low-density, detached single-family residential development. Development densities are based on existing development patterns in the area and environmental site constraints. Most comparable districts are R1a, R20 and R10. The city does not regulate building Floor Area directly, instead home size is limited by the overall Lot Coverage as well as the setbacks.

Single-Family Development Regulations

<b>Comparative Zoning Districts</b>	<b>Lot Size Min.</b>	<b>Setbacks</b>	<b>Height Max.</b>	<b>Intensity Controls</b>
R1a	1 acre  Min. Lot width: 150'	Front: 20' Side: 15' Rear: 25'	30'	Max. Lot Coverage: 25%  Max. Upper Story Floor Size: Lots greater than 5,000 SF: 75% of max. lot coverage. 5,000 SF or less: 50% of max. lot coverage
R20	20,000 SF  Min. Lot width: 100'	Front: 20'  Side: 12.5' (where two or more lots in a block have been improved with buildings, the minimum required shall be the average of improved lots within the same district on both sides of the street for the length of the block.)  Rear: 10'		Max. Lot Coverage: 30%  Max. Upper Story Floor Size: Lots greater than 5,000 SF: 75% of max. lot coverage. 5,000 SF or less: 50% of max. lot coverage
R10	10,000 SF  Min. Lot width: 75'	Front: 20'  Side: 10' (where two or more lots in a block have been improved with buildings, the minimum required shall be the average of improved lots within the same district on both sides of the street for the length of the block.)  Rear: 10'		Max. Lot Coverage: 40%  Max. Upper Story Floor Size: Lots greater than 5,000 SF: 75% of max. lot coverage. 5,000 SF or less: 50% of max. lot coverage

Additional Information (City of San Rafael, CA)

- a. **Upper Story Additions:** Upper-Story Additions and Modifications Which Result in More Than One Floor. Design review of new two-story homes, upper-story additions and lift-and-fill construction is not intended to preclude such development, but rather required to assure better design of such additions and to limit impacts on adjacent properties. Modifications to structures on lots in the hillside development overlay district or on lots with an average slope of twenty-five percent (25%) or more are subject to the Hillside Residential Design Guidelines Manual. Additional window orientation and design consistency standards as well (Section 14.25.050(F)(6)).

**City of Santa Clara CA, Single-Family Zoning**

Overview

The City of Santa Clara adopted robust [design guidelines for Single-Family and Duplex residential in 2014](#). Grappling with perceived incompatible infill development taking place, the city adopted the guidelines which requires compliance for all single family and duplex development, in addition to the requirements of the zoning regulations. As part of the review process an [Architectural Committee](#) (comprised of a city council member and two planning commissioners) are authorized to approve projects for compliance, in some instances planning staff may have approval authority. The guidelines include some prescriptive requirements although others are subjective in nature. The premise is that the infill development should context-based and compatible with the neighborhood in which it's being constructed. Projects must be harmoniously designed based on the cues of the existing neighborhood's architecture, bulk, and scale.

Single-Family Development Regulations

Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
R1-8L Single Family Larger Lot Zoning District	8,000 SF  Min. Lot Width: 70' Min. Lot Depth: 120'	Front: 20' min. min. 35% of front yard shall be landscaped area  Side: 6' min. on one side, 9' min. on the other side  Rear: 20' min.	2 stories & 25'	<b>Building Coverage:</b> 40% max.
R1-6L Single Family Zoning District	6,000 SF  Min. Lot Width: 60' Min. Lot Depth: 120'	Front: 20' min. min. 35% of front yard shall be landscaped area  Side: 5' min.  Rear: 20' min.		

Additional Information (City of Santa Clara) from Single Family and Duplex Design Guidelines

2<sup>nd</sup> Floor Massing:

- Max. 66% of the 1<sup>st</sup> floor area.
- Setback at least 5' from the front and side walls of the 1<sup>st</sup> floor. 2<sup>nd</sup> floors greater than 35% of the ground floor area, should increase the setbacks further.

Architectural Standards:

- Building height and bulk should be appropriate relative to one and two-story homes within the neighborhood.
- Offset the front and side walls of the second-story to avoid a massive, boxy, or bulky design.
- Second-floor areas should be set back at least five feet from the front wall of the first floor, and three to five feet from the side and rear walls of the first floor.
- Simple second-story pop-ups are discouraged.
- Windows to align and be proportional throughout the facade. Offset windows from neighboring homes to avoid direct visual into them.

Architectural Style

- While specific architectural styles are not regulated, the architectural features of the proposed design should be true to the architectural form and appropriate for the neighborhood.
- Roof forms to blend with neighborhood
- Visually pleasing homes

Form & Bulk (City of Santa Clara, CA)

- Minimize privacy invasion
- Front setback should be consistent with adjacent existing homes.
- Provide horizontal offsets for long walls of two feet deep by six feet wide minimum along any second-floor walls of twenty-five feet in length or greater. These insets or offsets should fall within Zoning setback requirements.

**City of Sausalito, CA, Single-Family Zoning**

Overview

The City of Sausalito’s single-family residential zoning district (R-1) provides for low density, detached single-family residential land use. Densities are based on existing development and are meant to be protected and preserved. Development standards reflect the scale, character, and intensity of existing neighborhoods, and are fairly restrictive with FAR.

Single-Family Development Regulations

Comparative Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
R1-8	8,000 SF Min. Lot width: 50'	Front: 0' (certain streets may require a 10' front setback) Side: 5' Rear: 15'	32'	Max. FAR: .4  Max. Building Coverage: 30%  Max. Impervious Surface: 65%
R1-20	20,000 SF Min. Lot width: 50'	Front: 0' (certain streets may require a 10' front setback) Side: 10' Rear: 20'		Max. FAR: .35  Max. Building Coverage: 30%  Max. Impervious Surface: 65%

Additional Information

**Length of Building and Side Setback.** The length of a structure shall be measured along a line parallel to the adjoining side lot line. Where the length of a structure, building wall, or series of attached building walls exceeds 40 feet measured parallel to the adjoining side lot line, the minimum setback shall be increased at the rate of one foot for each five feet such length exceeds 40 feet. The full length of the building shall be subject to the increased setback. If the addition will increase the building length to exceed 40 feet, only the addition shall require the additional side yard setback. The full length of the addition shall be subject to the increased setback. See Diagram 10.40-8.

## City of Seattle Single-Family Zoning

### Overview

Seattle's single-family residential zoning district (R-1) provides for low density, detached single-family residential land use. Densities are based on existing development patterns that are meant to be protected and preserved. Development standards reflect the scale, character, and intensity of existing neighborhoods. The city does not regulate building Floor Area directly, instead home size is limited by the overall Lot Coverage as well as setbacks.

### Single-Family Development Regulations

Comparative Zoning Districts	Lot Size Min.	Setbacks	Height Max.	Intensity Controls
<b>SF 9600</b> Single-Family Residential	9,600 SF  Min. Lot width: 36'	Front: 20'  Side: 5'  Rear: 20% of lot depth (min. of 10')	30' lots greater than 30 feet in width  25' on lots less than 30 feet in width pitched roofs sloped min. 4:12 up to 5' extra height	Max. lot Coverage: 35% Lots less than 5,000 SF: 1,000 SF + 15% of the lot area.  Required Outdoor Area: 250 SF No FAR standards
<b>SF 7200</b> Single-Family Residential	7,200 SF  Min. Lot width: 36'			Max. lot Coverage: 35% Required Outdoor Area: 250 SF No FAR standards
<b>SF 5000</b> Single-Family Residential	5,000 SF  Min. Lot width: 36'			Max. lot Coverage: 35% Required Outdoor Area: 250 SF No FAR standards
<b>RSL</b> Residential Small Lot Single Family Tandem (duplex) and cottage housing developments also permitted with additional regulations	2,500 SF	Front and rear combined: 30' 10' min. each Side: 5', and 10' min. between principal structures	25', pitched roofs sloped min. 4:12 up to 30'	<b>Structure depth</b> cannot exceed 60' (decks, balconies, bay windows excluded)



## Large Homes and Lots

### Project Plan & Community Engagement – *Working Draft*

#### Background

The Large Homes and Lots issue was identified by City Council at their retreat in January of 2018 for further study by staff. A Study Session was held on September 25, 2018 where Council provided guidance on the project scope, the draft Why and Purpose statements, and the preliminary goals for the project, where council directed staff to:

- Revise the project scope and draft Why and Purpose statements to reflect the housing affordability and energy conservation aspects of the project.
- Study options for creating a hard cap on single-family residential floor area, and other changes to limit single family home size through the Form and Bulk Standards of the Land Use Code; and through accelerating updates to the Energy Conservation Code.
- Study options to allow multiple smaller units on a large lot that result in creative infill and enhance affordability.
- Study the creation of incentives and disincentives to encourage the preservation of existing housing stock.
- Investigate trends in the demolition of existing homes and the construction of new homes in the residential zones.

A more detailed summary can be found at this [link](#).

#### Community, Council, and Planning Board Feedback

This plan will be updated to reflect City Council and Planning Board input from discussions this Fall and throughout the duration of the project. The public's input and participation will continuously inform the project including the goals, options, and recommendations. This plan lays out the framework for the project and the community's engagement.

#### *Project Scope*

The project will consider potential land use and energy conservation regulatory tools to address large homes being constructed within the residential zoning districts of the city, including but not limited to the Residential – Estate (RE) and Residential – Rural (RR) zoning districts, that may be incompatible with the existing neighborhood character, and the city's energy-efficiency and affordability goals. The existing form, bulk, and intensity standards of the Land Use Code comprise a suite of regulations including building coverage, floor area ratio, side yard bulk-plane, side wall length, setbacks, and building height – many of which were adopted through the Compatible Infill Development project by City Council on Oct. 6, 2009 (see this [link](#)). These regulations could be amended, or new development tools could be created, such as incentives or disincentives, to encourage the construction of smaller energy-efficient homes, that are compatible with their neighborhoods and align with the city's long term energy-efficiency and affordability goals.



### *Draft Why Statement*

The city's residential neighborhoods are experiencing a dramatic demographic and economic shift with the replacement of modest more-affordable homes with larger more-expensive homes. These large homes are often inconsistent with the existing character of the neighborhoods, and are an inefficient use of land that has exacerbated the city's housing / jobs imbalance and the high-cost of housing. In addition, large homes do not align with the city's energy-conservation goals and policies as they consume greater amounts of energy, both in operation and construction, than do modest-sized homes. To address these shortcomings, smaller homes should be encouraged to foster a more efficient use of land, energy and resources, and to support a broader housing and economic diversity in the city's residential neighborhoods..

### *Draft Purpose Statement*

Consistent with newly updated Boulder Valley Comprehensive Plan (BVCP) policies (see below), staff will amend the Land Use Code to encourage or require smaller homes in residential zones that are consistent with the character of the existing neighborhoods, and that advance the city's energy-efficiency, climate sustainability, and housing affordability goals and policies. This includes creative solutions for both the preservation of existing homes and the development of more small houses (rather than fewer large houses) in residential zones.

## **Guiding BVCP Policies**

### **Section 2 Built Environment**

#### **Neighborhoods**

##### **2.10 Preservation & Support for Residential Neighborhoods**

The city will work with neighborhoods to protect and enhance neighborhood character and livability and preserve the relative affordability of existing housing stock. The city will also work with neighborhoods to identify areas for additional housing, libraries, recreation centers, parks, open space or small retail uses that could be integrated into and supportive of neighborhoods. The city will seek appropriate building scale and compatible character in new development or redevelopment, appropriately sized and sensitively designed streets and desired public facilities and mixed commercial uses. The city will also encourage neighborhood schools and safe routes to school.

##### **2.11 Accessory Units**

Consistent with existing neighborhood character, accessory units (e.g., granny flats, alley houses, accessory dwelling units (ADUs) and owner's accessory units (OAU)) will be encouraged by the city to increase workforce and long-term rental housing options in single-family residential neighborhoods. Regulations developed to implement this policy will address potential cumulative negative impacts on the neighborhood. Accessory units will be reviewed based on the characteristics of the lot, including size, configuration, parking availability, privacy and alley access.

##### **2.14 Mix of Complementary Land Uses**

The city and county will strongly encourage, consistent with other land use policies, a variety of land uses in new developments. In existing neighborhoods, a mix of land use types, housing sizes and lot sizes may be possible if properly mitigated and respectful of neighborhood character. Wherever land uses are mixed, careful design will be required to ensure compatibility, accessibility and appropriate transitions between land uses that vary in intensity and scale.

V2 10.23.2018





## ***Design Quality***

### ***2.33 Sensitive Infill & Redevelopment***

With little vacant land remaining in the city, most new development will occur through redevelopment in mixed-use centers that tend to be the areas of greatest change. The city will gear subcommunity and area planning and other efforts toward defining the acceptable amount of infill and redevelopment and standards and performance measures for design quality to avoid or adequately mitigate negative impacts and enhance the benefits of infill and redevelopment to the community and individual neighborhoods. The city will also develop tools, such as neighborhood design guidelines, to promote sensitive infill and redevelopment.

## ***Section 3 Natural Environment***

### ***Protecting Native Ecosystems & Biodiversity***

#### ***3.04 Ecosystem Connections & Buffers***

The city and county recognize the importance of preserving large habitat areas, especially of unfragmented habitat, in support of the biodiversity of their natural lands and viable habitat for native species. The city and county will work together to preserve, enhance, restore and maintain land identified as critical and having significant ecological value for providing ecosystem connections (e.g., wildlife corridors) and buffers to support the natural movement of native organisms between ecosystems. Connected corridors of habitat may extend through or along the edges of the urban environment and often serve as vital links between natural areas for both wildlife and humans. Connected corridors are often at the greatest risk of degradation and development, and those deemed to have high ecological value should be identified for planning and, where appropriate, for acquisition, preservation, restoration and/or management while balancing existing land uses and other needs of the community.

## ***Section 4 Energy, Climate & Waste***

### ***Energy-Efficient Land Use & Building Design***

#### ***4.07 Energy-Efficient Land Use***

The city and county will encourage energy efficiency and conservation through land use policies and regulations governing placement and orientation of land uses to minimize energy use, including an increase in mixed-use development and compact, contiguous development surrounded by open space.

#### ***4.08 Energy-Efficient Building Design***

The city and county will pursue efforts to improve the energy- and resource-efficiency of new and existing buildings. The city and county will consider the energy consumption associated with the building process (i.e., from the raw materials through construction), improve regulations ensuring energy and resource efficiency in new construction, remodels and renovation projects and will establish energy efficiency requirements for existing buildings. Energy conservation programs will be sensitive to the unique situations that involve historic preservation and low-income homeowners and renters and will ensure that programs assisting these groups continue.



## ***Section 7 Housing***

### ***Preserve & Enhance Housing Choices***

#### ***7.06 Mixture of Housing Types***

The city and county, through their land use regulations and housing policies, will encourage the private sector to provide and maintain a mixture of housing types with varied prices, sizes and densities to meet the housing needs of the low-, moderate- and middle-income households of the Boulder Valley population. The city will encourage property owners to provide a mix of housing types, as appropriate. This may include support for ADUs/OAUs, alley houses, cottage courts and building multiple small units rather than one large house on a lot.

#### ***7.07 Preserve Existing Housing Stock***

The city and county, recognizing the value of their existing housing stock, will encourage its preservation and rehabilitation through land use policies and regulations. Special efforts will be made to preserve and rehabilitate existing housing serving low-, moderate- and middle-income households. Special efforts will also be made to preserve and rehabilitate existing housing serving low-, moderate- and middle-income households and to promote a net gain in affordable and middle-income housing.

#### ***7.09 Housing for a Full Range of Households***

The city and county will encourage preservation and development of housing attractive to current and future households, persons at all stages of life and abilities, and to a variety of household incomes and configurations. This includes singles, couples, families with children and other dependents, extended families, non-traditional households and seniors.

#### ***7.11 Permanently Affordable Housing for Additional Intensity***

The city will develop regulations and policies to ensure that when additional intensity is provided through changes to zoning, a larger proportion of the additional development potential for the residential use will be permanently affordable housing for low-, moderate- and middle-income households.

### ***Integrate Growth & Affordable Housing Goals***

#### ***7.16 Market Affordability***

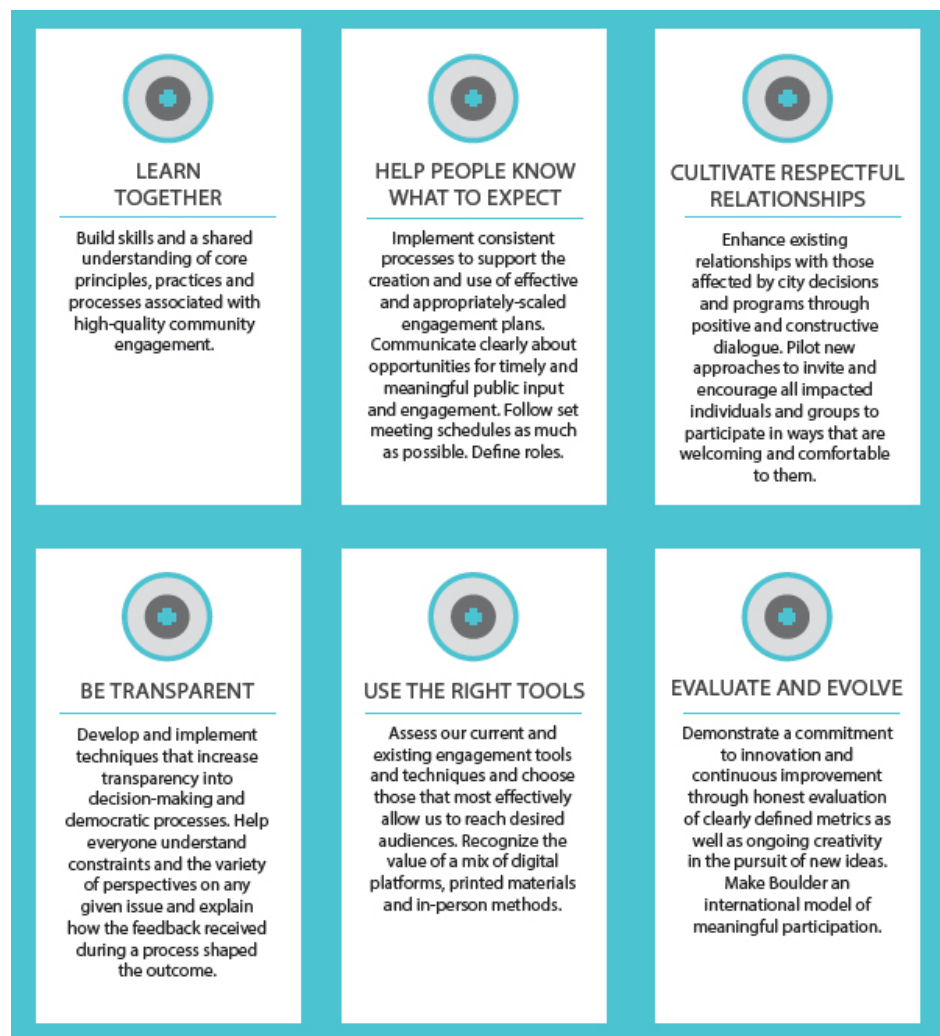
The city will encourage and support efforts to provide market rate housing priced to be more affordable to middle-income households by identifying opportunities to incentivize moderately sized and priced homes



## Boulder's Six Strategies for Community Engagement Success

Consistency is a key element of several of the city's community engagement strategies below.

Recognizing this, the city is piloting the following decision-making process, first envisioned by the Public Participation Working Group. Your local government will strive to follow these steps for all major policy decisions in 2018 and 2019.





### Level of Engagement and the City's Promise.

Boulder has committed to considering four possible levels of engagement when designing future public participation opportunities (see below chart). The public will be Involved in this project, with the community's feedback influencing the formation of potential options and recommendations, consistent with the scope and purpose of the project. This may include creative solutions for potentially allowing additional units on large lots, limitations on new home size, and increased energy code requirements.

## BOULDER'S ENGAGEMENT SPECTRUM

The city will follow a modified version of IAP2's engagement spectrum to help identify the role of the community in project planning and decision-making processes.

INCREASING IMPACT ON THE DECISION

	INFORM	CONSULT	INVOLVE	COLLABORATE
PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding a problem, alternatives, opportunities and/or solutions.	To obtain public feedback on public analysis, alternatives and/or decisions.	To work directly with the public throughout a process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and identification of a preferred solution.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge your concerns and aspirations, and share feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.	We will work with you to ensure that your concerns and aspirations are reflected in any alternatives and share feedback on how the public input influenced the decision.	We will work together with you to formulate solutions and to incorporate your advice and recommendations into the decisions to the maximum extent possible.

*City of Boulder Engagement Strategic Framework*

### The Community Engagement Process and Principles

The project will follow *Boulder's Decision-Making Process* as outlined in the [City's Strategic Engagement Framework](#). This will include meaningful public engagement and participation at community events, as well as online resources, and tools for feedback. The project is currently in the initial Planning Stage, where the project is scoped, issues and affected users are identified, and a Public Engagement Plan is drafted. The Planning Stage is anticipated to run through Winter 2018. Phase One is anticipated to be complete by May 2019, with Phase Two anticipated to conclude by the Winter of 2019.

Recommendations to update the Use Table and Standards will require City Council approval and public hearings.

It is important to note that recommendations will be informed by public input throughout the process. Any proposed changes will not be made without the community's input, or without City Council approval. Feedback from the community is imperative for the project's success, and public feedback will influence the development of potential options and recommendations throughout the process.

V2 10.23.2018

Item 8D - Large Homes and Lots



Any changes to the Land Use Code will require a recommendation from the Planning Board and approval by City Council, and will include public hearings.

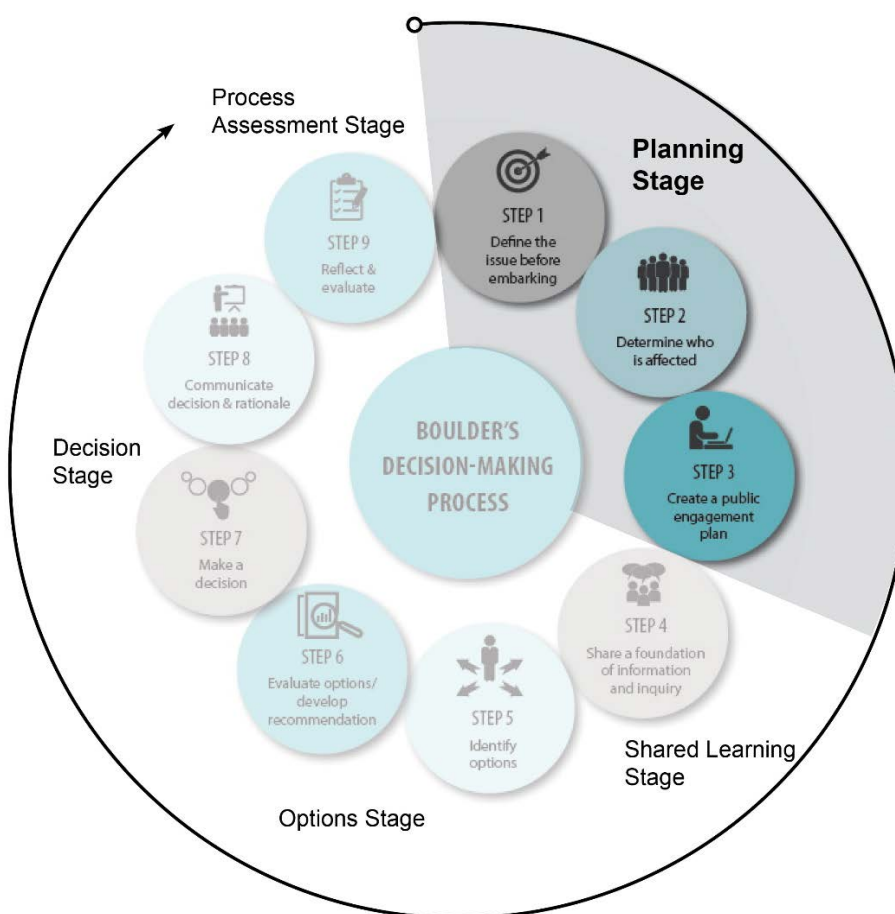
### *Guiding Principles*

The following principles will guide the community engagement for this project:

- Model the engagement framework by using the city's decision-making wheel, levels of engagement and inclusive participation.
- Involve people who are affected by or interested in the outcomes of this project.
- Be clear about how the public's input influences outcomes to inform decision-makers.
- Provide engagement options. Remain open to new and innovated approaches to engaging the community.
- Provide necessary background information in advance to facilitate meaningful participation.
- Be efficient with the public's time.
- Show why ideas were or were not included in the staff recommendation.
- All input will be considered, recognizing that feedback not pertinent to the scope of the project, is useful information that may inform future projects.

### **Boulder's Decision Making Process**

*See Boulder's Engagement Strategic Framework*





### *Decision-makers*

- **City Council:** Decision-making body, will make a decision informed by the Planning Board's recommendation (for changes to the Land Use Code) and the community's feedback.
- **Planning Board:** Will provide input and make a recommendation to Council on Land Use Code Changes that will be informed by community's feedback, and other boards and commissions.
- **City Boards and Commissions:** May provide input throughout process and recommendations as may be appropriate to Council around their area of expertise.

### *Who will be affected*

- **Residents and neighborhoods** who may be impacted from potential regulatory changes to residential development standards.
- **Development Community**, who may be impacted from potential decisions and regulatory changes to residential development standards.
- **Under-Represented Groups** that may have an interest in changes but may be unaware of the methods by which they can offer input.
- **City Staff, City Boards, and City Council** who will administer any amended regulations including changes to the Land Use Code and residential development standards, and who will render development approval decisions.

## **Project & Community Engagement Timeline**

### *Planning Stage Project Scoping and Public Engagement Plan*

**September – December 2018: Define the project scope, identify public participation objectives, and inform the community about the project and opportunities to engage.**

**September - October 2018** – Define the project, including the purpose statement and initial project goals with City Council.

**October - December 2018** – Prepare draft community engagement plan / create list of stakeholders, interested and affected parties.

**November 15, 2018** – Check-in with Planning Board on the project, including the proposed purpose statement and goals for the project. Discuss the community engagement strategy to obtain feedback.

**December 4, 2018** – Check-in with council on project and finalize the project and community engagement plan.

#### Deliverables:

- Draft Project Scope and Goals
- Preliminary Options and Potential Strategies
  - Phased approaches to potential regulatory changes
- Public Engagement Plan

**December 2018 / January 2019** – Establish a project website and include in the Boulder digital planning newsletter.



## **Phase One & Phase Two**

### **Shared Learning Stage** *Engage the community and stakeholders, and solicit feedback*

**January 2019 – Large Homes and Lots, and Use Table/Standards 101 Introductory public meeting** (consolidated community engagement event) –

- **Introduce the Large Homes and Lots** project scope and goals as defined by City Council.
  - Receive initial input from community on the degree to which on-going single-family infill development is a problem - Level of dislike / like or “How important to you is...?” regarding: new residential home sizes, affordability, context sensitive-design, energy conservation /sustainability, and Phase Two longer term creative solutions that may potentially allow multiple smaller-units on a large lot.
  - Receptiveness to a phased approach and preliminary strategies.
  - Other concerns and suggestions.

**January / February 2019 – Stakeholder meetings (2) with the development and design community.**

- Receive input on preliminary near-term options and strategies. Ability to adapt to reduced home bulk and size regulations and possible energy code updates - ramifications and concerns.
- Level of changes needed to have a meaningful impact on home affordability, etc.
- Receive input on Phase Two longer-term creative solutions to potentially allow multiple smaller-units on a large lot.
- Other concerns and suggestions.

## **Phase One**

Code amendments focused on near-term, more readily attainable changes. Examples: floor area ratios, form and bulk standards, and energy conservation code changes.

### **Options Stage** *Consider code amendment options and engage the community*

**March 2019** – Large Homes and Lots Community Engagement Meeting - general public, stakeholders, interested / affected parties and owners.

- Present results of 1<sup>st</sup> community meeting and stakeholder meetings - what we heard, common themes.
- Present Phase One near-term options for home size, bulk and form changes, and Energy Conservation Code updates.
  - Receive feedback on the options and proposals.
  - To what extent to you agree / disagree with the following options? Why?
- Present preliminary outline of Phase Two longer-term creative infill potential options and timeline, potential for multiple smaller-units on a larger lot.
  - Receive preliminary feedback on potential options and timing.

**April 2019** – Develop preferred Phase One near-term code amendment recommendation(s).

### **Decision Stage** *Final drafting of Phase One proposed code amendments, public hearings, and adoption.* **April – May 2019**

**April 2019** — Planning Board public hearing and recommendation on proposed Phase One near-term amendments.



**April/May 2019** – Final public hearings at City Council and adoption of proposed Phase One ordinance.

Deliverables:

- Public Engagement Summary
- Proposed ordinance amending the Land Use Code, and Energy Conservation Code.
- Public hearing materials.

**Phase Two**

Code amendments focused on strategies requiring more in-depth consideration and community discussion. Examples: creative infill allowing multiple smaller units on larger lots, affordability measures such as deed-restricting, and tax off sets and fees.

**Options Stage** *Consider code amendment options and engage the community*

**March 2019** – Large Homes and Lots Community Engagement Meeting - general public, stakeholders, interested / affected parties and owners.

- Present results of 1<sup>st</sup> round of community meeting and stakeholder meetings - what we heard, common themes.
- Present Phase One near-term options for home size, bulk and form changes.
  - Receive feedback on the options
  - To what extent do you agree / disagree with the following options? Why?
- Present preliminary outline of Phase Two longer-term creative infill options and timing, potential for multiple smaller-units on a larger lot.
  - Receive preliminary feedback on potential options and timing.

**May/June 2019** — Internal stakeholder and Board meetings - Housing, Legal, other impacted Departments etc.

- Feedback from relevant boards and departments (Example: Housing Advisory Board regarding deed restrictions and affordability)
- Check-in with Sustainability on their Energy Conservation Code updates.

**June/July 2019** — Council Study Session on Phase Two options

**June to August 2019** — Develop and draft proposed land use code changes. Cross-check with subcommunity planning and other planning efforts. If additional density is directed as an option, rezoning and BVCP land use map amendments may be necessary. Consult with Comprehensive Planning staff on these possibilities.

**August 2019** — Hold public open house to present recommended draft Phase Two Code Amendment changes and

- Receive feedback on the proposed draft changes.

**Decision Stage** *Final drafting of Phase One proposed code amendments, public hearings, and adoption. September– November 2019*





**September 2019** — Planning Board Public Hearing on recommendation on proposed Phase Two changes.

**October / November 2019** – Council Study Session as needed, and council public hearings and adoption of proposed Phase Two ordinance.

Deliverables:

- Public Engagement Summary
- Proposed ordinance amending the Land Use Code. May necessitate simultaneous BVCP land use map changes or rezonings if density changes are requested by council.
- Public hearing materials.

*Process Assessment Stage Reflect and evaluate the success of the engagement process and overall project. **December 2019 – Ongoing***



**Collins, Andrew**

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**From:** Robertson, Jim  
**Sent:** Wednesday, August 22, 2018 4:38 PM  
**To:** Guiler, Karl; Collins, Andrew  
**Subject:** Fwd: Demolition, Demolition, Demolition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI.

Jim Robertson

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**From:** Morzel, Lisa  
**Sent:** Wednesday, August 22, 2018 3:40:45 PM  
**To:** Leora Frankel  
**Cc:** Council; Housing Advisory Board  
**Subject:** Re: Demolition, Demolition, Demolition

Leora

Thanks for contacting us on this important issue. One of the council's goals set in January was/is to have a new examination of lot size and house size. In recent discussions with planning staff, I know they are working on approaches to this issue that is rapidly changing the face and character of our community; council will be discussing possible options with staff at a study session in late September. In fact, yesterday I went with staff to look at the situation on the ground.

So we are working on this and hoping to come to a better outcome more representative of the broader community. In my neighborhood, a home was sold for ~\$650,000, then scraped and replaced by a home about 5-6 times larger than the original house. It was recently on the market for \$3.45M. In my backyard, 2 separate homes were bought for ~\$1.4M, scraped and replaced by "modern farmhouses" now worth many times more than the \$1.4M for which they were bought.

I hope you will attend our study session later in September. I look forward to your comments and suggestions. Thank you for writing us; this is a critical issue and one the city needs to resolve.

Best wishes

Lisa

Lisa Morzel  
Member, Boulder City Council  
303-815-6723 c  
303-938-8520 h

On Aug 22, 2018, at 3:03 PM, Leora Frankel <[leoquill@gmail.com](mailto:leoquill@gmail.com)> wrote:

Dear HAB and Council members,

A significant percentage of our city's houses are being scraped by developers. There is no sign of this trend slowing down. Perhaps you have the data to show whether it's speeding up.

With the thousands of hours of research by city staff, this burning topic never seems to come up. (If there is analysis, please send it to me.)

What is wrong with this wave of demolitions?

**Affordability:** Houses valued at \$600-800,000 in my neighborhood are being replaced with houses sold for 1.8M or more.

**Demographics:** As only the ultra-wealthy can afford \$2M homes, socio-economic diversity is rapidly shrinking. Think of this as the extinction of the true middle class in Boulder. In fact, as people look to their left and right and understand the trend, they become motivated to leave, selling their houses and fueling the cycle.

**The Environment:** You can't actually believe that tearing down homes and sending the pieces to landfills and then replacing said houses with new construction, based on new materials, is actually good for the environment. Add to that the loss of trees and vegetation. This brings us to the point that developers tend to maximize the footprint.

**Taxes / Affordability II:** As the land skyrockets, said middle class cannot afford the property taxes. Over and over I hear statements to the effect of "We've lived here forever, how can we now pay such high property taxes just because the houses are selling for millions?" This too fuels the cycle of selling, moving, scraping.

**Loss of Rentals:** You won't find students or young professionals or similar groups living in the \$2M homes. Nope.

**What are you going to do about it?  
Each of you?**

Time is running out.

My recommendations — and some of you have heard this before — are:

1. Reduce the FAR. Yes, reduce the FAR to reduce the motivation to scrape houses, making such projects less profitable.
2. Collect **major** fees to projects that involve total or near-total (the proverbial wall shouldn't make a difference) demolition. Set aside the money collected to reduce the property taxes of struggling families and individuals.

Sincerely,

Leora Frankel

**Collins, Andrew**

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**From:** Guiler, Karl  
**Sent:** Monday, October 8, 2018 2:20 PM  
**To:** Collins, Andrew; Sugnet, Jay  
**Subject:** FW: preserve existing affordable rental units

FYI

-----Original Message-----

From: Jan Morzel <janmorzel@gmail.com>  
Sent: Monday, October 08, 2018 1:15 PM  
To: Eckinger, Karl <Eckingerk@bouldercolorado.gov>; Guiler, Karl <GuilerK@bouldercolorado.gov>  
Cc: Amy Haywood <missamyh@gmail.com>  
Subject: preserve existing affordable rental units

Hi Karl E. and Karl G.,

We request that you hold our existing accessory structure in our backyard "in abeyance" until further determination by City Council or Planning Board.

There is a small cottage in our backyard (790 sqft of living space) that is currently rented to an older couple. They are 69 and 70 years old. Their rent is affordable for a 2-bedroom unit as specified in the new ADU requirement for affordable units.

The building was constructed with adobe and strawbale walls, with building permits from Boulder County and City of Boulder.

There are six solar hot water collectors on the roof.

The cottage is about 85% solar heated. We would like to install a small array of PV panels, which would make the structure net-zero.

City Council held a study session on September 25th, to define goals for "Large Homes and Large Lots". Karl G. led the discussion on this issue.

City Council determined several priorities, as summarized by staff in the October 2, 2018 memo:

- "Move forward quickly"
- "Provide powerful incentivizes to encourage more smaller-homes and creative solutions"
- "Preserve existing homes in RR, RE, and RL"
- "Consider exceptions of the 3-unrelated individuals limit"
- "Incentivize more affordability"
- "Speed up Net-Zero Energy requirements"

- "Encourage broader economic diversity"
- "Allowing multiple ADU's per lot, in RE and RR zones"

Our little cottage in our backyard addresses all (!) of these goals, and should be grandfathered-in as we were developing it before we annexed.

All of our surrounding neighbors have started building a new road behind our property line. They hope to subdivide this year, and, most likely, will sell up to twenty-six new RL building lots. At current market rates, they hope to get \$500-700k per lot. The most likely outcome, we fear, is that many new \$1 Million and \$2 Million homes will be built all around us. The exact house type that council would like to avoid, it appears.

We would rather maintain affordable rentals, than having to subdivide. There is great momentum for this coming avalanche of new "super-sized mansions" in our neighborhood.

Some of the same people who expect to make a huge profit from selling land, have called zoning inspectors to our property and our neighbor's, who has been renting tiny homes. Four families are in immediate danger of losing their homes this month or next: a student couple, a single worker, a retired couple, and a single senior.

And our neighbor and us we are in danger of losing rental income that allows us to stay in the neighborhood. We rely on the rentals to pay a major portion of our mortgage and the \$45,000 cost of annexing into the City of Boulder in 2009 (water, sewer, stormwater PIF, new pavement and sidewalk for Upland Avenue, etc.).

We would like you to hold in abeyance our rental units, as was done by the City Manager for ADU's and Co-ops, until Council discussed and finished updating the relevant code sections.

Time is of essence. Your help and assistance would be greatly appreciated.

Thank you,  
Jan & Amy

2075 Upland Ave  
303 413-1711

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**From:** N Fiore <[nick@flowerarchitecture.com](mailto:nick@flowerarchitecture.com)>  
**Sent:** Wednesday, October 17, 2018 11:32 AM  
**To:** Council <[council@bouldercolorado.gov](mailto:council@bouldercolorado.gov)>  
**Subject:** Scalpels not Sledges

Hello Council -

Attached please find a letter written after last night's meeting. In the hope of finding solutions that are carefully weighed and specific, please read it and contact me if you'd like to discuss it in more detail. I think we can find alternatives to drastic measures that can address the problems outlined last night.

Cheers  
Nick

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**Nicholas Fiore**  
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October 17, 2018

**Boulder City Council Members**  
Boulder Colorado

**MORATORIUM ALTERNATIVES: REDUCE SCRAPES, INCENTIVES FOR SMALL/AFFORDABLE**  
*INRE: POTENTIAL RESIDENTIAL BUILDING PERMIT MORATORIUM*

Dear Council Members and Neighbors,

I am writing to you today as a general citizen of Boulder, a father of two young kids and a husband. Thank you, first, for reconsidering your “emergency” ordinances involving a moratorium on residential construction meeting certain parameters. It was the right thing to do. There are livelihoods of Boulderites at stake, planning projects underway, and I think you understand that after the community feedback. I am also relieved that you avoided the alternative ordinance, a heavy-handed impact tax by any other name that would stop all construction required to pay it (Yes, stop. \$100/sf is a 25-33% tax on construction in a city where a \$1M home permit generates more than \$30k in city taxes and fees already. Soak the rich, sure, but yikes!). Second, I want to do my part in the community discussion on these complex issues, and in light of Ms. Young’s request for ideas at the council meeting last night I’m sitting here the day after to brainstorm potential solutions. I’ve been thinking on these issues since I moved here in 2006.

*As an aside, I’d like to point out that from your questions to staff it is clear that the intricacies of zoning and permitting are not yet fully understood by all of Council, let alone the nuances, and therefore it may be difficult to foresee unintended consequences. I get it, who has time for this? You are all incredibly busy and frankly burdened with grave issues. Staff is obviously a great resource for this, and I also urge you all to reach out the design community to more fully understand how the rules and regs are followed, maneuvered, and approached by the players - not just the referees (staff). This will greatly improve your understanding of real-world decision making and responses to city policy. I’m sure you know or are in contact with architects in town - reach out! Hey - I’m here too. (End sports analogies).*

What I heard from you all on the dais last night was a desire to achieve two major goals: stop - or more likely slow and reduce - the scrapes; and incentivize affordable housing and smaller home construction. There are so many creative ways we can try to achieve both goals. As a general requirement, I suggest that the city consider incentives rather than punitive measures. Moratoriums - the nuclear option of policy change - should be tabled forevermore. Furthermore, my goal here is to illustrate specific actions (scalpels) not wide-nets (sledgehammers).

**COUNCIL WANTS TO CHANGE:**

- Council believes and has heard in certain neighborhoods that Developers are scraping homes to build large spec homes in RL and RE zones (anecdotal)
- Developers are not living in them, are not building them custom for local families (anecdotal)
- Building big homes on scraped sites (Can we not use this word: ‘McMansions’ are mass-produced, poorly built Toll/Pulte)
- Large lots will be better utilized if split to accommodate more units (upzoning), smaller units (affordable?)

Next: SOLUTIONS...



## FLOWER ARCHITECTURE

### SOLUTIONS and STEPS:

- **DATA COLLECTION: REAL VIEW OF THE ISSUE (NOT ANECDOTAL)**
  - Direct staff to determine if anecdotal examples (scrapes by spec builders, specs for out of town? State? buyers) are real or statistical aberrations. Adjust city reaction accordingly.
  - Determine - city wide, and per zone, the following realities:
    - # of residential Lots per Zones RL/RE/RR at Sizes 0-12k/12k-17k/17k plus
    - Median/Avg Size (sf) of houses per zone per lot size
    - ACTUAL lot size average per zone (compare to min. required lot size per zone)
    - Total number of homes in each zone per segment: 0-2000sf /2k-5ksf/5k+ sf
    - NOTE that 12,000sf lot parameter designed to weed out RL-1 south boulder lots above 10k - there are many (my own included) and they are least at risk of speculation due to neighborhood, market forces
  - The data should be used to understand truly what is being built (size-wise) and where (per zone). It will aid in understanding where to set size parameters in any/all specific measure (below).
  
- **STOP THE LARGE SPECULATIVE HOMES - AFFIDAVIT OF OWNER OCCUPANCY FOR HOMES ABV 5K**
  - A signed and notarized statement certifying owner occupancy: The applicant who is requesting a home size above 5,000sf by city FAR definition would be REQUIRED to file this with permit application to collect a building permit. (assumes 4500sf house 500sf garage for example to set 5000sf parameter; alt example 4k house 500sf garage 500sf ADU).
    - The city uses this technique already by requiring citizens who build studios or outbuildings which are NOT licensed as ADUs to certify that they will not be 'occupied' as living spaces (no sleeping).
  - Benefit of this technique is that it avoids punitive requirements or bans on Boulderites creating the spaces they need for their homes, families, work at home offices, multi-gen, etc.
  - Additionally, a requirement that the home not be put up for sale for a determined amount of time may aid in preventing any games being played to work around this requirement. Two years would do it, IMHO.
    - Tom Carr, lawyer staff consultation required, obviously.
  
- **CHANGE F.A.R. CALCULATION**
  - Most efficient way to control large house sizes.
  - Lots above 15k: Constrict FAR most severely to limit monster homes. Limit to 5k or 5500sf.
    - Note, again, that 10k is a FAR TOO SMALL lot size to employ as a controlling parameter - too common in middle income/worker housing areas of South Boulder to to constrict. RE and RR lots are generally much larger. (Here is where looking at data for ACTUAL lot sizes instead of MINIMUM lot sizes required by zoning is KEY!)
    - RE and RR lots - the big ones where the 6k, 7k houses are allowed will be MOST affected by this FAR change - and hence a scenario you should pursue.
  - 15k is a lot size common in Lisa's area (RR, RE) and - if selected as the parameter - will be met with the LEAST resistance by the wider community in changing. There are just less lots that big for owners to push back as hard, and few will argue (myself included) that houses above 5k are really ideal in any way.
  - FAR at lot sizes BELOW 15k: Make no change.
    - Why? Flexibility for owners: ADUs, OAU, multi-gen living, work from home, etc etc
    - Why? Not the stated target (monster homes in RE and RR)
    - Why? Smaller fight, quicker win politically. Limits monsters in RR RE in 2019.
  - Phase this in. Give the community an overlap old to new rules. Be wise on timing.

## FLOWER ARCHITECTURE

- **DENSITY (UPZONE): CAREFULLY**

- Easily the most surprising (and welcome) alternative floated by Ms. Morzel and Council. Yay!
- Don't actually believe this on the table. Skeptical:
  - Are your constituencies aware of this implied change? Sort of a 180 here on recent policy.
  - Subdividing within neighborhoods, randomly (spot zoning) has been pretty widely panned in the general population, last I checked in the DC or heard on the street. No?
  - Denver. Highlands has townhomes, triplexes on former single lots. I think it's great, a nice solution - infill for affordability and density. Again... public discussion required as this has been a non-starter by the forces in control in our fair city for the 12 years I've lived here. What's changed?
- BY FAR the most difficult policy change.
- IF YOU DO IT:
  - Along transit corridors (Broadway, Canyon, Arapahoe)
  - Pick the right zones, but pick all zones too (spread pain, spread the transit demand)
  - Don't spot zone. Random triplexes in single hoods will create backlash - quick
  - Edges: Upzone up against major roads, shopping centers, offices as 'buffer' between commercial uses and low single residential uses
  - Affordable: Use Boulder Affordable money on some projects to spark upzone areas
    - Private Development: Allow a mix affordable/market rate to encourage the densification
    - Mixed Use: Use Affordable housing funds to create mixed use housing/retail/service buildings - put city money where '15min neighborhood' mouths are
  - Be ready for a fight. PLAN, many neighborhoods will organize against this.
  - It will take more than one year.... Which again, is why a moratorium is a poor solution.
  - Do it concurrently: Allow the rules you have in place (affordability, Compat Dev) to rule the day while we make these changes.

Thank you all for taking the time to read this, I hope it is helpful. I would LOVE to speak with any of you in more detail on anything I've written, or even in general on these issues. Good luck, godspeed.

Sincerely,



Nicholas Fiore, AIA  
 nick @ flowerarchitecture.com  
 cell: 434-531-6837

## Collins, Andrew

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**From:** Morzel, Lisa  
**Sent:** Thursday, October 18, 2018 8:12 PM  
**To:** Collins, Andrew; Guiler, Karl  
**Subject:** Fwd: Floor to Area Ratio discussion

Hi Andrew and Karl

I don't know if you've seen this email but thought he presents an interesting approach for the city of Glendale CA. Thoughts?

Thanks much

Lisa

Lisa Morzel  
Boulder City Council Member

303-815-6723 c  
303-938-8520 h

Begin forwarded message:

**From:** Chris Cragnotti <[chriscragnotti@mac.com](mailto:chriscragnotti@mac.com)>  
**Date:** October 17, 2018 at 1:35:21 PM MDT  
**To:** [joneess@bouldercolorado.gov](mailto:joneess@bouldercolorado.gov), [brocketta@bouldercolorado.gov](mailto:brocketta@bouldercolorado.gov), [yatesb@bouldercolorado.gov](mailto:yatesb@bouldercolorado.gov), [carlislec@bouldercolorado.gov](mailto:carlislec@bouldercolorado.gov), [granoj@bouldercolorado.gov](mailto:granoj@bouldercolorado.gov), [morzell@bouldercolorado.gov](mailto:morzell@bouldercolorado.gov), [youngm@bouldercolorado.gov](mailto:youngm@bouldercolorado.gov), [naglem@bouldercolorado.gov](mailto:naglem@bouldercolorado.gov), [WeaverS@bouldercolorado.gov](mailto:WeaverS@bouldercolorado.gov)  
**Cc:** <[brautigamj@bouldercolorado.gov](mailto:brautigamj@bouldercolorado.gov)>, <[cityclerkstaff@bouldercolorado.gov](mailto:cityclerkstaff@bouldercolorado.gov)>  
**Subject:** Floor to Area Ratio discussion

Madame Mayor and Esteemed Council Members,

My name is Chris Cragnotti and I am not a resident of Boulder, CO, but rather a native and current resident of Glendale, CA. I also serve as a commissioner on our city's Historic Preservation Commission. Glendale, CA is bordered by the cities of Los Angeles, Burbank and Pasadena and some of Southern California's loveliest mountains. The population of Glendale is slightly larger than that of Boulder at approximately 200,000 and our median home values and rental values are just slightly higher than those of Boulder. The vast majority of our SFR housing stock dates back to 1920's-1940's. I was visiting Colorado this past weekend and spent that snowy Sunday hiking up to the Flat Irons outside your fair city. Taken by your charming town, I scrolled through the local news and saw that the issue of mansionization was going to be discussed at last night's meeting. Mansionization and Floor to Area Ratio are topics that Glendale wrestled with a couple of decades ago. Our council at the time created a robust set of regulations that were not one size fits all but slightly nuanced for each neighborhood. I am a big fan of our FAR regulations.

Here is a link to a [chart that breaks down our 3 FAR Districts](#) but here they are in summary:

District I: 30% of the first 10,000 sf of lot and 10% thereafter

District II: 40% of the first 10,000 sf of lot and 10% thereafter

District III: 45% of the first 10,000 sf of lot and 10% thereafter

Note: Glendale does not include garage space (attached or detached) or any outdoor patios/porches (covered or otherwise) in the living space calculation. Living space is contained within the walls of the habitable structures only including any Guest Houses or ADUs. Also, once the total living space area passes the 3,500 sf mark, the city requires a 3-car garage. Almost no homes in Glendale were originally built with 3-car garages so that is an additional restriction/requirement when expanding a house. The vast majority of our single-family home neighborhoods are either District I or II. Our lot sizes range from 6,000-15,000 on average with most in the 7,000-10,000 range (these ranges are not researched, but rather what I am approximating from experience). Only recently has Glendale allowed the conversion of garages to ADUs to comply with state regulations on the subject. As mentioned, those ADUs count toward the overall square footage area.

Here is a link to our [Zoning Map](#). The Olive and Yellow colored areas on the map are our main SFR neighborhoods.

As a licensed REALTOR®, I am a big fan of private property rights but as a property owner, I also acknowledge that individual property owners don't live in a vacuum. Modifications I make to my house affect the overall character of the neighborhood. Glendale has the most restrictive FAR regulations in the region and because of that we have the most conforming streets around.

Also as a REALTOR® I see first hand the repercussions of mansionization. The home buyers who shop in Glendale are doing so not only because we have such charming neighborhoods, but also because it is so much more affordable than the other cities in our region. For instance, the same 3+2 1,800 sf house on a modest 8,000 sf lot in Glendale sells for 20%-30% less than it would in Studio City (a nearby area of the City of Los Angeles) mainly because in Studio City that 1,800 sf house can be scraped and doubled in size. In Glendale's District I neighborhood, a homeowner would be restricted to 2,400 on that same 8,000 sf lot. The cities of Los Angeles and Burbank have only just recently started down the road you all are headed and are exploring tighter FAR regulations. Sadly, the horse is very much out of the barn in most areas of those cities.

Watching your impassioned meeting last night, I see that you will be tackling the issue in the coming weeks and months. If you are looking for anecdotal information, I encourage you to have your staff look to Glendale as one of the cities they study. As I mentioned, Glendale is similar in size and our FAR regulations are now a couple of decades old and very seasoned. Because we live in a vibrant region it should be somewhat easy to see how those regulations have affected us as compared to our neighbors who do not have them.

Why am I a fan of our tight FAR rules? I appreciate the conforming nature of our streets. We have blocks and blocks that look much like they did when they were built. We don't have huge new mansions towering over our charming single story Spanish and Traditional houses. Our homes are respectfully positioned with space between neighbors and surrounded by tall mature trees and grassy yards. I also appreciate that we are, relatively speaking, still affordable. We have many first time home buyers moving to our city and folks who don't move far when they do.

Thank you for taking the time to read this message and I wish you all the best as you tackle this issue. I can't impress upon you enough how important it is.

Regards,  
Chris Cagnotti  
G&C Properties

Broker Associate  
Voted Glendale's Best Real Estate Agent  
by Glendale Newspress Readers, 2017 & 2018

Commissioner, City of Glendale Historic Preservation Commission

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DRE #: 01401809

## Collins, Andrew

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**From:** Robertson, Jim  
**Sent:** Wednesday, October 17, 2018 2:33 PM  
**To:** Guiler, Karl; Collins, Andrew  
**Subject:** FW: Reflecting on the 10/16 Meeting

FYI.

Jim Robertson, AIA  
Director



O: 303-441-4277  
[robertsonj@bouldercolorado.gov](mailto:robertsonj@bouldercolorado.gov)

Department of Planning, Housing + Sustainability  
1739 Broadway | PO Box 791 | Boulder, CO 80301  
[Bouldercolorado.gov](http://Bouldercolorado.gov)

**From:** Nicole Rajpal <nrrajpal@gmail.com>  
**Sent:** Wednesday, October 17, 2018 2:29 PM  
**To:** Council <council@bouldercolorado.gov>  
**Subject:** Reflecting on the 10/16 Meeting

Dear Council Members,

First, thank you for your commitment to the Boulder community, I can only imagine yours is a thankless job. Second, I wanted to commend you for your decision to delay any type of emergency moratorium on building until December, it feels like a step in the right direction and a well-intentioned attempt to include more community voices. However, continuing this conversation on whether to temporarily suspend building permits will only delay the more meaningful work of making permanent changes to zoning which appears to be your ultimate goal. My suggestion for you is to move away from the conversation on a temporary moratorium altogether. As was pointed out on your October 16th meeting, this will only impact a small (15-18) number of homes over the next 365 days anyhow, and will create a serious problem of negatively impacting those currently in the planning process.

Listening to your comments from the meeting I felt as though certain members of the City Council have feelings of resentment/hostility toward the wealthy subset of Boulder. I was struck by a very mixed message being presented by council and I would like to address each of those individually:

1. **Affordable Housing:** Attempting to address affordable housing by imposing severe restrictions on members of our community is misguided. It is not the size of the house that causes prices to rise, it is the lack of available land and the proximity to public goods (Pearl St., open space, trails, etc) that have resulted in higher housing prices. My neighbor lives in a 2,000 sq foot house last updated in the 1970's that now has an estimated value of over \$1M. If someone renovated her home, which is likely needed, the construction cost alone will result in a house price of at least \$1.5M - not necessarily affordable to the working class. If you subdivide a large lot and put 2-4 lots in its place you will not end up with more \$750,000 homes, you will likely end up with more \$2M homes if the neighborhood is coveted for aforementioned reasons. In no way is a \$2M smaller home considered *affordable housing*. What you will accomplish in this scenario is more dense housing, that is sure to have a negative impact on traffic patterns and infrastructure in general. I think we can look to places like Seattle, Marin County, Austin, New York, etc. to quickly learn that density does not result in affordability.

If the city truly cares about affordable housing, they could convert the property they purchased at the old BCH campus and convert that into affordable housing in a prime location. I suspect that isn't a palatable solution as the income generated will not cover the costs and the city may ultimately lose money. Upzoning and offering incentives for the construction of long term affordable housing are additional ways to potentially increase affordability without negatively impacting current property owners (who would like a home larger than 3500 sf and do not want to subdivide).

2. **Community:** It was mentioned more than once by Councilmembers Morzel and Young that individuals who live in, or own, large houses are contributing to a decreased sense of community in the city. I find this statement to be offensive and false. I live in a neighborhood that has seen drastic turnover since we first purchased our home in 2012 - smaller, extremely dated, houses were remodeled and/or replaced with modern family homes. The resulting effect was an influx of younger families, like ours, who have formed a surrogate family network. We call on each other for emergency childcare and carpools, kids run freely between homes, we hold neighborhood parades, movie nights and parties. This is what a strong community looks like. When you speak of a lack of community, I hear you saying lack of a certain/more desirable income bracket, or too many higher wage earners. As I mentioned last night, you cannot celebrate and encourage innovative business in the Boulder community on one hand and then prevent those same business owners and executives from building homes to fit their lifestyle on their personal property.
3. **Trees:** I found it odd that a few council members mentioned that large homes are (negatively) contributing to a lack of trees in Boulder. Besides being a blanket statement that isn't true of all large lots and homes, I find it sort of silly. When looking at historic pictures of Boulder, one thing I always notice is how few trees existed *prior* to development. City code requires new and/or remodeled homes to plant trees, and removing dead and decaying trees can improve safety and beautification of a city. In our prior home on large lot, we removed 3 mostly dead trees and planted 9 trees in their place, therefore adding trees. Also, cramming more structures into a lot will only limit the amount of space needed for large, healthy, aging trees.
4. **Environmental Sustainability:** Like most everyone who lives in Boulder, I place a high value on minimizing my environmental impact, and am planning a home with those goals in mind. While I am not an expert on the impact of more small vs fewer large homes on the environment it seems rational to assume that one larger net-neutral home will have a smaller impact than many homes. Each additional home will bring more vehicles, more appliances, more residents and more total usage. Maybe I am wrong, but the city should take the time to explore this fully before enforcing any drastic changes. Or maybe environmental impact is taking a lower priority to housing at this time?
5. **Developers Flipping Houses:** I agree that predatory practices displayed by some developers and realtors is terrible, however, punishing an entire community for the behavior of a select few is misguided. If this is truly who you are angry with, place sanctions against companies like AGR, not the rest of the community. Imposing blanket restrictions, and taking a sledgehammer to a process that requires a scalpel will result in far too many unintended consequences. It is also important to remember that people that live in our community purchase homes from these developers because they don't have the desire to deal with all of the city codes and requirements to remodel homes on their own.

We have compatible development and it works very well as evidenced by the fact that the number of homes over 6,000 feet, and the average square footage of homes on large lots hasn't changed much in the past decade. Should the City Council decide to adjust the current building codes, you must take your time in sorting out the goals for Boulders future. This process must include regular public input with the city planning division, not just another City Council Meeting. A tactful, staged implementation of thoughtful changes that include more incentives (and fewer punishments) to achieve desired goals will result in more public trust and support. A moratorium on building will only serve to threaten jobs, business and the economy as a whole, and will result in a greater deal of distrust of our elected officials and public servants.

Along the lines of distrusting public officials, I put together the fact that Jan Morzel is the ex-husband of Lisa Morzel, the same councilmember who attempted to force this ridiculous emergency moratorium through in the first place. The fact that the city council was asking the city to not enforce city ordinances against his illegal

ADUs while simultaneously asking the city to limit legal building permits is unacceptable and wrecks of an elected official abusing power to further a personal agenda. I think you would do best to look out for the entire community, not the self-serving interests of one City Council member.

Regards,

Nicole Rajpal



**Collins, Andrew**

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**From:** Robertson, Jim  
**Sent:** Thursday, October 18, 2018 4:26 PM  
**To:** Collins, Andrew; Guiler, Karl; Firnhaber, Kurt  
**Subject:** FW: Keep eyes on the prize

Interesting idea.

Jim Robertson, AIA  
Director

O: 303-441-4277  
robertsonj@bouldercolorado.gov

Department of Planning, Housing + Sustainability  
1739 Broadway | PO Box 791 | Boulder, CO 80301 Bouldercolorado.gov

-----Original Message-----

From: Susan McVicker <susanmcmc@yahoo.com>  
Sent: Thursday, October 18, 2018 10:14 AM  
To: Council <council@bouldercolorado.gov>  
Subject: Keep eyes on the prize

Dear Council Members,

Thank you for delaying the vote on limiting house sizes. In light of the goal to provide 12,000 affordable housing units, focusing on the average of 12 built per year exceeding 3500 feet on large lots doesn't make sense. A 3499 sq ft house on a 10,000 sq ft lot is still over a million dollars, not affordable.

Among other sites, I think the Council should consider partnering with Louisville to redevelop the old Sam's Club site on McCaslin into a mixed use property providing affordable housing for Boulder County.

Thank you for your service.

Sincerely,  
Susan McVicker

Sent from my iPhone

**Collins, Andrew**

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**From:** Morzel, Lisa  
**Sent:** Friday, October 19, 2018 11:44 AM  
**To:** Morzel, Lisa; Guiler, Karl; Collins, Andrew  
**Subject:** Fwd: Floor to Area Ratio discussion

Andrew and Karl

Here's more info from Glendale.

Thanks so much for your work on this

Lisa

Lisa Morzel  
Member, Boulder City Council  
303-815-6723 c  
303-938-8520 h

Begin forwarded message:

**From:** Chris Cagnotti <[chriscagnotti@mac.com](mailto:chriscagnotti@mac.com)>  
**Date:** October 19, 2018 at 9:19:49 AM MDT  
**To:** "Morzel, Lisa" <[Morzell@bouldercolorado.gov](mailto:Morzell@bouldercolorado.gov)>  
**Subject:** **Re: Floor to Area Ratio discussion**

Hi Lisa,

Nice to hear from you. We rarely see full demolitions in our city. I suspect the main reason being that because we have such tight FARs it just doesn't make sense for a property owner to tear down a house and replace it with something that is only marginally bigger. The average size of an original house on a 10,000 SF lot for instance is probably 2,400 SF. In our District I zone a property owner is capped at 3,000 SF on that 10,000 SF lot. It doesn't really make financial sense to tear down that 2,400 SF house just to build something that is only 600 SF larger. We do have a lot of additions to our older home stock, however, additions that usually take a house to its maximum allowable size.

The other big component that we have in Glendale, that I did not go into in my initial email, is our Design Review Board (DRB). Our DRB is a 5-member panel of "qualified" Glendale citizens who review the plans for larger scale modifications or rebuilds if a house is indeed being torn down and replaced. Any addition of 700 sf or larger automatically triggers review by the DRB. They are tasked with ensuring the overall design is not hideous. That doesn't mean that the original style of the house can't change, but if it does it needs to comply with some basic tenets of good design. Most developers/homeowners don't really want to deal with the DRB so they keep their modifications under 700 SF.

The final, and most recent thing our city has done to help maintain the conformity of our neighborhoods, is the implementation about a decade ago of Historic Overlay Zones. Our city is known for its large "population" of revival architecture, in particular Spanish revival. We have other styles, too, but Spanish is our main one. We have I think 8 Historic Districts ranging in size from 5 homes to 500

homes. In those districts, homes are not allowed to drastically change their style. A Spanish has to stay a Spanish, it can't be made into a modern or something like that, plus the city has more control of the materials a property owner may choose from when making modifications, the most important of those being the types and style of allowable windows and doors. More than anything, cheap windows and doors can really make a pretty house ugly.

There is also one unintended restricter to expansion that works well in one of our 40% FAR neighborhoods and that is our indigenous tree ordinance. The neighborhood that has the 40% allowable structure size also happens to be an area of town that has larger lots that are populated with California Live Oaks which are one of three protected trees in Glendale. These trees can't be cut down and they require a certain amount of space around them which inhibits the expansion of structures in many cases.

I will say, one of the biggest complaints I hear is how restrictive Glendale is in terms of development. All I can say to that is, thank goodness because I drive through neighboring cities and cringe at some of the stuff I see. Beyond just large homes towering over smaller ones, there is so much bad design out there. Parts of Burbank are an abomination. Whole blocks are just littered with apartment sized single family homes that are just ugly, never mind big.

If you're curious about our architecture, here is a link to my company's real estate website, [www.Character-Homes.com](http://www.Character-Homes.com). We represent a wide variety of housing stock in town but you will see that the majority is Spanish. You will also see that there is almost no newer construction. Some homes are cosmetically updated inside, of course, but you will see most homes still retain their original classic style on the outside.

Watching your meeting the other night is really the first one I have ever seen. Like I said, I just happen to read in the paper that you were going to be discussing FARs and that is such a hot button issue in my world here in Glendale that I thought I would see what you guys are dealing with. I am sure your staff is very capable of providing you thorough guidance on the subject and in fact you may have already gone down this road partially in the past. All I wanted to get across is that this is old news here in Glendale. Our residents saw the writing on the wall 25 years ago and pressured a then receptive city council to nip the things in the bud. I will say that there is no way these restrictions would pass muster with our current council and in fact some of us are worried that the council we have today will try to ease them up a bit.

Hopefully you're traveling for fun!! Feel free to ask me anything. I will do my best to provide you will whatever information you need.

P.S. so far you are the only council person to reply to my email. I was not expecting to hear from anyone actually but I thought you might like to know that.

Regards,  
Chris  
G&C Properties  
Broker Associate  
Voted Glendale's Best Real Estate Agent  
by Glendale Newspress Readers, 2017 & 2018

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DRE #: 01401809

On Oct 18, 2018, at 7:08 PM, Morzel, Lisa <[Morzell@bouldercolorado.gov](mailto:Morzell@bouldercolorado.gov)> wrote:

Hi Chris

Thank you very much for writing and sending your email and links Interesting approach.

How are demolitions handled in Glendale?

Thanks much. I have more questions but am traveling now. I will write next week.

Lisa

Lisa Morzel  
Boulder City Council Member

303-815-6723 c  
303-938-8520 h

On Oct 17, 2018, at 2:35 PM, Chris Cagnotti <[chriscagnotti@mac.com](mailto:chriscagnotti@mac.com)> wrote:

Madame Mayor and Esteemed Council Members,

My name is Chris Cagnotti and I am not a resident of Boulder, CO, but rather a native and current resident of Glendale, CA. I also serve as a commissioner on our city's Historic Preservation Commission. Glendale, CA is bordered by the cities of Los Angeles, Burbank and Pasadena and some of Southern California's loveliest mountains. The population of Glendale is slightly larger than that of Boulder at approximately 200,000 and our median home values and rental values are just slightly higher than those of Boulder. The vast majority of our SFR housing stock dates back to 1920's-1940's. I was visiting Colorado this past weekend and spent that snowy Sunday hiking up to the Flat Irons outside your fair city. Taken by your charming town, I scrolled through the local news and saw that the issue of mansionization was going to be discussed at last night's meeting. Mansionization and Floor to Area Ratio are topics that Glendale wrestled with a couple of decades ago. Our council at the time created a robust set of regulations that were not one size fits all but slightly nuanced for each neighborhood. I am a big fan of our FAR regulations.

Here is a link to a [chart that breaks down our 3 FAR Districts](#) but here they are in summary:

District I: 30% of the first 10,000 sf of lot and 10% thereafter  
District II: 40% of the first 10,000 sf of lot and 10% thereafter  
District III: 45% of the first 10,000 sf of lot and 10% thereafter

Note: Glendale does not include garage space (attached or detached) or any outdoor patios/porches (covered or otherwise) in the living space calculation. Living space is contained within the walls of the habitable structures only including any Guest Houses or ADUs. Also, once the total living space area passes the 3,500 sf mark, the city requires a 3-car garage. Almost no homes in Glendale were originally built with 3-car garages so that is an additional restriction/requirement when expanding a house. The vast majority of our single-family home neighborhoods are either District I or II. Our lot sizes range from 6,000-15,000 on average with most in the 7,000-10,000 range (these ranges are not researched, but rather what I am approximating from experience). Only recently has Glendale allowed the conversion of garages to ADUs to comply with state regulations on the subject. As mentioned, those ADUs count toward the overall square footage area.

Here is a link to our [Zoning Map](#). The Olive and Yellow colored areas on the map are our main SFR neighborhoods.

As a licensed REALTOR®, I am a big fan of private property rights but as a property owner, I also acknowledge that individual property owners don't live in a vacuum. Modifications I make to my house affect the overall character of the neighborhood. Glendale has the most restrictive FAR regulations in the region and because of that we have the most conforming streets around.

Also as a REALTOR® I see first hand the repercussions of mansionization. The home buyers who shop in Glendale are doing so not only because we have such charming neighborhoods, but also because it is so much more affordable than the other cities in our region. For instance, the same 3+2 1,800 sf house on a modest 8,000 sf lot in Glendale sells for 20%-30% less than it would in Studio City (a nearby area of the City of Los Angeles) mainly because in Studio City that 1,800 sf house can be scraped and doubled in size. In Glendale's District I neighborhood, a homeowner would be restricted to 2,400 on that same 8,000 sf lot. The cities of Los Angeles and Burbank have only just recently started down the road you all are headed and are exploring tighter FAR regulations. Sadly, the horse is very much out of the barn in most areas of those cities.

Watching your impassioned meeting last night, I see that you will be tackling the issue in the coming weeks and months. If you are looking for anecdotal information, I encourage you to have your staff look to Glendale as one of the cities they study. As I mentioned, Glendale is similar in size and our FAR regulations are now a couple of decades old and very seasoned. Because we live in a vibrant region it should be somewhat easy to see how those regulations have affected us as compared to our neighbors who do not have them.

Why am I a fan of our tight FAR rules? I appreciate the conforming nature of our streets. We have blocks and blocks that look much like they did when they were built. We don't have huge new mansions towering over our charming single story Spanish and Traditional houses. Our homes are respectfully positioned with space between neighbors and surrounded by tall mature trees and grassy yards. I also appreciate that we are, relatively speaking, still affordable. We have many first time home buyers moving to our city and folks who don't move far when they do.

Thank you for taking the time to read this message and I wish you all the best as you tackle this issue. I can't impress upon you enough how important it is.

Regards,  
Chris Cagnotti  
G&C Properties  
Broker Associate  
Voted Glendale's Best Real Estate Agent  
by Glendale Newspress Readers, 2017 & 2018

Commissioner, City of Glendale Historic Preservation Commission

At The Historic Kenneth Village  
1409 1/2 W Kenneth Rd.  
Glendale, CA 91201  
818.389.0761 cell/text  
[www.ChrisCagnotti.com](http://www.ChrisCagnotti.com)  
[www.Character-Homes.com](http://www.Character-Homes.com)  
DRE #: 01401809

**Collins, Andrew**

---

**From:** Guiler, Karl  
**Sent:** Wednesday, October 24, 2018 1:17 PM  
**To:** Collins, Andrew  
**Subject:** FW: Floor to Area Ratio discussion  
**Attachments:** ATT00001.txt

FYI

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**From:** Carlisle, Cynthia <CarlisleC@bouldercolorado.gov>  
**Sent:** Wednesday, October 24, 2018 11:39 AM  
**To:** Morzel, Lisa <MorzelL@bouldercolorado.gov>; Council <council@bouldercolorado.gov>; HOTLINE <HOTLINE@bouldercolorado.gov>  
**Cc:** Chris Cragnotti <criscragnotti@mac.com>  
**Subject:** [BoulderCouncilHotline] Re: Floor to Area Ratio discussion

Council,  
First, thanks to Chris Cragnotti for emailing and letting us know his experiences in Glendale with some of the land use issues we are experiencing in Boulder, and second, thanks to Lisa for opening up the conversation to us and the larger community.

From Mr. Cragnotti's experience in helping to preserve his city's economic livability and its "feel" and look—its human scale-- it seems that what Boulder needs is the political will to carry through on some of the things we talk a lot about—housing affordability, working to make the traffic mess less, preserving the retail and service base we need.

Political will needs come from us: difficult on the front end, as Mr. Cragnotti notes, but achieves the goal in the long run. I look forward to working with you, Council, on this issue and hope it doesn't get punted into the vast planning maw.

Cindy

---

**From:** Morzel, Lisa  
**Sent:** Monday, October 22, 2018 12:24 PM  
**To:** Council <[council@bouldercolorado.gov](mailto:council@bouldercolorado.gov)>; HOTLINE <[HOTLINE@bouldercolorado.gov](mailto:HOTLINE@bouldercolorado.gov)>  
**Subject:** Fwd: Floor to Area Ratio discussion

Council

Last week we received an email from Chris Cragnotti, a commissioner on the Glendale, CA historic preservation commission, who happened to be visiting Boulder and watched council's discussion on large lots and large houses. I replied to Chris and that ensued a constructive discussion.

Please read below for an objective approach implemented by Glendale.

Start from the bottom and read upward.

Thanks

Lisa

Hi Lisa,

Nice to hear from you. We rarely see full demolitions in our city. I suspect the main reason being that because we have such tight FARs it just doesn't make sense for a property owner to tear down a house and replace it with something that is only marginally bigger. The average size of an original house on a 10,000 SF lot for instance is probably 2,400 SF. In our District I zone a property owner is capped at 3,000 SF on that 10,000 SF lot. It doesn't really make financial sense to tear down that 2,400 SF house just to build something that is only 600 SF larger. We do have a lot of additions to our older home stock, however, additions that usually take a house to its maximum allowable size.

The other big component that we have in Glendale, that I did not go into in my initial email, is our Design Review Board (DRB). Our DRB is a 5-member panel of "qualified" Glendale citizens who review the plans for larger scale modifications or rebuilds if a house is indeed being torn down and replaced. Any addition of 700 sf or larger automatically triggers review by the DRB. They are tasked with ensuring the overall design is not hideous. That doesn't mean that the original style of the house can't change, but if it does it needs to comply with some basic tenets of good design. Most developers/homeowners don't really want to deal with the DRB so they keep their modifications under 700 SF.

The final, and most recent thing our city has done to help maintain the conformity of our neighborhoods, is the implementation about a decade ago of Historic Overlay Zones. Our city is known for its large "population" of revival architecture, in particular Spanish revival. We have other styles, too, but Spanish is our main one. We have I think 8 Historic Districts ranging in size from 5 homes to 500 homes. In those districts, homes are not allowed to drastically change their style. A Spanish has to stay a Spanish, it can't be made into a modern or something like that, plus the city has more control of the materials a property owner may choose from when making modifications, the most important of those being the types and style of allowable windows and doors. More than anything, cheap windows and doors can really make a pretty house ugly.

There is also one unintended restricter to expansion that works well in one of our 40% FAR neighborhoods and that is our indigenous tree ordinance. The neighborhood that has the 40% allowable structure size also happens to be an area of town that has larger lots that are populated with California Live Oaks which are one of three protected trees in Glendale. These trees can't be cut down and they require a certain amount of space around them which inhibits the expansion of structures in many cases.

I will say, one of the biggest complaints I hear is how restrictive Glendale is in terms of development. All I can say to that is, thank



goodness because I drive through neighboring cities and cringe at some of the stuff I see. Beyond just large homes towering over smaller ones, there is so much bad design out there. Parts of Burbank are an abomination. Whole blocks are just littered with apartment sized single family homes that are just ugly, never mind big.

If you're curious about our architecture, here is a link to my company's real estate website, [www.Character-Homes.com](http://www.Character-Homes.com). We represent a wide variety of housing stock in town but you will see that the majority is Spanish. You will also see that there is almost no newer construction. Some homes are cosmetically updated inside, of course, but you will see most homes still retain their original classic style on the outside.

Watching your meeting the other night is really the first one I have ever seen. Like I said, I just happen to read in the paper that you were going to be discussing FARs and that is such a hot button issue in my world here in Glendale that I thought I would see what you guys are dealing with. I am sure your staff is very capable of providing you thorough guidance on the subject and in fact you may have already gone down this road partially in the past. All I wanted to get across is that this is old news here in Glendale. Our residents saw the writing on the wall 25 years ago and pressured a then receptive city council to nip the things in the bud. I will say that there is no way these restrictions would pass muster with our current council and in fact some of us are worried that the council we have today will try to ease them up a bit.

Hopefully you're traveling for fun!! Feel free to ask me anything. I will do my best to provide you will whatever information you need.

P.S. so far you are the only council person to reply to my email. I was not expecting to hear from anyone actually but I thought you might like to know that.

Regards,  
Chris  
G&C Properties  
Broker Associate  
Voted Glendale's Best Real Estate Agent  
by Glendale Newspress Readers, 2017 & 2018

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1409 1/2 W Kenneth Rd.  
Glendale, CA 91201  
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DRE #: 01401809

On Oct 18, 2018, at 7:08 PM, Morzel, Lisa  
<[Morzell@bouldercolorado.gov](mailto:Morzell@bouldercolorado.gov)> wrote:

Hi Chris

Thank you very much for writing and sending your email  
and links Interesting approach.

How are demolitions handled in Glendale?

Thanks much. I have more questions but am traveling  
now. I will write next week.

Lisa

Lisa Morzel  
Boulder City Council Member

303-815-6723 c  
303-938-8520 h

On Oct 17, 2018, at 2:35 PM, Chris Cagnotti  
<[chriscagnotti@mac.com](mailto:chriscagnotti@mac.com)> wrote:

Madame Mayor and Esteemed Council  
Members,

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native and current resident of Glendale,  
CA. I also serve as a commissioner on  
our city's Historic Preservation  
Commission. Glendale, CA is bordered  
by the cities of Los Angeles, Burbank  
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Colorado this past weekend and spent  
that snowy Sunday hiking up to the Flat  
Irons outside your fair city. Taken by  
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mansionization was going to be  
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Thank you for taking the time to read this message and I wish you all the best as you tackle this issue. I can't impress upon you enough how important it is.

Regards,  
Chris Cagnotti  
G&C Properties  
Broker Associate  
Voted Glendale's Best Real Estate  
Agent  
by Glendale Newspress Readers, 2017  
& 2018

Commissioner, City of Glendale Historic  
Preservation Commission

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DRE #: 01401809

**Collins, Andrew**

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**From:** Ferro, Charles  
**Sent:** Tuesday, November 6, 2018 9:51 AM  
**To:** Guiler, Karl; Collins, Andrew  
**Subject:** FW: Mc Mansions

FYI

**From:** ollimaleya@aol.com <ollimaleya@aol.com>  
**Sent:** Monday, November 05, 2018 4:05 PM  
**To:** Council <council@bouldercolorado.gov>  
**Subject:** Mc Mansions

Came to Boulder in 1974, bought my first house in 1977, married, had children, lived on a self employed carpenter's income, retired, still living in our 50's house hoping to capitalize on the value when "the time" comes. The hill we live on is approaching 50% Mc Mansions. That said, a city-wide ban would only serve to increase the value of the existing Mc Mansions and DECREASE the value of our 50's home. As you continue to consider the issue, please take into consideration the composition of various neighborhoods, noting that a city-wide ban may not be appropriate. Thank you.

Best,  
Carolyn Usher  
2210 Balsam Dr

## Collins, Andrew

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**From:** Robertson, Jim  
**Sent:** Wednesday, November 7, 2018 10:01 AM  
**To:** Collins, Andrew; Guiler, Karl  
**Subject:** FW: "Emergency Moratorium" Feedback

FYI.

Jim Robertson, AIA  
Comprehensive Planning Manager

## City of Boulder Planning Department

O: 303-441-4277  
[robertsonj@bouldercolorado.gov](mailto:robertsonj@bouldercolorado.gov)

Department of Planning, Housing + Sustainability  
1739 Broadway | PO Box 791 | Boulder, CO 80301  
[Bouldercolorado.gov](http://Bouldercolorado.gov)

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**From:** john maggio <[johnfmaggio@gmail.com](mailto:johnfmaggio@gmail.com)>  
**Sent:** Wednesday, November 7, 2018 9:46 AM  
**To:** Council <[council@bouldercolorado.gov](mailto:council@bouldercolorado.gov)>  
**Subject:** "Emergency Moratorium" Feedback

Dear Council Members,

Let me start by thanking you all for your commitment to the Boulder community. I moved to Boulder 25 years ago after stopping to see a friend, and thought I'd give my perspective as you consider any type of emergency moratorium.

First, some background: I founded a company in the natural products industry right after I moved here – of course, it wasn't an instant success, but it worked out and I've been somewhat of a serial entrepreneur in the food and beverage space. I'm so lucky to have landed in Boulder. After my first apartment, I rented an old home in the Newlands from 1997-2001. My new wife and I purchased the home from my then-landlord shortly after 9/11 - It was just over 900sq feet, built in 1955, on a typical 50ft wide Newlands lot, was in disrepair and wasn't energy efficient. In fact, though it looks like a great deal now, it was a ridiculous price to pay for a house and I may argue that Boulder hasn't been "truly affordable" since way before my time. Our first child was born in that home and we later razed it and rebuilt a custom, tasteful 3950sq foot home in 2005 where we now raise our 4 children. Our children have attended four of the public schools in Boulder and we are so fortunate that our tax dollars have also allowed us access to a wonderful downtown, parks and open space. After saving for several years we recently purchased a home just 3 blocks away but on a lot size double our current sized lot. The old-time Boulder family, who sold it to us off-market, did so because they wanted to pass it on to the next generation, us. The house currently on the lot has a failing foundation due to being built on cinder blocks with old technology from 60 years ago. We have a full set of plans, an approved demo permit and have spent over \$25,000 thus far for early plans, surveying and demo permit to raze the home and, again, build a tasteful

home suitable for our large family. The proposed moratorium wouldn't even allow for us to build the same sized home we currently own, even though the lot size is over double that of our current lot. I can't see how that makes good sense or encourages revitalization and progress in our City.

On to my issues, and beginning with the word "emergency", which evokes a sense of urgency and panic among other things. It seems the City has a history of more sensible approaches, however, I fail to see anything urgent in limiting house sizes to an arbitrary square footage (3500) in an effort to somehow help with affordable housing and punish those of us who have worked hard, conformed with the rules and will continue to do so.

My suggestion for you is to move away from the conversation on a temporary moratorium altogether. As was pointed out on your October 16th meeting, this will only impact a small number of homes over the next 365 days, and will create a serious problem of negatively impacting those currently in the planning process. A moratorium would instantly de-value numerous properties and, no doubt, invite costly litigation and a black eye on our great City.

I don't disagree that we need a solution for affordable housing, and I don't pretend to have that solution. But, I do know that limiting house sizes is not a piece of the puzzle in solving this issue.

Further, to penalize good people and families who don't conform to a few council members' misguided views of "community" is both sad and divisive. Speaking for our own family, we've been part of the creation of hundreds of jobs, numerous events, and charitable efforts that help define and grow a successful community.

Planning for the future of Boulder should never be an emergency – our City is a beacon for what it has achieved in so many ways and a couple of quick votes out of spite and vindictiveness undermine the history of that planning. I encourage you to take a long-term approach to solving the real issues that will continue to make Boulder thrive. This is not one of them.

I look forward to your response, John Maggio

John F. Maggio  
[johnfmaggio@gmail.com](mailto:johnfmaggio@gmail.com)



## Collins, Andrew

---

**From:** Ferro, Charles  
**Sent:** Thursday, November 15, 2018 10:42 AM  
**To:** Guiler, Karl; Collins, Andrew  
**Subject:** FW: Use Standards and Large Homes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Fyi...

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**From:** Kurt Nordback <knordback@yahoo.com>  
**Sent:** Thursday, November 15, 2018 10:41 AM  
**To:** boulderplanningboard <boulderplanningboard@bouldercolorado.gov>  
**Subject:** Use Standards and Large Homes

Dear Planning Board,

I have comments on the Use Standards & Table Review Project and the Large Homes On Large Lots Project that you'll be discussing tonight.

### Use Standards

I strongly agree with the goal of simplifying the Use Table and related parts of Title 9. There are many problems with the current complexity, and perhaps the biggest one relates to equity. Nearly our entire planning and development regime is complicated, arcane, and slow, which means successful projects tend to be large (in order to amortize the entitlement cost over more square feet). That selects for experienced, large developers with the capital to hire consultants and lawyers and to wait out the process, and it selects against smaller, less established developers. I see that as a serious equity problem. The Use Standards are one small part of that very large issue.

I believe one goal of the project should be to revise the Use Standards to allow for additional housing, given our desperate need. I'd like to see this called out explicitly, as is the goal of aligning the standards with our energy and climate policies.

Relatedly, from the subcommittee meeting minutes it appears that there's a desire to separate the subject of allowing more residential uses within industrial zones as a separate work item. I disagree with this approach. I see the issue of residential uses in industrial zones as very much a part of this overall effort, and I want to see it happen sooner rather than later. I think that separating it into a different project would delay it too much.

### Large Homes On Large Lots

I'm pleased to see the draft "why" statement explicitly addressing efficiency of land use. In Boulder we talk regularly (and rightly) about things like energy efficiency and water efficiency, but arguably our most limited resource is land. Historically we've used our land profligately (and we continue to do so, as seen by other topics on your agenda tonight). Understanding that we need to start using our land more efficiently is an important step.

We tend to change things in our land-use regime in quantum jumps, whether by rezoning or by changing the code itself. That has its place, but when possible I think an ongoing and more incremental approach would be less disruptive and more predictable. In this case, we need an immediate quantum jump to address the pressing issue. But following that, an incremental approach might mean allowing the minimum lot size requirements to decrease at (say) 1% per year indefinitely. This would provide a clear and predictable trajectory, and would align with Boulderites' often-stated preference for gradual change. I'd encourage this general approach to be included as a possible strategy for the project.

Thanks for reading.

-- Kurt

## Collins, Andrew

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**From:** Robertson, Jim  
**Sent:** Friday, November 16, 2018 10:30 AM  
**To:** Collins, Andrew; Guiler, Karl  
**Subject:** FW: House Size (If that's what you're after)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI. You've probably already seen the Portland materials, but if not check out the link in his e-mail.

Jim Robertson, AIA  
Comprehensive Planning Manager

## City of Boulder Planning Department

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Department of Planning, Housing + Sustainability  
1739 Broadway | PO Box 791 | Boulder, CO 80301  
[Bouldercolorado.gov](http://Bouldercolorado.gov)

---

**From:** Nicholas Fiore <nicholasfiore@gmail.com>  
**Sent:** Friday, November 16, 2018 8:37 AM  
**To:** Council <council@bouldercolorado.gov>  
**Subject:** House Size (If that's what you're after)

Hello Council,

It's still a bit of a mystery as to whether you are interested in a. limiting house sizes or b. creating affordable housing opportunities or c. both, with b providing a form of political 'cover' for a. Either way, I've been poking around and found an interesting proposal from Portland (a very good model and substitute for Boulder as you know):

<http://demo.residentialinfill.participate.online/house-size>

Limiting FAR is what they are looking at, and you will be as well if home size is your target. I think Portland's example is excellent for two critical reasons: 1. Sliding scale for lot size that ends at a high end number (all lots over 12,500 can only build to the top number). and 2. Detached structures DO NOT count against floor area (flexibility for storage, ADUs, in-law suites, caretaker suites, etc etc etc - do not forget families have needs that change!)

Helpful I hope. Thanks

Nick

---

Nicholas Fiore  
Studio 720 515 7749  
Walking 434 531 6837

[nick@flowerarchitecture.com](mailto:nick@flowerarchitecture.com)

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777 Pearl St., Ste. 211  
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[flowerarchitecture.com](http://flowerarchitecture.com)

Typos by iPhone X™