



**CITY OF BOULDER**  
**PLANNING BOARD MEETING AGENDA**  
**DATE:** October 29, 2015  
**TIME:** 6 p.m.  
**PLACE:** 1777 Broadway, Council Chambers

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- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES**  
The [October 15, 2015 minutes](#) are scheduled for review.
- 3. PUBLIC PARTICIPATION**
- 4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS/CONTINUATIONS**
- 5. PUBLIC HEARING ITEMS**
  - A. AGENDA TITLE:** [Public hearing to receive feedback on the draft pilot Form-Based Code \(FBC\) for the Boulder Junction Phase I area and the potential review process.](#)
- 6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY**
- 7. DEBRIEF MEETING/CALENDAR CHECK**
- 8. ADJOURNMENT**

**CITY OF BOULDER PLANNING BOARD  
MEETING GUIDELINES**

**CALL TO ORDER**

The Board must have a quorum (four members present) before the meeting can be called to order.

**AGENDA**

The Board may rearrange the order of the Agenda or delete items for good cause. The Board may not add items requiring public notice.

**PUBLIC PARTICIPATION**

The public is welcome to address the Board (3 minutes\* maximum per speaker) during the Public Participation portion of the meeting regarding any item not scheduled for a public hearing. The only items scheduled for a public hearing are those listed under the category PUBLIC HEARING ITEMS on the Agenda. Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.

**DISCUSSION AND STUDY SESSION ITEMS**

Discussion and study session items do not require motions of approval or recommendation.

**PUBLIC HEARING ITEMS**

A Public Hearing item requires a motion and a vote. The general format for hearing of an action item is as follows:

**1. Presentations**

- a. Staff presentation (10 minutes maximum\*)
- b. Applicant presentation (10 minute maximum\*). Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.
- c. Planning Board questioning of staff or applicant for information only.

**2. Public Hearing**

Each speaker will be allowed an oral presentation (3 minutes maximum\*). All speakers wishing to pool their time must be present, and time allotted will be determined by the Chair. No pooled time presentation will be permitted to exceed ten minutes total.

- Time remaining is presented by a Green blinking light that means one minute remains, a Yellow light means 30 seconds remain, and a Red light and beep means time has expired.
- Speakers should introduce themselves, giving name and address. If officially representing a group, homeowners' association, etc., please state that for the record as well.
- Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record.
- Speakers should address the Land Use Regulation criteria and, if possible, reference the rules that the Board uses to decide a case.
- Any exhibits introduced into the record at the hearing must be provided in quantities of ten (10) to the Secretary for distribution to the Board and admission into the record.
- Citizens can send a letter to the Planning staff at 1739 Broadway, Boulder, CO 80302, two weeks before the Planning Board meeting, to be included in the Board packet. Correspondence received after this time will be distributed at the Board meeting.

**3. Board Action**

- d. Board motion. Motions may take any number of forms. With regard to a specific development proposal, the motion generally is to either approve the project (with or without conditions), to deny it, or to continue the matter to a date certain (generally in order to obtain additional information).
- e. Board discussion. This is undertaken entirely by members of the Board. The applicant, members of the public or city staff participate only if called upon by the Chair.
- f. Board action (the vote). An affirmative vote of at least four members of the Board is required to pass a motion approving any action. If the vote taken results in either a tie, a vote of three to two, or a vote of three to one in favor of approval, the applicant shall be automatically allowed a rehearing upon requesting the same in writing within seven days.

**MATTERS FROM THE PLANNING BOARD, DIRECTOR, AND CITY ATTORNEY**

Any Planning Board member, the Planning Director, or the City Attorney may introduce before the Board matters which are not included in the formal agenda.

**ADJOURNMENT**

The Board's goal is that regular meetings adjourn by 10:30 p.m. and that study sessions adjourn by 10:00 p.m. Agenda items will not be commenced after 10:00 p.m. except by majority vote of Board members present.

\*The Chair may lengthen or shorten the time allotted as appropriate. If the allotted time is exceeded, the Chair may request that the speaker conclude his or her comments.

**CITY OF BOULDER**  
**PLANNING BOARD ACTION MINUTES**  
**October 15, 2015**  
**1777 Broadway, Council Chambers**

A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: <http://www.bouldercolorado.gov/>

**PLANNING BOARD MEMBERS PRESENT:**

Aaron Brockett, Chair  
Bryan Bowen  
John Gerstle  
Leonard May  
Liz Payton  
Crystal Gray

**PLANNING BOARD MEMBERS ABSENT:**

John Putnam

**STAFF PRESENT:**

Charles Ferro, Development Review Manager  
Hella Pannewig, Assistant City Attorney  
Cindy Spence, Administrative Assistant III  
David Thompson, Civil Engineer II, Transportation  
Chandler Van Schaack, Planner I  
Jessica Stevens, Civil Engineer II

**1. CALL TO ORDER**

Chair, **A. Brockett**, declared a quorum at 6:05 p.m. and the following business was conducted.

**2. APPROVAL OF MINUTES**

On a motion by **C. Gray** and seconded by **A. Brockett** the Planning Board voted 5-0 (**J. Putnam** absent; **J. Gerstle** did not vote due to being absent from the October 1, 2015 meeting) to approve the October 1, 2015 minutes as amended.

**3. PUBLIC PARTICIPATION**

No one spoke.

**4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS/CONTINUATIONS**

**A.** Call Up Item: Floodplain Development Permit (LUR2015-00090), 505 27<sup>th</sup> Way

- B. Call Up Item: Floodplain Development Permit (LUR2015-00086), South Boulder Creek Pedestrian Bridge – 3 South Cherryvale
- C. Call Up Item: Pearl Place Subdivision (TEC2015-00004) located at 2920 and 2930 Pearl; 2085, 2111 and 2121 30<sup>th</sup> Street. Final Plat to replat the existing site into two lots: one on the south side of the site (2.92 acres) and the other on the north side of the site (1.40 acres). The call up period expires on Oct. 23, 2015.

None of the items were called up.

## **5. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY**

- A. Information Item: Second Review of the Draft Community Cultural Plan
- B. Information Item: Zero Waste Strategic Plan

On a motion by **A. Brockett**, seconded by **C. Gray**, the Planning Board voted 6-0 (**J. Putnam** absent) to continue Matters 5A and 5B to the October 22, 2015 Planning Board meeting.

## **6. PUBLIC HEARING ITEMS**

- A. AGENDA TITLE: Concept Plan (case no. LUR2015-00053) for redevelopment of a 1.85-acre site located at 2751 and 2875 30<sup>th</sup> Street within the BT-1 zoning district. Referred to as “The Boulder Junction Rowhouses” the proposed residential development is located in Phase 2 of Boulder Junction and would consist of 32 attached residential units split between four, 4-story, 37’ tall rowhouse buildings totalling roughly 66,000 sq. ft. The proposal also includes a large, central open space feature constructed over a structured parking area containing 70 parking spaces.

Applicant: Jason Lewiston

Property Owner: Greenius Boulder LLC as to 2751 30<sup>th</sup> St.; McNeill Family Trust as to 2875 30<sup>th</sup> St.

### **Staff Presentation:**

- C. **Ferro** introduced the item.
- C. **Van Schaack** presented the item to the board.

### **Board Questions:**

- C. **Van Schaack** and D. **Thompson** answered questions from the board.

### **Applicant Presentation:**

**Jason Lewiston**, with **Greenius Boulder LLC, 782 Cherry Street, Denver**, the applicant, presented the item to the board.

**Board Questions:**

**J. Lewiston**, the applicant, answered questions from the board.

**Public Hearing:**

No one spoke.

**Board Comments:****Key Issue #1: Are the preliminary plans consistent with the Transit Village Area Plan (TVAP)?**

- **L. Payton** stated that the project complies with the TVAP guidelines and is consistent. Parking is underground and would eliminate the curb cut on 30<sup>th</sup> Street. While this project is not a mixed-use project, **L. Payton** stated that currently there is already a large amount of commercial development in other parts of TVAP and that there is not enough family oriented development. She expressed concern that the proposed units will be on the high income level end and that not enough affordable units would be provided.
- **J. Gerstle** generally agreed with **L. Payton**. However, he stated that it is important to have the mixed-use aspect preserved. The project should be an interesting place to walk along and the project would be enhanced with a mixed-use function.
- **A. Brockett** agreed that the project is meeting most of the goals and criteria set by TVAP. 30<sup>th</sup> Street is looking to be a main business corridor and the project needs to comply with the eventual vision of the 30<sup>th</sup> Street corridor which is to become a walkable main street. Overall it is necessary to fully meet the criteria regarding a mixed-use component.
- **B. Bryan** stated the project does not comply with TVAP guidelines due to the generality of the use. It is suppose to be a business main street (i.e. retail, office and commercial spaces). This street section in TVAP is proposing zero setbacks and a different cross section than what is shown in this project's designs. Therefore this project is not TVAP compliant.
- **L. May** agreed with previous comments. The TVAP vision plan needs to be maintained. Generally this project does not comply with TVAP at this time.
- **C. Gray** stated that the project complies with the TVAP land use plan. The applicant has come a long way by having some yard spaces in the design. She agrees with **L. Payton** that the city needs to have more projects that are family friendly. TVAP's goal is to have a mix of housing from small flats to larger family housing. According to the "commuter" survey previously looked at by the Board, participants stated they would want single family house, townhomes or duplexes. This project will meet those needs. Lots of positive things exist within this project and opportunities for creative affordable units rather than park space are present. However, mixed-use would be beneficial as well to include.

- **A. Brockett** likes the townhome aspect and the family friendly housing and open spaces are positive. He suggested a mixed-use aspect to be a part of the project, but not the entire project.
- **L. Payton** stated that in regards to the setbacks, which will be landscaped, that they would be pleasant to walk past.

### **Key Issue #2: Access**

- **J. Gerstle** stated the site layout seems reasonable. He stated he would like to see two elements. He would like to see public access to the courtyard if possible. Paths from the north through the middle seem reasonable. The other element would be maintaining the permeability to the public through the site.
- **A. Brockett** stated that it seems unfair to state that the access from 30<sup>th</sup> Street can't be developed until Phase II of TVAP. In order for developers to move forward, access off 30<sup>th</sup> Street is the only answer as long as it conforms to the overall TVAP Plan. While he likes the open space concept that would be shared by all units, he is concerned about the future of the site, after Bluff Street is developed. It would leave underutilized space. Should be designed for the final layout of the site. He suggested taking the garage access to the west side, so the south side could be made into a functional pocket park.
- **B. Bryan** stated relocating the parking garage access to the alley would be an improvement. In regards to the site layout, he would want to see detail for the future alley right-of-way. He suggested to perhaps flip the parking garage to the building side as opposed to the fence line side. He agrees with **J. Gerstle** in that the center courtyard needs to be permeable and open to the public. In terms of site layout, if there was a strip of retail the same width as the units on the street side, then that would allow for two-story townhomes. This would give more diversity in housing types.
- **L. May** asked if this particular plan is in compliance with city requirements in terms of distance off 30<sup>th</sup> Street and to have access into the proposed site.
  - **D. Thompson** stated no they are not. He stated staff's preference would be to have the curb cut to the north of the site. The access would be supported by the location of the light and traffic study.
- **L. May** stated the access to the site is awkward as currently proposed. He suggested exploring access from north end of Bluff Street. This could potentially enable the addition of another unit at the south end of the block.
- **A. Brockett** retracted his previous comments as he was unaware that the location of the street light would to be established in 2017.

- **C. Gray** stated that the applicant and the city staff will need to work out a reasonable access into the parking garage. She stated that she likes the proposed plan. In regards to the alley, more landscaping along the alley and along the north pedestrian access would be beneficial. She stated that she hopes reasonable access to the site can be accomplished.
- **L. Payton** echoed **J. Gerstle's** comments regarding having permeability through the site and being open to public (east/west). She agreed that it would be awkward with the large pavement left over at the access. Perhaps removing that or to put something else in its place.

### **Key Issue #3: Mixed Use**

- **L. May** stated that a mixed-use would give more continuity to the site. The project needs to provide diversity of housing and as many of the elements from TVAP as possible.
- **C. Gray** stated that this is the type of project that is missing from TVAP.
- **L. Payton** agrees with **C. Gray's** comments and suggested that perhaps one way to address the diversity issue would be to take one or two units and split them as affordable units, but not that they are obvious they are affordable units. She stated that more commercial units are not needed in at that site. More residential is needed.
- **B. Bryan** stated that 7 units of affordable housing would be required.
- **J. Gerstle** agreed with **L. Payton** that her suggestion would make the project better.
- **B. Bryan** stated, in terms of mixed-use, that townhouses to the backside of the park over the mixed use would give the diversity needed. For example, he suggested more commercial below on the streetscape and above that opening up to the elevated open space.
- **C. Gray** stated the proposed park gives an opportunity for mixed use.

### **Key Issue #4: Parking**

- **L. May** encouraged reduction in parking for this project. The city does need to achieve the mode shifts of transportation and this project presents an opportunity to do that.
- **A. Brockett** agreed with **L. May's** comments. He suggested a way to accomplish this would be to bundle or have shared parking spots.
- **B. Bryan** also agreed with the previous comments. In addition, as relates to mixed-use, parking could be unbundled successfully.
- **L. Payton** supports shared parking. The current plan has excessive parking.
- **J. Gerstle** stated the parking should be unbundled.

- **C. Gray** stated she would like to learn more about their transportation management plan when they return to Planning Board as it could be applicable.

**Key Issue #5: Design, Architecture, Materials**

- **C. Gray** stated the applicant has responded to BDAB's advice. She likes how the buildings have been broken up. She stated some concerns raising the door stoop and the patterns in the windows. Items have been addressed from the FBC aspect as well.
- **L. May** stated this is a big improvement to remove the CMU and simplify the façade. He stated he is concerned with over scale of bricks and would be very resistant to condone their use.
- **B. Bryan** stated the project has come a long way from the presentation in BDAB. He also has concerns with the proposed masonry. The style of bricks proposed will not meet city's energy code. He suggested to the applicant to pay attention to the proportions of masonry to glass which also appear in the FBC. In addition, the differential layers of fenestration are outlined in the FBC as well. He suggested grouping the windows over the door into a pair.
- **A. Brockett** echoed that the project has come a long way with BDAB's advice. He stated that he has no conflict with the proposed masonry.
- **J. Gerstle** had nothing to add.
- **L. Payton** shared **L. May's** concerns with size of the masonry. She appreciates the applicant's effort to make the building feel like it belongs in Boulder. She approved of the building's proportions and fenestration. She had a concern with the top of the building because there does not appear to be a real cap except for a railing.
- **L. May** agrees with all of the previous comments.

**Key Issue #6: Re-Zoning:**

- **B. Bryan** stated that it would make sense to rezone and to have land use match the adopted TVAP plan.
- **A. Brockett** stated it would be reasonable to rezone. It is important that TVAP establishes a broad character for 30<sup>th</sup> Street and it is defined as a business main street. He stated that he would support a rezoning to BMS to make that definition more doable. He stated that in his opinion, Bluff Street would need to be built to achieve that.
- **J. Gerstle** stated he would be in support with rezoning.

- **L. Payton** stated she likes the plan as currently proposed. She stated she is not in favor of increasing the development potential and adding more units and having less open space. In regards to TVAP, it does not need to be followed to the letter for each project. She does not support the rezoning.
- **C. Gray** agrees with **L. Payton**. She believes the project is on the right track and a project like this has not been seen before. She stated that the applicant has the choice to rezone, but that she is comfortable with the project moving ahead as is.
- **A. Brockett** stated that BMS zoning does require commercial on the first level. Therefore this exact project could not be done, but it could be similar. He stated that the family friendly aspect is important to him as well.
- **B. Bryan** and **J. Gerstle** both agree that if it were rezoned, it would not preclude a family friendly project.
- **L. May** reiterated that rezoning is the applicant's prerogative.
  - **C. Ferro** stated that an adopted implementation plan for TVAP does exist. In regards to rezoning for Phase II, there is some specific language. He quoted, *“Properties in Phase II that wish to redevelop sooner could do so under current zoning or could request BVCP Land Use designation and zoning changes consistent with the adopted area plan if can be demonstrated that adequate public facilities will be in place concurrent with redevelopment including construction of transportation improvements shown on the connections plan that are necessary to serve the property and connected to the arterial street network , an early action item for plan implementation will be development of a concurrency ordinance that would require adequate public facilities and services to be in place concurrent with redevelopment . Planning Board and City Council may also consider the market absorption of properties with similar uses in Phase I when considering BVCP Land Use and zoning changes for Phase II properties.”* **C. Ferro** stated that this intentional language is designed to emphasize the build out of Phase I in advance of Phase II.
- **L. May** stated that the quote reads as though the rezoning cannot be done in a timely manner and that infrastructure needs to be in place before the Planning Board can consider rezoning changes.
- **C. Gray** stated that by advocating for rezoning, it appears that we are asking property owners to aggregate properties. She stated that this could eliminate the smaller projects that contribute to the area. In her opinion, TVAP could benefit from smaller projects as it could break up the massing.
- **B. Bryan** stated that a mixed-use zone should occur in this area and that is what is desired in this area.

- **A. Brockett** agreed with **C. Gray** in her comments regarding smaller projects, but the BMS zoning would not necessarily be more intense project.

### **Summary of Concept Plan:**

No action is required on behalf of the Planning Board. **A. Brockett** gave a summary of the Board's comments to the applicant. One fundamental point is that several Board members feel this project needs a mixed-use component to be compliant with the main street character vision for 30<sup>th</sup> Street. In addition however, several other Board members feel the proposed project with the family friendly component is acceptable. There is openness to rezoning to BMS however there may be some resistance from staff and existing language in the Plan. It is the applicant's prerogative to rezone. In terms of access and layout, issues with regard to the southern access exist, in particular with Bluff Street. The Board has suggested new site layouts to deal with those issues. And some issues were raised in regards to permeability and parking reduction.

- B. AGENDA TITLE:** Public hearing and consideration of Site and Use Review applications for expansion of the Meadows Tennis Club located at 5555 Racquet Lane within the RL-2 zone district. The proposal includes the renovation and expansion of the existing clubhouse including enclosure of two existing tennis courts adjacent to the clubhouse; relocation of two existing platform tennis courts and the addition of two new platform tennis courts and two new tennis courts. The applicant is requesting a 39% parking reduction to allow for 92 parking spaces where 151 are required following the proposed expansion. The project is reviewed under two separate cases, LUR2014-00095 and LUR2015-00018.

Applicant: Jim Bray for the Meadows Club  
Property Owner: Meadows Club Inc.

### **Board Comment:**

**C. Gray** recused herself from this discussion.

### **Staff Presentation:**

**C. Ferro** introduced the item.  
**C. Van Schaack** presented the item to the board.

### **Board Questions:**

**C. Van Schaack** and **H. Pannewig** answered questions from the board.

### **Applicant Presentation:**

**Jim Goldfarb, Meadows Club, Inc., 5555 Racquet Lane**, a member of the Board of Directors of The Meadows Tennis Club, and **Jim Bray, Bray Architecture, 1300 Yellow Pine Ave.**, the architect, presented the item to the board.

### **Board Questions:**

**J. Bray**, the architect, and **Don Ash**, with **Scott, Cox & Associates, 6490 Pennsylvania Ave**, the civil drainage engineer and neighbor, answered questions from the board.

### Public Hearing:

1. **Tom Murphy** (pooling time with **Ron Berger, Myrl Miller, Don Saunders, Betsey Saunders**), **5543 Stonewall Place**, spoke in opposition to the project.
2. **Sally Schneider** (pooling time with **Tamara Eric**), **5547 Stonewall Place**, spoke in opposition to the project.
3. **Jeff Pastore**, **5606 Pennsylvania Ave.**, spoke in opposition to the project.
4. **Amir Caspi**, **5610 Pennsylvania Ave.**, spoke in opposition to the project.
5. **Andrew Roppel**, **880 Racquet Lane**, spoke in opposition to the project.
6. **Mike Fettig**, **5525 Friends Place**, spoke in opposition to the project.
7. **Brock Borman**, **3150 Iris Ave., #101**, spoke in support to the project.
8. **Jim Doyle**, **876 Racquet Lane**, spoke in support to the project.
9. **Janice Branam**, **5521 Friends Place**, spoke in opposition to the project.

### Board Comments:

#### Key Issues:

- **Is the proposed Site Review Amendment consistent with the criteria for Amendments to Approved Site Plans as set forth in section 9-2-14(m), B.R.C. 1981?**
- **Is the request for an expansion of the existing indoor athletic facility/ non-profit membership club use consistent with the Use Review Criteria set forth in section 9-2-15(e), B.R.C. 1981?**
- **Is the requested parking reduction consistent with the criteria for parking reductions set forth in section 9-2-14(h)(2)(K), B.R.C. 1981?**
- **L. May, B. Bryan and J. Gerstle** felt that in general the project is compliant and grandfathered in by the original PUD. In his opinion, the Planning Board does not have much latitude. They stated that perhaps there are some management plan issues that can be addressed.
- **A. Brockett** stated that the neighbors' concerns seem to center around changes that are allowed by-right. There have been additional concerns regarding the size of the club house, which the Planning Board can review. He agreed that the management plan can be mitigated in regards to impact on the neighbors.
- **J. Gerstle** confirmed that these elements are grandfathered in and still valid and the Planning Board has limited capabilities to deal with those grandfathered issues in regards to the proposed new tennis courts and the old tennis courts.
  - **H. Pannewig** stated that what was approved under the old PUD (approval) still remains valid.
- **L. Payton** stated her main concern was with the potential for property damage from drainage and flooding. She stated she agrees with the other Board members, if drainage issues are resolved and if the structures are out of the Planning Board's prevue, then it is about the management plan.

**Additional Key Issue: Changes to management plan:**

- **A. Brockett** stated that the overnight events should be addressed in the management plan.
- **L. Payton** was under the assumption an overnight event only happens once a year. She stated that the issue of light leakage should be addressed in the management plan and proposed operable shades.
- **J. Gerstle** stated it would be appropriate to stipulate that the Boulder lighting code, when it becomes effective in 2017, that the older lighting which will not be in accordance with the new code should be brought up to date.
  - **C. Ferro** informed the Board that currently the applicant is not in compliant with current regulations. In this particular case, the applicant would be seeking a variance where some of the light levels would exceed what is in the code today. If the variance is granted, it would not require them to come to full compliance in 2017.
  - **H. Pannewig** could be a condition of approval.
- **A. Brockett** suggested that during swim meets, starting guns not be used and to state this in the management plan.
- **L. May** stated that most of these issues are currently addressed in the management plan. Regarding a non- renewal of the parking agreement with the school, then they would be out of compliance. In his opinion, generally the management plan has addressed most concerns from neighborhood.

**Motion:**

On a motion by **B. Bowen**, seconded by **J. Gerstle**, the Planning Board voted 5-0 (**J. Putnam** absent, **C. Gray** recused herself) to approve the Site Review application LUR2014-00095 and Use Review application LUR2015-00018, adopting the staff memorandum as findings of fact and subject to the recommended conditions of approval found in the staff memorandum.

Friendly amendment by **L. Payton** to add a condition requiring that the Applicant install operable shades on the eastern portion of the enclosed tennis courts. Friendly amendment was accepted by **B. Bowen** and **J. Gerstle**.

Friendly amendment **A. Brockett** to add a condition requiring the Applicant to ensure that no starting guns be used at any event on the property. Friendly amendment was accepted by **B. Bowen** and **J. Gerstle**.

- C. AGENDA TITLE: Staff briefing and board input regarding the Access Management and Parking Strategy (AMPS).

**Motion:**

On a motion by **A. Brockett**, seconded by **C. Gray**, the Planning Board voted 6-0 (**J. Putnam** absent) to continue the Public Hearing Item 5C to the October 22, 2015 Planning Board meeting.

**7. DEBRIEF MEETING/CALENDAR CHECK**

**8. ADJOURNMENT**

The Planning Board adjourned the meeting at 10:17 p.m.

APPROVED BY

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
DATE

DRAFT

**CITY OF BOULDER  
PLANNING BOARD AGENDA ITEM**

**MEETING DATE: October 29, 2015**

**AGENDA TITLE:** Public hearing to receive feedback on the draft pilot Form-Based Code (FBC) for the Boulder Junction Phase I area and the potential review process.

**REQUESTING DEPARTMENTS:**

David Driskell, Executive Director of Community Planning and Sustainability (CP&S)  
Susan Richstone, Deputy Director of CP&S  
Sam Assefa, Senior Urban Designer, CP&S  
Karl Guiler, Senior Planner/Code Amendment Specialist, CP&S  
Leslie Oberholtzer, Design Consultant, CodaMetrics

**OBJECTIVES:**

1. Hear Staff and Consultant presentations
2. Hear Public Comment
3. Planning Board clarifying questions, discussion and request for feedback.

**PURPOSE**

The purpose of the public hearing is to provide opportunities for CodaMetrics, the city's design consultant, to present the draft Boulder Junction Phase I Form-Based Code (FBC) and for Planning Board to ask any clarifying questions about the FBC and provide input before the draft and associated ordinance are considered on Nov. 19<sup>th</sup>.



The draft FBC can be found in [Attachment A](#) and is labeled as Appendix M: Special Design Areas, Boulder Junction Phase I. Appendix M would specify "Special Design Areas" that would have special regulations much like overlay districts and could be updated if the city adopts new form-based codes in the future. CodaMetrics has drafted the FBC in a way that would allow incorporation of additional FBCs if desired. Staff recommends this option as it would create minimal disruption of the existing code and if need be, could be removed if the city opted to not continue implementing FBC in the future. Alternatively, if form-based codes were found to be successful in the future, the appendices could replace sections of the land use code in the long term.

Staff is also looking for feedback on what the review process for projects in the Form-Based Code area should be and what the level of staff and board discretion should be based on the FBC's content.

[Attachment B](#) contains a memo from Victor Dover of Dover Kohl with suggestions for different levels of review to help inform the discussion.

The public hearing will follow a public open house on the draft FBC from 3-6pm. This memorandum includes a staff analysis of the draft FBC and recommendations on the review process. A background of the project and an overview of the structure and content of the FBC is also included.

To guide the discussion the following questions are posed to Planning Board:

1. Draft FBC: What feedback does the Planning Board have in terms of the FBC's format and content in informing future development in the Boulder Junction Phase I area? Are there any changes, additions or deletions that are necessary to address design concerns raised throughout the process?
2. Review Process: What type of review process should be used to implement the FBC? What should the level of staff and board discretion be based on the FBC's content?

## **BACKGROUND & PUBLIC INPUT**

### Form-Based Code pilot project

As part of the Design Excellence Initiative, the city has been piloting a Form-Based Code (FBC) in Boulder Junction, defined as the Phase I area within the adopted Transit Village Area Plan. This area was selected on a recommendation by Victor Dover of Dover/Kohl Partners based on his work on the Design Excellence Initiative last winter. That work culminated with a recommendation to City Council last January for piloting a FBC for a limited area such as Boulder Junction where there is already a consensus on land use and urban design policy articulated in an adopted Transit Village Area Plan.

As requested by City Council, the FBC project was commenced in April of this year and was anticipated to be a six-month process, which was extended by a month to allow for more internal and FBC Working Group review time. The project has involved outreach to the community and coordination with review boards (i.e., Planning Board, Transportation Advisory Board, Design Advisory Board and Boulder Junction Access District) and council about desired building designs and forms that would inform the final pilot FBC. A working group composed of representatives of above referenced boards has also been informing the pilot FBC and has met seven times to date.

The overall purpose of considering FBC as a new tool for Boulder is to address design quality and provide more predictability on development review issues recently articulated through community, board and council conversations, as summarized in the January 20, 2015 memo from Dover Kohl ([link to memo](#)). The City of Boulder's Community Planning & Sustainability Department (CP&S) is leading the effort in collaboration with other city departments and two consultant teams: Dover Kohl and Partners and CodaMetrics. Dover Kohl and Partners will assist in the broad, citywide Design Excellence discussions that would ultimately inform changes to the land use code, and CodaMetrics will assist in preparation of the pilot FBC.

If adopted, the FBC pilot would apply to the Phase I area of Boulder Junction. Victor Dover's recommendation was that it be tested in a small geographic area where an adopted vision is already established. Staff understands that this is challenging considering that there are already development projects in the review pipeline within the area that may be acted upon prior to adoption of the FBC. Staff and CodaMetrics have worked with applicants of the S\*park, Reve and The Commons projects in a two-way conversation of how the projects could be informed by the progress of the FBC. While the projects may not end up 100 percent consistent with the final FBC pilot, the hope is that they will adopt and address

design elements within their projects to reflect the evolution of the FBC. Staff finds that the approved Commons and S\*park projects were well-informed by the ideas discussed during the FBC process. It is important to note that the city is embarking on what could be a longer process of determining whether FBC is appropriate for Boulder to achieve better design outcomes. Boulder Junction is an opportunity to test the FBC tool itself as well as the process. If successful, staff anticipates structuring new public processes of review for other areas of the city (e.g., Phase II Boulder Junction, Downtown, North Boulder etc.) based on what has been learned through the pilot project.

Below is a summary of the FBC pilot timeline:

**May & June 2015-** Events related to the FBC pilot commenced in the week of May 11<sup>th</sup> and included a joint meeting of Planning Board, Boulder Design Advisory Board (BJAD), Transportation Advisory Board (TAB) and the Boulder Junction Access District on Thursday, May 14<sup>th</sup>. At the May 14<sup>th</sup> board workshop, CodaMetrics lead a discussion with board members on desired and undesired design elements that would help inform what the FBC covers and the types of prescriptive standards to achieve the desirable elements that may be incorporated into the draft FBC.

On May 15<sup>th</sup>, Dover Kohl and Partners presented to the public, "[Form-Based Code 101](#)", which summarized what form-based codes are, the benefits of a form-based code for the Boulder Junction area, how it might be useful elsewhere in Boulder, as well as some of the limitations of form-based codes. The event also included a question and answers session that can be viewed at the link above.

CodaMetrics held a community workshop open to the greater public on Saturday, May 16<sup>th</sup> at the Hotel Boulderado. The event was attended by roughly 30 persons and involved lively discussion about design and what would be appropriate in the Boulder Junction area. While there were expressions of varying architectural taste, there were also common themes of agreement.

City Council received an update on the FBC project on May 26, 2015 and provided input on draft Guiding Principles on June 15, 2015. The guiding principles were prepared by the consultant, CodaMetrics, to assist in the formulation of the draft FBC and inform applicants that have projects in the pipeline in the Boulder Junction area. The guiding principles included a list of "potential" regulations to address key design concerns identified through the process with goals of creating better buildings and ones that fit the vision for Boulder Junction. The findings of the principles were that Boulder desired "Honest, Simple and Human-Scaled" buildings. The packet regarding the FBC pilot including the guiding principles and a narrative of the entire process since April 2015 can be reviewed [here](#) and searching for the June 15<sup>th</sup> packet.

**July & August 2015-** CodaMetrics and city staff held a workshop with members of the public on July 22<sup>nd</sup>. CodaMetrics presented an overview of the FBC and the input received thus far before discussing the draft components, which are discussed in the 'Structure and Content' section of this memorandum. Following the presentation, attendees circulated to review information and provide input on the following five topics: I. Regulating Plan, II. Public Realm, III. Building Materials and Construction Quality, IV. Building Proportions, and V. Building Massing. Most of the workshop was an opportunity for members of the public to better understand how FBC might work and what the proposed content would be.

Throughout the duration of the project CodaMetrics and staff have met with members of the community in stakeholder meetings ranging from neighborhood representatives (e.g., Steel Yards, North Boulder etc.) and other groups like the Chamber of Commerce and Downtown Boulder. Most feedback has been

positive. Some concerns heard relate to whether FBC would create too many buildings that look the same or whether the FBC would add additional layers of development review complexity or cost upon proposals. CodaMetrics indicated that while certain parameters would have to be met to get a specified level of quality or design, there would still be flexibility to achieve varied, creative buildings. Portions of the code actually require certain levels of variation between properties in terms of setbacks, materiality etc. In terms of cost, while material costs may increase with higher levels of quality required, more predictability in city expectations and higher likelihood for shorter review process would also decrease cost.

A study session with City Council was held on Aug. 11<sup>th</sup>. A summary of the discussion can be found [here](#) within the Sept. 1, 2015 folder (Agenda item 3B).

**September 2015-** CodaMetrics provided the draft of the FBC to the city in Sept. 2015. The draft was circulated to several city departments for review and then forwarded to the FBC Working Group for review and comment at two meetings. Victor Dover of Dover Kohl and partners has also reviewed and commented on the draft. Recommended changes from these reviewers have been incorporated into the draft FBC.

### **WORKING GROUP FEEDBACK**

The FBC working group has met on several occasions throughout the pilot project and its comments have been summarized in previous memoranda. The working group met most recently on Sept. 21<sup>st</sup> and Sept. 28<sup>th</sup> to discuss the draft FBC. Below is summary of comments from those meetings:

- Focus on the properties in the southwest quadrant of Boulder Junction Phase I, as this is the area that will be most impacted and informed by the adoption of the FBC. There was a discussion about exactly which properties were in Phase I. Staff has clarified that the limits are 30<sup>th</sup> to the west, Valmont to the north, the BNSF railway to the east, and just south of Pearl to the south. Phase I does not include properties west of 30<sup>th</sup>, which are technically part of Phase II.
- Industrial property north of Goose Creek path- There was discussion about the industrial property between the Steel Yards project to the north and Goose Creek to the south. There was some disagreement about what the scale of the buildings should be – To effectively frame the Depot Square Plaza to the south from an urban design standpoint taller (4-5 story) buildings would be most effective; however, some members were concerned about that scale and the impact it would have on the existing residential to the north. There was an expressed desire to have that property develop with residential, potentially townhouse type uses. CodaMetrics noted the importance that buildings on that site front to the south towards Goose Creek onto potentially a new enhanced pedestrian connection/linear park in order to avoid backs of buildings to the creek and fronts onto the private alley to the north. This is a requirement of the FBC.
- Building length/massing- The group liked the restrictions to building length by type as proposed. There was support for the massing and height limitations on the city site at the corner of 30<sup>th</sup> and Pearl in order to preserve views of the Flatirons from Depot Square. There was less consensus about the importance to protect viewlines from the corner of 30<sup>th</sup> and Goose Creek. More mass modeling was requested for Planning Board.
- Paseos- With respect to paseos, open air walkways were preferred to roofed walkways or atria and that paseos should create permeability, be activated with uses and have good transparency (windows) throughout their length. No tunnels.
- Open space for residential- There were concerns that there may not be enough residential open space requirements for play areas to encourage families in the area.

- Public realm- There were discussions about block size and preference for narrower streets and other traffic calming measures such as bulb-outs. Coordination with fire department necessary. There was also discussion about the new north-south street through the city site to provide access to the lots.
- Building design/materials- There were discussions about the quality of buildings materials (e.g., material transitions, quality at the street level, stucco etc.), encouraging different roof styles, hiding mechanical equipment, and level of window glazing on different facades. There were also some divergent opinions about whether balconies should be restricted on facades or not as well as what kind of balconies are favored.

## DISCUSSION

Staff is looking for feedback on the draft FBC and the potential review process before returning on Nov. 19<sup>th</sup> with an updated draft FBC and ordinance to adopt. To guide the discussion the following questions are posed to Planning Board:

1. Draft FBC: What feedback does the Planning Board have in terms of the FBC's format and content in informing future development in the Boulder Junction Phase I area? Are there any changes, additions or deletions that are necessary to address design concerns raised throughout the process?
2. Review Process: What type of review process should be used to implement the FBC? What should the level of staff and board discretion be based on the FBC's content?

### Draft FBC

The draft form-based code (FBC) can be found in [Attachment A](#). An overview of its structure and content can be found in the 'Structure and Content of the FBC' starting on page 10. Leslie Oberholtzer of CodaMetrics will also be at the public hearing to do a walk-through of the FBC.

Effectively, the FBC would specify new form and intensity regulations separate from Chapters 9-7, "Form Standards," B.R.C. 1981 and 9-8, "Intensity Standards," B.R.C. 1981 of the land use code, but would still be subject to the Use Standards of chapter 9-6, Development Standards of chapter 9-9 and the Subdivision Regulations of chapter 9-12. New references would be added to the code pointing users to the appendices and a new review process section would be added (this is discussed further below) to implement the FBC.

Throughout the review process for the pilot project (e.g. working group meetings, stakeholder meetings, community workshops and board meetings), many design related concerns have been heard. While it's unrealistic to think that all of the design issues will be addressed to everyone's satisfaction, staff finds that many of these design problems are addressed in the FBC and that in general, the FBC will result in better design outcomes and buildings that are more representative of Boulder in terms of scale and quality.

Some of the key features of the FBC (see 'Structure and Content of the FBC' for more information) that would be notable design improvements and create more predictability over current regulations are:

- Public realm requirements that would create new special connections to break up blocks, new design criteria for quality pedestrian walkways (e.g. paseos) and new open space types that would relate to surrounding context.
- Building form requirements that would result in simple, honest and human-scaled buildings with a greater sense of symmetry and avoiding over-articulation.
- Design requirements that require high quality materials and prohibit less enduring materials making buildings appear permanent and avoid complicated, confusing facades by requiring a certain percentage of high quality materials and specifying where material changes can occur.
- Height limitations in certain areas to preserve views and for certain building types to achieve a diversity of building heights.
- Limitations on building length and requirements for open paseo penetrations between buildings to limit building scale and length and increase site permeability.
- Specifications for windows that will create more proportionality by requiring vertical dimensions in some scenarios and create more visual interest through addition of lintels and indents to create shadow lines.
- Specified areas at the storefront level must be used as retail, restaurant or service uses to activate the pedestrian spaces.
- Includes provision to encourage flexibility and design variation between buildings.
- Protects viewlines from Depot Square to the Flatirons.

**QUESTIONS:** *What feedback does the Planning Board have in terms of the FBC's format and content in informing future development in the Boulder Junction Phase I area? Are there any changes, additions or deletions that are necessary to address design concerns raised throughout the process?*

### **Review Process**

As opposed to a more prescriptive process where the city is clear about what is required in projects to result in good design outcomes, the Site Review process has been criticized in recent years for its unpredictable results. This is because while Site Review requires compliance with detailed criteria related to site and building design, compliance with the long list of criteria can be somewhat subjective and the built results have created mixed reactions and raised questions of consistency with other projects in terms of their design quality (see pages 11-15 for design issues that have been raised through the FBC process). With the strong level of discretion that is inherent in Site Review and the back and forth between the city and the developer through the review process to meet the criteria, the process can be costly and unpredictable – especially when unexpected conditions, design changes or verdicts are decided on the project late in the process after much time, effort and money has been allocated to a proposal.

These challenges have prompted the city, as part of the Design Excellence Initiative to consult with Victor Dover of Dover Kohl and Partners. Dover Kohl was charged with conducting a review of Boulder's development approval procedures and make recommendations for better tools and procedural changes to address concerns related to lengthy review processes and bad design outcomes. Some of the key tasks for Dover Kohl included recommendations on:

- Process changes that would lead to increased predictability in the review process; and
- Changes to Site Review criteria that would make discretionary review more effective and lead to better buildings, taking into account roles of the Design Advisory Board and the Planning Board.

Regarding better tools for the city to consider, one of Dover Kohl's recommendations was to test a form-based code as a pilot that would eventually be integrated into the current land use code. Some key objectives of a FBC include:

- To make a clear and unwavering statement in the rules about desired design outcomes, including building mass, scale and height at specific locations;
- Create more predictability in expectations for applicants, staff, boards and the public; and
- Eliminate lengthy review process and “horse-trading” and instead establish a more streamlined process of review and approvals of compliant development applications;

In addition, Doiver Kohl was charged with recommendations on how best to integrate FBC into current land use code. These recommendations are found in [Attachment B](#).

Per the Dover Kohl recommendation:

- i. The FBC can be used to streamline the development approval process;*
- ii. The FBC can create better predictability with development in the built environment;*
- iii. The FBC at Boulder Junction can act as a “pilot project” allowing the City to test and become familiar with FBC as a policy mechanism, so that this method may then be applied to other locations (in some form) in Boulder.*

The recommendation goes on to say that the “*ideal scenario would streamline the process for FBC-compliant development in Boulder Junction, providing a new by-right path to approval of building design and site plan; Identify community benefits of greatest importance upfront, and include required community benefit criteria in the Form-Based Code, which could if necessary be linked to incentives for development applicants; and allow full development (e.g., height / density / or intensity) by-right if applicant meets specified FBC requirements.*”

With respect to community benefit, the draft FBC addresses many design related benefits that have been raised in the community (e.g., requirements for shorter building lengths, restrictions on building height to achieve diversity of heights, more site permeability with paseos etc.) to achieve better design outcomes. The FBC does not include benefits related to energy efficiency at this time as the city is working on new regulations that would apply citywide and would likely surpass what could be integrated into the FBC at this time.

Consistent with Victor Dover's recommendation, because form-based codes are prescriptive in that they specify exactly what a jurisdiction finds appropriate and acceptable for site and building design, FBCs are typically implemented in a non-discretionary manner where if a proposal meets all of the specifications in the FBC, they are approved like a building permit without review criteria and public hearings. This type of review is the most predictable for developers, the city and the general public as the specifications are explicitly spelled out and are not subject to negotiation or subjective criteria which typically create inconsistent results and some outcomes that the city did not anticipate.

That said, Victor Dover and the city are aware that eliminating review board discretion may be difficult, at least until the results of the FBC are known. With that in mind, Dover has spelled out a number of options for discretion effectively creating new review thresholds based on either number of building stories or gross floor area.

Based on the uncertainty, inconsistency and subjectivity identified in the Site Review process, staff is recommending a new review process for projects that are in form-based code areas (e.g., Design and Form Review?). The review would be similar to Site or Use Review, but would not include the extensive discretionary review criteria or mandatory public hearings, since the projects would be subject to more detailed, objective standards in the FBC specifying the city’s expectations for developments in the Boulder Junction Phase I area. The review process could have an administrative review component for smaller projects (e.g., one-story, small additions, or under a specified valuation) and a more involved review process for larger projects.

Based on the Planning Board’s growing knowledge of how the FBC could work, staff is looking for feedback on what the review process should be and what the level of discretion should be (e.g., should there be a call-up process?). To assist in this discussion, staff has laid out the following options for discussion:

Review Process/ Discretion Option	Advantages	Disadvantages
<p><b>1. No call up/Staff level review</b></p>	<ul style="list-style-type: none"> <li>• Most consistent with philosophy of FBCs to have clear regulations to meet city goals and no discretionary review.</li> <li>• More predictable to developers and the community.</li> <li>• Less time consuming and costly.</li> <li>• Avoids perception of “horse-trading” at public hearings and “design by committee.”</li> <li>• More consistent and equitable results in development.</li> <li>• Removes some burden from Planning Board and City Council and allows focus on other planning items.</li> </ul>	<ul style="list-style-type: none"> <li>• May not avoid a design that is found to be unacceptable by some.</li> <li>• Site specific design opportunities not identified by the FBC may be missed.</li> </ul>
<p><b>2. No call up/Staff level review with Mandatory Design Advisory Board (DAB) review.</b></p>	<ul style="list-style-type: none"> <li>• Most consistent with philosophy of FBCs to have clear regulations to meet city goals and no discretionary review.</li> <li>• Introduces expert design input from DAB which has resulted in improved designs in projects.</li> <li>• More predictable to developers and the community.</li> <li>• Less time consuming and costly.</li> <li>• Avoids perception of “horse-trading” at public hearings and “design by committee.”</li> </ul>	<ul style="list-style-type: none"> <li>• Site specific design opportunities not identified by the FBC may be missed.</li> </ul>

	<ul style="list-style-type: none"> <li>• More consistent and equitable results in development.</li> <li>• Removes some burden from Planning Board and City Council and allows focus on other planning items.</li> </ul>	
<p><b>3. Call-up based on specific identified areas of concern/discretion.</b></p>	<ul style="list-style-type: none"> <li>• May avoid an unacceptable design.</li> <li>• May address site specific design opportunities that should be applied to a project.</li> <li>• Implements the FBC in a way that is cautious until the outcomes are better determined.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides little advantage over the currently identified challenges of the Site Review process.</li> <li>• Would require creation of new subjective criteria as part of a call-up process.</li> <li>• Less predictable to developers and the community.</li> <li>• More time consuming and costly.</li> <li>• Risks of perception of “horse-trading” at public hearings and “design by committee.”</li> <li>• Less consistent and equitable results in development.</li> <li>• Retains discretionary burden on the Planning Board and City Council.</li> </ul>

**QUESTIONS:** *What type of review process should be used to implement the FBC? What should the level of staff and board discretion be based on the FBC’s content?*

## STRUCTURE AND CONTENT OF THE FORM-BASED CODE (FBC)

### Key Components

Key components (listed below) of the draft FBC ([Attachment A](#)) are discussed in this section.

- I. Regulating Plan and Building Type requirements (sections M-1 and M-3 of FBC)
- II. Public Realm (section M-2)
- III. Site and Building Design (Section M-4)

***I. Regulating Plan and Building Type requirements*** (see pages 8-12 of [Attachment A](#) for the Regulating Plan and pages 33-52 for specific Building Type requirements)

The regulating plan is a development guiding map based on the city's Boulder Valley Comprehensive Plan (BVCP) land use map designations for Boulder Junction, the TVAP plan and the zoning in the area. It is more specific than a zoning map and breaks up the area into sub-districts and specifies unique or special design elements for certain sites or blocks. It may outline streets with special design requirements, specified open space locations open to the public, vista opportunities, required storefront retail areas etc. The regulating plan also specifies required TVAP street, alley and pedway connections in the phase I Boulder Junction area.

Another purpose of the regulating plan is specify allowable 'building types' for each sub-area district, each with their own form and massing requirements. Examples are 1) Main Street Storefront, 2) Commercial Storefront, 3) General Mix, and 4) Row Building. Each of these building types would be regulated by a number of specific form regulations such as 1) Built-to lines, 2) Setbacks, 3) Required percentage of frontage along a streetscape, 4) Maximum site coverage, and 5) Maximum Building Width etc.

There would also be maximum story heights, maximum number of stories and requirements for transparency (i.e., windows) at each floor to avoid blank walls. These regulations would be similar to some of the code requirements found in the land use code, but would be more specific.

The Regulating Plan is found on page 9 and the Building Type requirements are found on pages 33 through 52. Some examples of Building Type requirements that will inform the design of buildings are as follows:

- Built-to zones and setbacks
- Maximum building length
- Maximum overall building height
- Maximum and minimum story heights
- Façade transparency requirements per façade and for each floor
- Entrance locations
- Horizontal and vertical façade divisions
- Cap (Roof) types

## **II. Public Realm** (see pages 16-30 of **Attachment A**)

The experience and interface of buildings to the adjacent pedestrian and vehicular environment has been an important issue discussed in this process. The public realm plan would specify the desired streetscapes in terms of street width, building to street ratios, tree plantings, hardscape materials as well as specific plaza/open space design requirements.

The public realm plan, like the regulating plan, is an opportunity to require certain design features that are not explicitly specified in the zoning map or connections plan. For instance, if there are opportunities for additional pedestrian pathways through blocks to create additional permeability and to break down the mass of block-long buildings they can be added to the plan.

Another identified opportunity that has been proposed on the plan above (shown in red on the public realm graphic) is the opportunity for a special pedestrian corridor along the north edge of Goose Creek. This idea generated a lot of discussion at the FBC working group and the joint board meeting. Whether the connection is multi-modal or just an emphasized pedestrian connection, it was considered important to ensure that buildings on the site (currently occupied by a long industrial used building) would face southward with their backs positioned along what would be an alley already constructed in Steel Yards. Having new buildings face that alley with their backs to Goose Creek would not be a preferred urban design outcome.

The connection, which could be an extension of the Mapleton right-of-way into Boulder Junction, could be treated with unique landscape and hardscape details, tree plantings, and benches with potential views of the Flatirons. The connection could also create a new celebrated connection from the future park and Depot Square to the retail uses north on 30<sup>th</sup>. It is unlikely that such a connection would be vehicular given alignment issues with 30<sup>th</sup> and Mapleton and in the vicinity of the new Goose Creek bridge in Depot Square. These are the specific kinds of urban design ideas that could make the FBC a better implementing tool for TVAP's vision for Boulder Junction than the current zoning or Site Review process.

## **III. Site and Building Design** (see pages 54-65 of **Attachment A**)

The quality of building materials approved for developments and how they are constructed and assembled has also been a key design consideration identified through the FBC pilot process and as part of the Design Excellence initiative. A specific part of the FBC that effectively goes beyond just form alone is clearly specifying what materials are permitted or prohibited. Percentages (e.g., primary building materials and secondary building materials) and locations of the materials can also be specified.

The image preference surveys and other forums for feedback identified building materials that were desired or found to be appropriate to Boulder Junction versus other materials that were not considered as durable or did not match the intended character of Boulder. For instance, some materials make buildings appear permanent and coherent with other buildings of an area and some materials make buildings appear more temporary or out of character with the surrounding context. Sometimes building materials can be applied simply with primary and secondary building materials while other buildings have been designed with multiple materials that appear "too busy".

While there are good examples of building design and material usage in buildings in Boulder, Figure 1 below shows some of the types of design flaws that could be improved upon with more specific building material requirements in a FBC.

Some examples of building materiality concerns that have been raised are as follows:

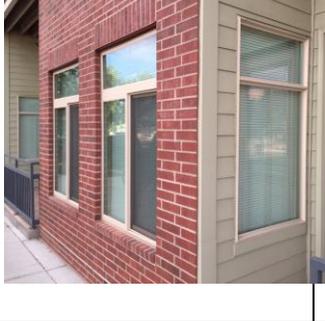
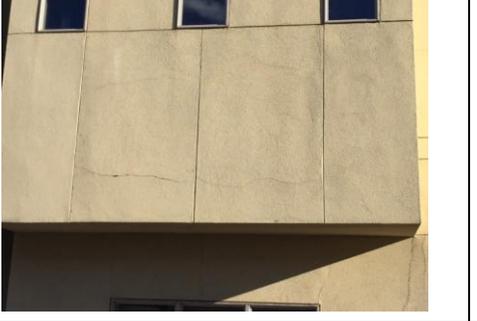
		
<p>Too many materials</p>	<p>Change of materials on building facades do not diminish the appearance of the 4th floor</p>	<p>Utility placement along streetscapes</p>
		
<p>Large blank walls</p>	<p>Construction that looks cheap with flush mounted windows and fiber board siding</p>	<p>Use of wood under balconies</p>
		
<p>Material changes at corners</p>	<p>Poor construction quality with cracked stucco.</p>	<p>Concerns about CMU appearance and durability</p>

Figure 1- Building material concerns

To address these design concerns, the following is a sample of some of the new standards that would apply to developments.

- Façade material requirements that specify primary and secondary allowable materials and how much of each façade can be composed of each.
- Limits on the amount and location of more undesirable materials such as stucco or CMU (cement masonry units).
- Requirements for where material changes can occur on a façade.
- Requirements for window dimensions, recessing of windows and lintels.
- Awning and balcony requirements.
- Special building construction quality requirements.

Beyond just material concerns, the over-articulation of buildings in recent years has also garnered criticism. Over-articulation of buildings has been evident in recent years partly from contemporary architectural styles, but also because of the city's adopted design guidelines and Site Review criteria that have been applied to buildings with efforts to "reduce building mass" and "create pedestrian interest." While these well intentioned guidelines and criteria have avoided monotonous buildings, they have not necessarily resulted in well-liked buildings or resulted in less massive buildings.

When Victor Dover visited Boulder last year, he raised the issue that many historic buildings that have been constructed over time used the "Golden Ratio" which effectively involves integrating rectangles of a ratio of 1 to 1.6 to create a sense of harmony and balance in building facades (see 63 of [Attachment A](#)). This practice was common in pre-World War II designs, but has been used less so in contemporary times. When unused, many critics of buildings have found that the buildings appear irregular and trigger a strong human reaction. Use of the Golden Ratio could be mandated in the FBC in a way that would still encourage unique and different building designs, but enough that a sense of balance and symmetry could be achieved. Many of the buildings that Boulder citizens have found to be acceptable use the Golden Ratio, as evidence by the top four buildings in the image preference survey (Figure 2) or the Hotel Boulderado (Figure 3).





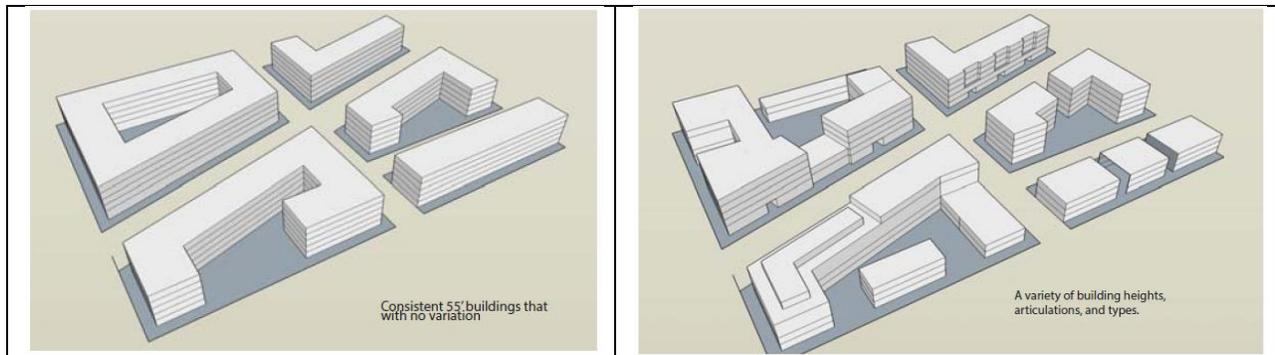
**Figure 2-** Top rated designs from both the community and joint board image preference survey.



**Figure 3-** Proportions of Hotel Boulderado.

Building massing – both horizontally and vertically – has been a prominent issue in the design conversation. Staff has heard significant concerns about the appearance of block-long buildings that do not effectively appear as multiple buildings despite attempts to create that effect, uniform building height at 55 feet with no diversity in height and the lack of real publicly accessible permeability through project sites, which also can reduce the massing of buildings.

CodaMetrics shows in the following two diagrams how massing often plays out under the current land use code and Site Review process followed by the massing that could be created through specific new regulations in the FBC.



**Figure 4-** Building massing based on floor area ratio and uniform 55-foot (left) and possible massing through specific regulations in FBC.

To achieve the breaking down of massing without creating the affect of over-articulation and to achieve multiple buildings with a diversity of heights, the following regulations are proposed in the draft FBC (see 62 of [Attachment A](#)):

- Buildings must include a base, middle and top.
- Fenestration must be organized by story.
- Design changes such as recesses, entrances and window placement, roof design and building heights must change to create variety between buildings.
- Roof height diversity would be achieved by requiring that a minimum of 30 percent of the total footprints of all buildings on a site be lower than the tallest portion of a building footprint.
- Remove floor area ratio (FAR) and open space requirements which create too much uncertainty and variability. Alternatively, add specific form requirements and designate open space locations, which set the level of expectation and create more predictability.
- Require a “base, middle, and top” in buildings to avoid over-articulation and create more symmetry. Proportion requirements related to the Golden Ratio discussed above would also avoid over “busy” facades.
- Specify “maximum building width” to avoid block long buildings, in additional to requiring additional pedway connections through large blocks. This would cut down on building size and would be an acceptable trade off considering the proposed removal of FAR requirements.

## NEXT STEPS

Planning Board will consider an updated draft of the FBC at its Nov. 19<sup>th</sup> public hearing. Planning Board will make a recommendation to City Council on the FBC and associated ordinance to adopt prior to council consideration.

## ATTACHMENTS

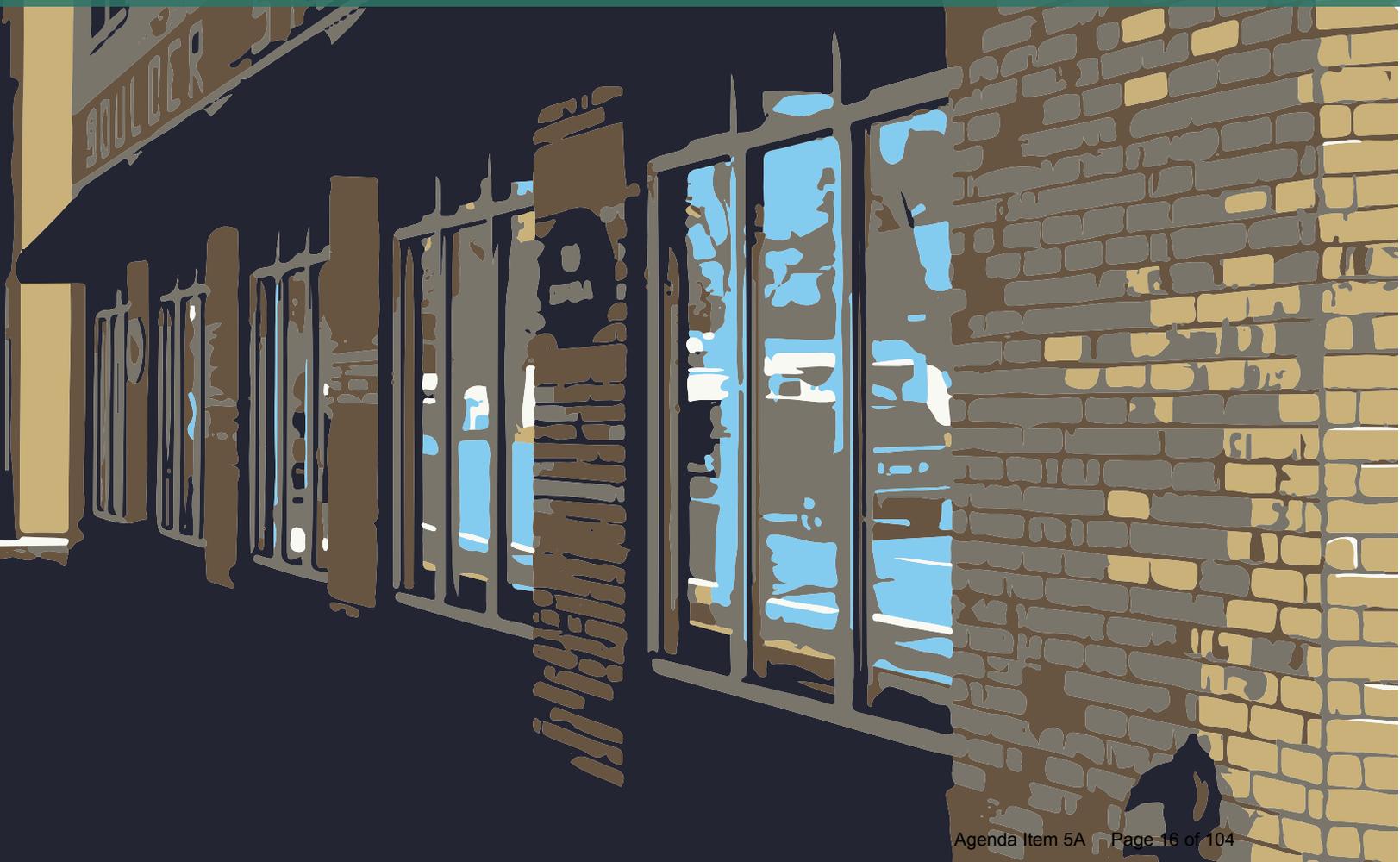
- [Draft Boulder Junction Phase I Form-Based Code](#)
- [Memorandum from Victor Dover of Dover Kohl and Partners dated July 17, 2015.](#)

# City of Boulder

APPENDIX M:

# Special Design Areas

Boulder Junction Phase I



# City of Boulder

## City Council

Matthew Appelbaum, Mayor  
Macon Cowles  
Suzanne Jones, Mayor Pro Tem  
George Karakehian  
Lisa Morzel  
Tim Plass  
Andrew Shoemaker  
Sam Weaver  
Mary D. Young

## Planning Board

Aaron Brockett, Chair  
Leonard May  
John Putnam  
John Gerstle  
Crystal Gray  
Elizabeth Payton  
Bryan Bowen

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# **Memo:** Items to Incorporate into Existing Code Sections

# Memo: Items to Incorporate into Existing Code

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Section 9-2 in Existing Code: Design Review Process

## SECTION 9-2 IN EXISTING CODE: DESIGN REVIEW PROCESS<sup>1</sup>

The following process applies to all parcels within the Special Design Areas per Appendix M.

(a) Pre-Application Meeting. A pre-application meeting with the city manager or his/her designees is required a minimum of 30 days prior to submitting an application for the design review & approval process. The purpose is to provide an opportunity for the applicant to ask questions regarding the Special Design Area requirements and for staff to point out potential issues with the design. The following is required:

- (1) A conceptual sketch site plan of sufficient accuracy to be used for discussing the plan's conformance with adopted ordinances, plans, and policies of the city.
- (2) Sketch building elevations or renderings illustrating conceptual designs.
- (3) Proposed land uses and the following for housing: sizes, anticipated sale prices, the percentage of affordable units to be included..
- (4) Other unique site or development aspects to discuss with staff in reference to code and ordinance requirements.

(b) **Design Review Application Requirements.** A person having a demonstrable property interest in land to be included in a development review may file an application for approval on a form provided by the city manager that shall include the following:

- (1) The written consent of the owners of all property to be included in the development;
- (2) An improvement survey of the land;
- (3) All information required in [Section 9-2-X \(b\), below, "Design Review Submittal Requirements,"](#) and [9-2-15, "Use Review,"](#) B.R.C. 1981, for the type of review requested;
- (4) A written statement containing the following information:
  - (A) A statement of the current ownership and a legal description of all of the land included in the project;
  - (B) An explanation of the objectives to be achieved by the project, including, without limitation, building descriptions, sketches or

elevations that may be required to describe the objectives;

(C) A development schedule indicating the approximate date when construction of the project or phases of the project can be expected to begin and be completed; and

(D) Copies of any special agreements, conveyances, restrictions or covenants that will govern the use, maintenance and continued protection of the goals of the project and any related parks, recreation areas, playgrounds, outlots or open space.

(5) Any other information that the applicant wishes to submit;

(6) The fee prescribed by Section 4-20-43, "Development Application Fees," B.R.C. 1981, for the type of review requested.

(c) **Design Review Plans and Drawings Submittal Requirements.** <sup>2</sup>The following shall be included with any application for the design review and approval process. All drawings shall be drawn to scale and shall include the date of preparation and a graphic scale. All plans shall include a north arrow.

(1) **Context Map.** A context map, drawn to scale, showing the site and an area of not less than a 300-foot radius around the site, including streets, zoning, general location of buildings, sidewalks, and parking areas of abutting properties;

(2) **Site Plan.** A site plan with a north arrow showing the major details of the proposed development, prepared at a scale of not less than one inch equals one hundred feet providing sufficient detail to evaluate the features of the development required by this section. The following may be shown on one or more site plans:

(A) Building Footprints. The location and size of all existing and proposed buildings, structures and improvements with dimensions indicating the distance from lot lines, and the general location of adjacent streets, structures and properties;

(B) Uses. Site and location of existing and proposed uses, including the density and type of uses;

<sup>2</sup> Several revisions to the submittal requirements were received. Those will be made as the process gets refined. This extensive set of plans and drawings may not be necessary?

<sup>1</sup> This version of the process is intended to be a template for further refinement.

- (C) Public Spaces. The following shall be illustrated on a site plan:
- (i) The areas that are to be conveyed, dedicated or reserved as parks, recreation areas, playgrounds, outlots or open space and as sites for schools and other public buildings;
  - (ii) The areas that are to be conveyed, dedicated or reserved for streets, alley and utility easements;
- (D) Topography. The existing topographic character of the land, showing contours at two-foot intervals and proposed topography, illustrating cut and fill;
- (E) Flood Areas. The areas subject to the one hundred-year flood as defined in chapter 9-16, "Definitions," B.R.C. 1981, and any area of the site that is within a designated space conveyance zone or high hazard zone;
- (F) Utilities. Existing and proposed utilities.
- (3) **Building Elevations.** Building elevations at a scale of one sixteenth inch equals one foot or larger illustrating the following:
- (A) The height of all building roofs;
  - (B) The grade elevations of all ground floors and visible basements;
  - (C) Indication of how elevations and heights are calculated pursuant to the definition of building height Sec. 9-16;
  - (D) Elevations and dimensions of all floor-to-floor heights;
  - (E) Materials and colors for every plane of the building;
  - (F) Roof designs;
  - (G) Building design elements to meet Section M-3 Building Types and Section M-4 Site and Building Design.
- (4) **Building Schematic Floorplans.** Building floorplans shall be included for each floor, illustrating the location of uses, common spaces, and doors and windows.
- (5) **Building Details.** Plans, sections, and elevations illustrating compliance with Section M-4 Site and Building Design.
- (6) **Traffic & Circulation Plan.** A separate site plan at a scale of not less than one inch equals one hundred feet illustrating the internal vehicular, pedestrian, and bicycle circulation systems, transit station locations within 300 feet of the site, on-site transit amenities, off-street vehicular and bicycle parking areas, service areas, loading areas and major points of access to public rights-of-way;
- (7) **Signs & Lighting Plan.** A separate signs & lighting plan at a scale of not less than one inch equals one hundred feet with the location, height and size of proposed signs, lighting and advertising devices. Lighting plan shall illustrate compliance with the Outdoor Lighting requirements of the Dark Skies Ordinance. Refer to 9-9-21(k) Signs.
- (8) **Streetscape/Landscape Plan.** A detailed streetscape and landscape plan, per Section 9-9-12, showing the spacing, sizes, specific types of landscaping materials, quantities of all plants and whether the plant is coniferous or deciduous. All trees with a diameter of six inches and over measured fifty-four inches above the ground on the property or in the landscape setback of any property adjacent to the development shall be shown on the streetscape/landscape plan.
- (9) **Shadow Analysis.** A shadow analysis depicting shadows on December 21, as described in the solar analysis instructions provided by the city manager, and depicting shadows calculated pursuant to Subsection 9-M(d), B.R.C. 1981, for those buildings that affect adjacent properties;
- (10) **Design and Construction Standards Materials.** Materials required by the City of Boulder Design and Construction Standards, including, without limitation, a traffic study, master utility plan, utility report and storm water report and plan for any application that proposes to construct or have an impact on public improvements;
- (11) **Natural Feature Plan.** Plans for preservation of natural features existing on the site or plans for mitigation of adverse impacts to natural features existing on the site from the proposed development and anticipated uses. Natural features include, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas and habitat for species on the federal Endangered Species List, "Species of Special Concern in Boulder County" designated by Boulder County, or prairie dogs (*Cynomys ludovicianus*) which is a species of local concern.

# Memo: Items to Incorporate into Existing Code

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Section 9-2 in Existing Code: Design Review Process

- (12) **Tree Inventory.** A tree inventory prepared by a certified arborist that has a valid contractor license pursuant to chapter 4-28, "Tree Contractor License," B.R.C., shall include the following:
- (A) The location, size, species and general health of all trees with a diameter of six inches and over, measured fifty-four inches above the ground on the property or in the landscape setback of any property adjacent to the development;
  - (B) Existing and proposed topography;
  - (C) Existing and proposed paving and structures;
  - (D) An indication of which trees will be adversely affected and what if any steps will be taken to mitigate the impact on the trees.
- (13) **Additional Submittal Requirements by Request.** The city manager may request additional information to illustrate compliance with the requirements, which may include, but are not limited to:
- (A) A three dimensional, digital model illustrating the surrounding context for view and scale analysis.
  - (B) Detailed design for open space, illustrating paving and site furnishings.
  - (C) Description of travel demand management techniques with an implementation plan, including without limitation, site design, land use, covenants, transit passes, parking restrictions, information or education materials, or programs to reduce single-occupant vehicle trip generation to and from the site.
- (d) **Combined Reviews.** If a development proposal, requires approvals additional to the Design Review, such as 9-2-15, "Use Review," B.R.C. 1981, the following will apply in addition to other requirements of this chapter:
- (1) All applicable fees will be collected as prescribed in Section 4-20-43, "Development Application Fees," B.R.C. 1981.
  - (2) The notice requirements of Subsection 5 of this section shall be met for each individual type of approval required, although such notices may be combined in one document, one posting, and one publication.
  - (3) The approving agency will apply the criteria for each type of approval required.
- (e) **Public Notice of Application.** The city manager shall provide the public notice for a development review application as specified in Section 9-4-3, "Public Notice Requirements," B.R.C. 1981.
- (f) **Notice - Mineral Estate.** The applicant shall notify all owners of a mineral estate as specified in Subsection 9-4-3(e), B.R.C. 1981.
- (g) **Inactive Applications:**
- (1) If, at any point in a development review process, the city manager has notified the applicant that additional or corrected materials are required, and the applicant has not submitted those materials within 60 days after the date of such notification, the application will be considered withdrawn. The city manager may extend the 60-day period if requested by the applicant prior to its expiration and upon the applicant's demonstrating good cause for the additional delay.
  - (2) Any re-submittal of the application after the 60 day deadline will be treated as a new application for purposes of review, scheduling, public notice, and payment of application fees.
- (h) **Decision.** The city manager shall be responsible for approving or denying all Design Review applications based on the provisions of this Appendix M, and any other applicable city code or ordinance.
- (1) **Evaluation.** The city manager shall, after acceptance of the application, review the application for compliance with codes and ordinances. The city manager shall provide the applicant with a written evaluation of the application and whether it meets or does not meet codes and ordinances, and what modifications are required.
  - (2) **Corrections or Changes.** The applicant shall be afforded a maximum of 60 days to make any corrections or changes required by the city manager. If corrections or changes are not submitted in the prescribed time period, the application shall be considered withdrawn.
  - (3) **Approval.** The city manager shall approve the application in whole or in part, with or without modifications and conditions, or deny the application.
  - (4) **Disposition.** The city manager will mail a written disposition of approval or denial with the reasons for denial to the applicant, appeal body and to any person that requested notification of the final decision. A decision not referred

to, appealed to, or called-up by the planning board is final 14 days after the date of approval indicated on the disposition.

- (i) **Appeals.** Following the city manager’s decision, an applicant may make an appeal per the provisions of Section 9-4-4, “Appeals, Call-Ups and Public Hearings,” B.R.C. 1981.
- (j) **Call-Ups.** The planning board may call-up any decision by the city manager pursuant to Section 9-4-4, “Appeals, Call-Ups and Public Hearings,” B.R.C. 1981<sup>3</sup>. The city council may call-up any planning board decision pursuant to Section 9-4-4, “Appeals, Call-Ups and Public Hearings,” B.R.C. 1981.

(k) **Subdivisions.**

- (1) **Project Approved through Design Review.** An approved project may be subdivided under chapter 9-12, “Subdivision,” B.R.C. 1981. The approved design review site plan may substitute for a preliminary plat if it meets the requirements of Section 9-12-6, “Application Requirements for a Preliminary Plat,” B.R.C. 1981. As part of subdivision review, the city manager will consider any conditions of the design review approval and assure that they will be met within the future subdivision.

- (2) **Simultaneous Preliminary Plat Process.** The preliminary plat process may be simultaneous with Design Review process.

(l) **Minor Modifications to Approved Projects.**

- Up to 5 minor changes to any component of a design review project may be approved by the city manager without submittal of a new design review application if such changes still meet the requirements of all city codes and ordinances.
- (1) **Noted as Revisions.** All minor modifications shall be noted, signed, and dated on the approved plans.
  - (2) **Minor Changes.** A minor change shall meet all of the following requirements:
    - (A) The changes does not include any change in frontage or cap type or facade materials.
    - (B) The change does not significantly alter the building footprint, the location of windows

and doors, or overall heights by more than 3 feet in dimension.

- (C) The change does not alter circulation on the site or result in a reduction in quality of approved public spaces.
  - (D) The application must meet the requirements of Title 9.
- (3) **Process.** A minor modification to an approved project requires submittal of a minor modification application to the city manager. The city manager shall, after acceptance of the application, review the application for compliance with codes and ordinances. The city manager shall approve the application in whole or in part, with or without modifications and conditions, or deny the application within XX days of acceptance of the application.

**SECTION 9-2 IN EXISTING CODE: EXCEPTIONS**

The city manager may approve exceptions from the requirements of the Special Design Area. pursuant to the following standards:

- (a) **Application.** The requested exceptions shall be noted on the plans and in the written explanation of the project included with the Design Review application submitted to the city manager.
- (b) **Standards for Approval.** The city manager may approve the exceptions under the following conditions:
  - (1) **Special Circumstances.** Special circumstances, such as but not limited to the size of lot, shape of lot, existing lot topography or adjacent topography, or surrounding structures and improvements, exists on the property.
  - (2) **Necessary to Fulfill the Intent.** The granting of the exception is necessary to fulfill the intent of the regulations as stated in M-1. Overview and elsewhere throughout this Appendix M.
  - (3) **Surrounding Effects.** The effect of granting the exception will not negatively impact surrounding properties or the neighborhood and will not limit the ability of other properties to fulfill the regulations.
- (c) **Administrative Exceptions.** The city manager may approve minor exceptions to any dimension or percentage for the following:
  - (1) **Building Location.** The location of the building within up to one foot from any minimum setback requirement or build-to zone width/location.

<sup>3</sup> Process may need to be revised to allow for exceptions approved by the Planning Board or BDAB? Location of this call-up line item may also need to be re-evaluated. When does Planning Board get notified of the project?

# Memo: Items to Incorporate into Existing Code

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Section 9-2 in Existing Code: Design Review Process

- (2) **Impervious Coverage.** Up to a 10 percent increase in total impervious coverage, not to exceed the total amount of permitted impervious plus semi-pervious coverage.
  - (3) **Type A Frontage Lot Line Coverage.** For the Commercial Center Building only, up to 10 percent decrease in Type A Frontage Lot Line Coverage requirements.
  - (4) **Story Height.** Additional height of any floor-to-floor story height up to 2 feet, as long as the overall building height does not exceed the allowable height of all floors at maximum permitted height.
  - (5) **Transparency.** A 2 percent reduction in transparency of a non-Type A frontage facade and/or an increase in blank wall area by 4 square feet on a non-Type A frontage facade.
- (d) **Minor Design Exceptions.** The **Planning Board/BDAB**<sup>4</sup> shall review and make a recommendation to the city manager for the following exceptions.
- (1) **Alternative Building Materials.** Alternative building materials from the requirements of M-4.A through D, with the exception of the prohibited materials. The applicant shall submit samples and local examples of the material.
  - (2) **Facade Variety Alternative.** A reprieve from the facade variety requirements specified in M-4.G.3. Facade Variety may be approved by the city manager. The Applicant shall submit fully rendered elevations and three-dimensional drawings of all street facades with materials samples for all surfaces to prove the building design fulfills the intent of the overall regulations without achieving this specific regulation.<sup>5</sup>
  - (3) **Existing Buildings.** The following exceptions apply to additions to an existing building(s).
    - (A) **Type A Frontage Lot Line Coverage.** The minimum Type A frontage property line coverage may be waived with an existing coverage of at least 60 percent; however, any expansion on the ground story shall contribute to the extension of the front property line coverage.
    - (B) **Build-To Zones/Setbacks.** The requirements for building placement may be waived if the existing building is within 5 feet of any
- minimum yard requirement or build-to zone width or location.
- (C) **Minimum Heights.** The minimum height of the ground story and upper story may be increased or decreased by up to 2 feet for existing stories.
  - (D) **Other Existing Building Exceptions.** Other dimensional requirements may be modified up to 5 feet or 10 percent, whichever is less, unless otherwise modified by this section.
- (4) **Other Minor Design Exceptions.** Other minor design exceptions may be specified throughout this Appendix M.
- (e) **Major Design Exceptions.**<sup>6</sup> Major exceptions from any Building Form requirement per Section M-3 or General Site and Building Design Requirements per Section M-4 not specified as an administrative exception or a minor design exception may be submitted with the design review application and will be reviewed and approved, denied, or approved with conditions by the City Council.

<sup>4</sup> Approvals would still technically be by city manager, so either board could provide recommendation.

<sup>5</sup> Consider removing this exception. This regulation is strongly supported by staff and the working group.

<sup>6</sup> This really needs further definition. We could just write this to be a site review submittal? or we could further define a process by which the council reviews it.



# M-1. Overview

NEED TO REPLACE THIS IMAGE

# M-1. Overview

Section 9-2 in Existing Code: Design Review Process

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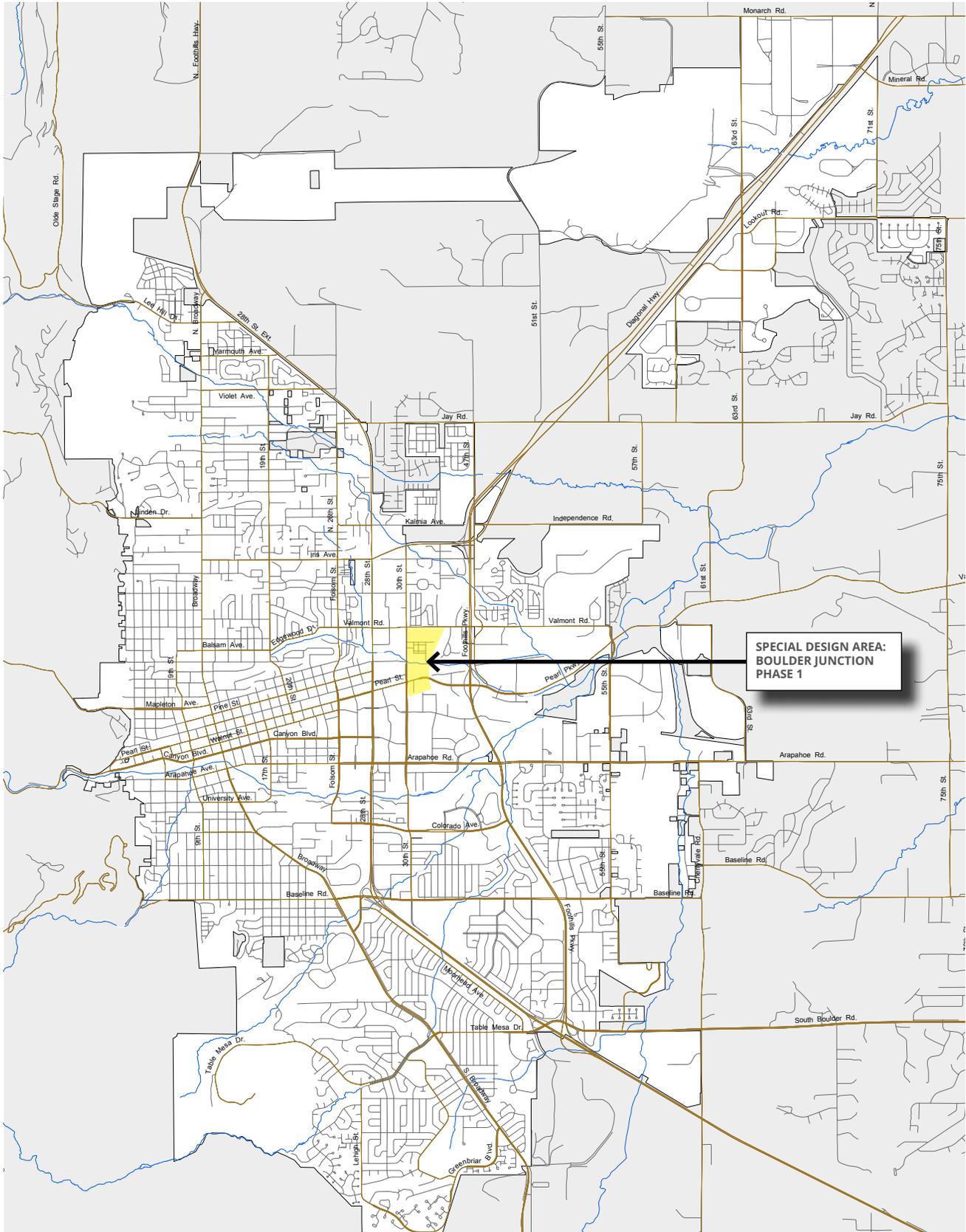


Figure M-1 (1). Location of Special Design Areas

A. PURPOSE

These regulations are established to provide building form and special design requirements for development within the Special Design Areas.

- 1. **Implement the Plans.** The Special Design Area requirements shall implement the desired development defined by the plans for each Special Design Area in addition to the Boulder Valley Comprehensive Plan.
- 2. **Specific to Each Special Design Area.** These requirements set building form and site development requirements to achieve an appropriate form, scale, and intensity specific to each Special Design Area.

B. APPLICABILITY

In addition to the requirements of Sec. 9-1-3, the following applies to the Special Design Areas:

- 1. **Specific Locations.** The specific locations within the City of Boulder, Colorado, where Special Design Area requirements apply are shown on Figure M-1(1). Those locations currently include:<sup>1</sup>  
Boulder Junction Phase I
- 2. **Compliance Required.** No building, structure or land may be erected, constructed, moved, or altered within a Special Design Area except in conformance with the regulations of this Appendix M.
- 3. **Site Review Approved Developments.** Any development within the Special Design Area that has received a site review approval prior to the adoption of this code is not subject to these requirements.

C. GENERAL DESIGN GOALS

The following statements provide the general design intent of the regulations within the Special Design Areas:<sup>2</sup>

- 1. **Boulder’s Unique Sense of Place.** Preserve and

<sup>1</sup> Insert other areas as added? Alternatively separate sections for each project could be included. The system used here allows the city to utilize the same building types with different requirements for different locations. Might consider having one chapter for mixed-use areas, another for historic residential areas (if desired to be form-based), and so on.

<sup>2</sup> These are pulled (some modified slightly to combine) from the more general statements included in the Site Review Criteria. Best to have less than 10 goals usually...keep them broad.

enhance the community’s unique sense of place through creative design that respects historic character, context, and scale, while supporting a more sustainable future by accommodating future populations appropriately, reducing dependence on automobiles and the energy grid, and promoting the community’s bicycle and pedestrian culture.<sup>3</sup>

- 2. **Human-Scaled Building Design.** Design to a human scale and promote a safe and vibrant pedestrian experience through the location of building frontages along public streets, plazas, sidewalks and paths, and through the use of building elements, design details and landscape materials that include, without limitation, the location of entrances and windows, human-scaled high-quality materials, and the creation of transparency and activity at the pedestrian level.
- 3. **A Variety of Housing Types.** Assist the general community in producing a variety of housing types, such as multifamily, townhouses and detached single family units, as well as a variety of lot sizes, number of bedrooms, and sizes of units.
- 4. **Efficient, Adaptable, Sustainable Buildings.** Build buildings to last, with flexible design to allow changes in uses over time. Buildings shall minimize or mitigate energy use; maximize and support on-site renewable energy generation and/or energy management systems; minimize construction waste; mitigate urban heat island effects; and reasonably mitigate or minimize water use and impacts on water quality.
- 5. **Provision of Open Space.** Provide relief from density in the form of accessible, proximate, functionally usable open space, with a balance of active and passive recreation areas, and public and private areas, to meet the needs of anticipated residents, occupants, tenants, employees, and visitors of the property.
- 6. **Support of Multi-Modal Mobility.** Provide safe and convenient connections to support multi-modal mobility and promote alternatives to the automobile through and between properties. Connections shall be accessible to the public within the project, and between the project and the existing and proposed transportation systems, including, without limitation, streets, bikeways, paseos, and multi-use paths.

<sup>3</sup> I’ve modified this statement to further expand upon Boulder’s unique sense of place...addressing energy efficiency, supporting bike culture, yet accommodating more affordable housing?

### D. ORGANIZATION & SCOPE

The following is in addition to sec. 9-1-2 "How to Use this Code" of the Land Use Code and outlines the organization and scope of the regulations included in this Appendix M.

1. **Sections Included in this Appendix.** This appendix is organized into the following sections:
  - a. **Section M-1: Overview.** The overview includes definition of the purpose of the Special Design Areas, how the requirements for the Special Design areas apply, and the separate regulating plans for each location to which the Special Design Area requirements apply.
  - b. **Section M-2: Public Realm.** In addition to the requirements of Sec. 9-9-4 Public Improvements, Section M-3 includes general street and block layout requirements and minimum public outdoor space requirements, applicable to all Special Design Areas, unless otherwise stated. Street types and **Public Outdoor Space Types** are also included in this section to guide the design of streets and other public spaces.
  - c. **Section M-3: Building Types.** A range of building types are specified for use in the **Special Design Areas**.<sup>4</sup> Refer to **M-1.G. Regulating Plans** to determine which building form applies to the site. The form regulations within this appendix for the specific building types supersedes the form requirements of Table 7-1 of Chapter 9-7, "Form and Bulk Standards," B.R.C. 1981.<sup>5 6</sup>
  - d. **Section M-4: Site and Building Design.** A series of general site and building design requirements are specified for the Special Design Areas and are applicable to all of the building types, unless otherwise stated.
2. **Section 9-6: Uses.** For information on allowed uses and uses allowed by conditional or Use Review, refer to Chapter 9-8, "Use Standards," B.R.C. 1981. Distribution of the permitted uses may also be addressed by **M-3. Building Types**.
3. **Section 9-7: Form and Bulk Standards.** Form and bulk standards, including such requirements as

setback, building height, side yard bulk plane, side wall articulation, and maximum building coverage, specified within Table 7-1 of Chapter 9-7, "Form and Bulk Standards," B.R.C. 1981, are superseded by **M-3. Building Types** in this appendix M.

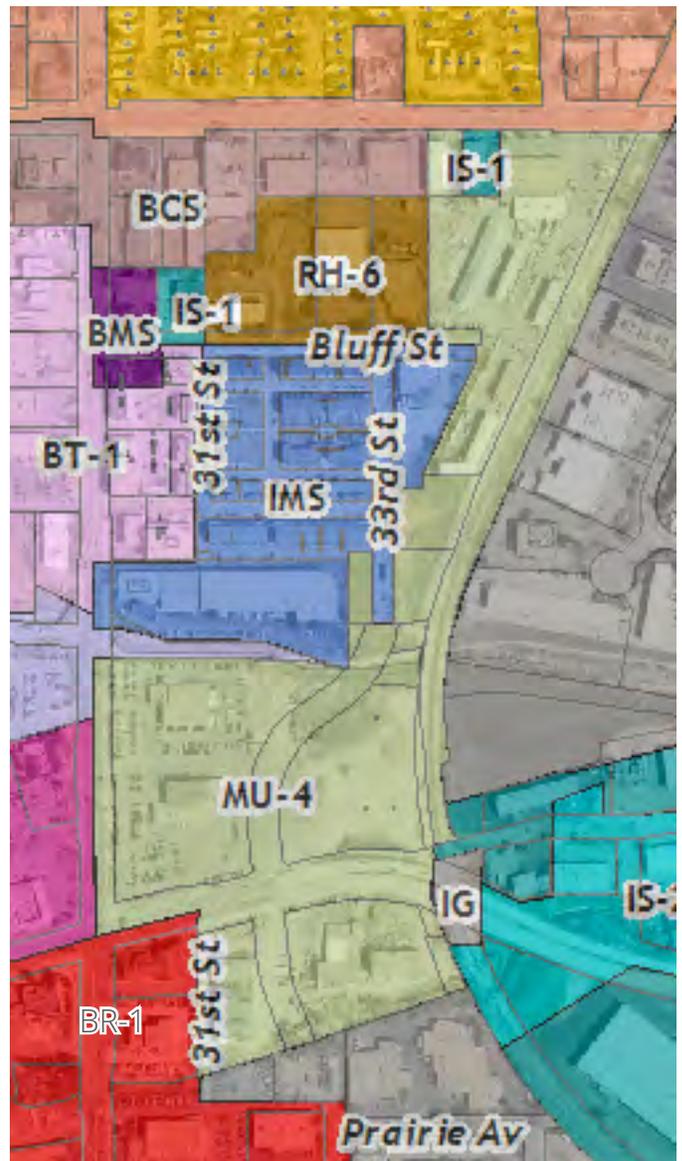
4. **Section 9-8: Intensity Standards.** With the exception of Sections 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, 9-8-6, "Occupancy Equivalencies for Group Residences," and 9-8-7, and "Density and Occupancy of Efficiency Living Units," B.R.C. 1981, the requirements within Chapter 9-8, "Intensity Standards," B.R.C. 1981 are superseded by the requirements of this appendix.
5. **Section 9-9: Development Standards.** Portions of Sec. 9-9 are applicable to the Special Design Areas and portions are superseded as follows:
  - a. **Applicable Subsections.** The following subsections are applicable:
    - i. **9-9-1.** Intent
    - ii. **9-9-2.** General Provisions
    - iii. **9-9-4.** Public Improvements
    - iv. **9-9-6.** Parking Standards
    - v. **9-9-9.** Loading
    - vi. **9-9-10.** Easements
    - vii. **9-9-12.** Landscape and Screening Standards
    - viii. **9-9-14.** Parking Lot Landscape Standards
    - ix. **9-9-15.** Fences and Walls
    - x. **9-9-16.** Lighting, Outdoor
    - xi. **9-9-17.** Solar Access
    - xii. **9-9-18.** Trash Storage and Recycling Areas
    - xiii. **9-9-19.** Swimming Pools, Spas, and Hot Tubs
    - xiv. **9-9-20.** Addressing
    - xv. **9-9-21.** Signs
    - xvi. **9-9-22.** Trip Generation Requirements for the MU-4, RH-6, and RH-7 Zoning Districts.
  - b. **Other Subsections.** The subsections not listed above (M-1.B.5.a) apply as follows:
    - i. **9-9-3.** Building Design is superseded by M-3.
    - ii. **9-9-5.** Site Access Control is generally applicable, but further definition is provided for hierarchy of access location in M-4.B.2.
    - iii. **9-9-7.** Sight Triangles is superseded by M-2.D.5.

4 These building types could be used in other locations with different criteria and/or additional building types may be added as other areas are mapped.

5 Format change to how the BRC is referenced. Need to do throughout.

6 This also needs to include the intensity requirements for floor area ratio and open space per unit, now applied by building type.

- iv. **9-9-8.** Reservations, Dedication, and Improvement of Rights-of-Way is generally applicable, but portions are superceded per M-2.
  - v. **9-9-11.** Usable Open Space is superceded by M-3 Building Type requirements for site-level open space and M-2.F. Public Outdoor Space Types.<sup>7</sup>
  - vi. **9-9-13.** Streetscape Design Standards is applicable, but additional requirements are specified in M-2.E. Streetscape Design Requirements.
- 6. Subdivisions.** For subdivision requirements, refer to chapter 9-12 "Subdivision," B.R.C. 1981.
- 7. Other Codes and Ordinances.** All other applicable codes and ordinance requirements are applicable unless otherwise stated herein.



Existing Zoning Map included here for reference only during review. Will be removed for final document.

<sup>7</sup> The open space requirements in this existing code section are generally small scale site level landscape areas and include items such as balconies, parkways, and gardens associated with the building. This type of language has been added to M-4.B Treatment of Yards. Public Realm public outdoor space requirements are meant to be a bit larger in scale and require gathering spaces.

### E. NONSTANDARD STRUCTURES.

1. **Applicability.** The provisions of Chapter 9-10 Nonconformance Standards, B.R.C. 1981 shall be fully applicable to all structures and uses within the Special Design Area, with the exception of the requirements in Subsections 9-10-2 (c) Replacement of Nonstandard Architectural Building Features” and 9-10-3 (a) “Nonstandard Buildings and Structures”, superceded by this section.<sup>8</sup>
2. **Purpose & Scope.** Adoption of the Special Design Area requirements may create nonstandard buildings. The purpose of the following is to allow these nonstandard buildings to be changed and upgraded without requiring their elimination, if the change would not substantially adversely affect the surrounding area and the if the change would not increase the degree of nonconformity with the regulations.
3. **Expansions and Renovations to Nonstandard Structures.**
  - a. **Expansions.** Any expansion greater than 60 percent in floor area square footage, including multiple expansions over a 5 year period, shall meet all requirements of this Appendix M: Special Design Area.
  - b. **General Design Requirements.** The applicable requirements of M-4. Site & Building Design shall be met for any facade being revised or renovated under any of the following circumstances:
    - i. New exterior facades as a result of expansion of additional floor area;
    - ii. Renovation resulting in the replacement of 30 percent or more of the exterior facade material;
    - iii. Renovation or addition of 30 percent or more of the windows on any exterior facade;
    - iv. Renovation or addition to any door or balcony located on any exterior facade.
  - c. **Facade Requirements.** If the facade exists or will be constructed within the required build-to zone of these regulations, the Facade

Requirements, not including the Cap Types, of the applicable building type shall be met if any one of the following is included in the renovation or expansion:

- i. New exterior facades as a result of expansion of additional floor area.
  - ii. Installation of two or more additional doors or a change in location of two or more doors.
  - iii. Expansion or change in location of 30 percent of window area.
  - iv. Replacement of 30 percent or more of facade materials with a different facade material.
- d. **Roof Renovation.** The Cap Type Requirements of the applicable building type shall be met if renovation of the shape or style of more than 60 percent of the roof occurs, and if 30 percent of the façade exists within the build-to zone of the applicable building type.

### F. REVIEW PROCESS & EXCEPTIONS

Refer to Section 9-2, B.R.C. 1981, for the review and exceptions processes for all projects within a Special Design Area.

<sup>8</sup> Typically there is more nonconformance generated by the detailed design requirements of a new form-based code applied with existing buildings in an area. So, usually, we allow more extensive additions to nonconforming structures. However, the goal is to push those existing buildings toward conformance, so if the building is located appropriately and money will be spent on the facades, those design changes should bring the building towards conformance.



### G. REGULATING PLANS

The regulating plan provides the framework of the regulations that apply to each parcel in each area.<sup>9</sup>

**1. Boulder Junction Phase I Regulating Plan.** Refer to Figure M-1 (2). Regulating Plan: Boulder Junction Phase I. The regulating plan specifies the following:

- a. New Streets and Alleys.** The location of required new streets and alleys (per the Transit Village Area Plan) is specified to implement walkable blocks and the requirements of the area plan. Refer to M-2. Public Realm for street and alley requirements.
- b. New Pedestrian & Bicycle Ways.** The location of required new paseos and new multi-use path locations are specified to implement a high level of walkability and bike-ability consistent with the goals of the area plan. Refer to M-2.C. Street & Public Way Types for paseo and multi-use path requirements. Additional paseos may be provided for any sites.
- c. Permitted Building Types.** The locations for building types are shown.
  - i. Refer to M-3. Building Types for requirements of building types.
  - ii. The Civic building type (refer to M-3.G) is permitted in all locations, but limited to specific uses.
  - iii. Special height requirements for the General Building are located on the regulating map and set in M-3.E. General Building Type.
- d. Required Storefront.** In addition to locations specified for storefront buildings (Main Street and Commercial Storefronts), portions of the Type A Frontage of some General Buildings are required to have storefronts. These locations are shown on Figure M-1 (2). Regulating Plan: Boulder Junction Phase I. The locations shown are at key intersections or adjacent to public space and are regulated by M-3.E. General Building Type.
- e. Type A and Type B Streets.** Type A and B Street define how the buildings are required to relate to the street and how access is located. Type A and Type B Frontages are shown on the regulating plan and referenced in the building types (Section M-3). Refer to M-3.A. General

Requirements of Building Types for definition and further explanation.

- f. Required Public Outdoor Space Locations.** The general location for additional open spaces is shown to achieve a distribution of small **Public Outdoor Space Types** within 1/8th of a mile of all building entrances. Refer to M-2.F. Public Outdoor Space Types for additional information.
- g. Terminated Vistas.** When a street terminates or curves at a parcel, the site design or building shall include a feature to terminate the view from the street. The parcel shall include one of the following:
  - i. If the parcel is open space, any public outdoor space type (refer to M-2.F) shall be utilized and a vertical element shall terminate the view. Acceptable vertical elements include, but are not limited to, a stand or grid of trees, a sculpture, a gazebo or other public structure, or a fountain.
  - ii. If the parcel is not utilized as open space, the facade of a building, whether fronting a Type A street or not, shall terminate the view. The building shall incorporate one of the following treatments to terminate the view: a tower, cupola, bay, or courtyard.
  - iii. In no case, shall a parking structure or a surface parking lot terminate a vista.
  - iv. Where key street termini are noted on the regulating plan, a tower is required. Refer to M-3.I. Cap Types.

<sup>9</sup> Additional form-based areas would each have their own regulating plans, located here, as items 2, 3, and so on.

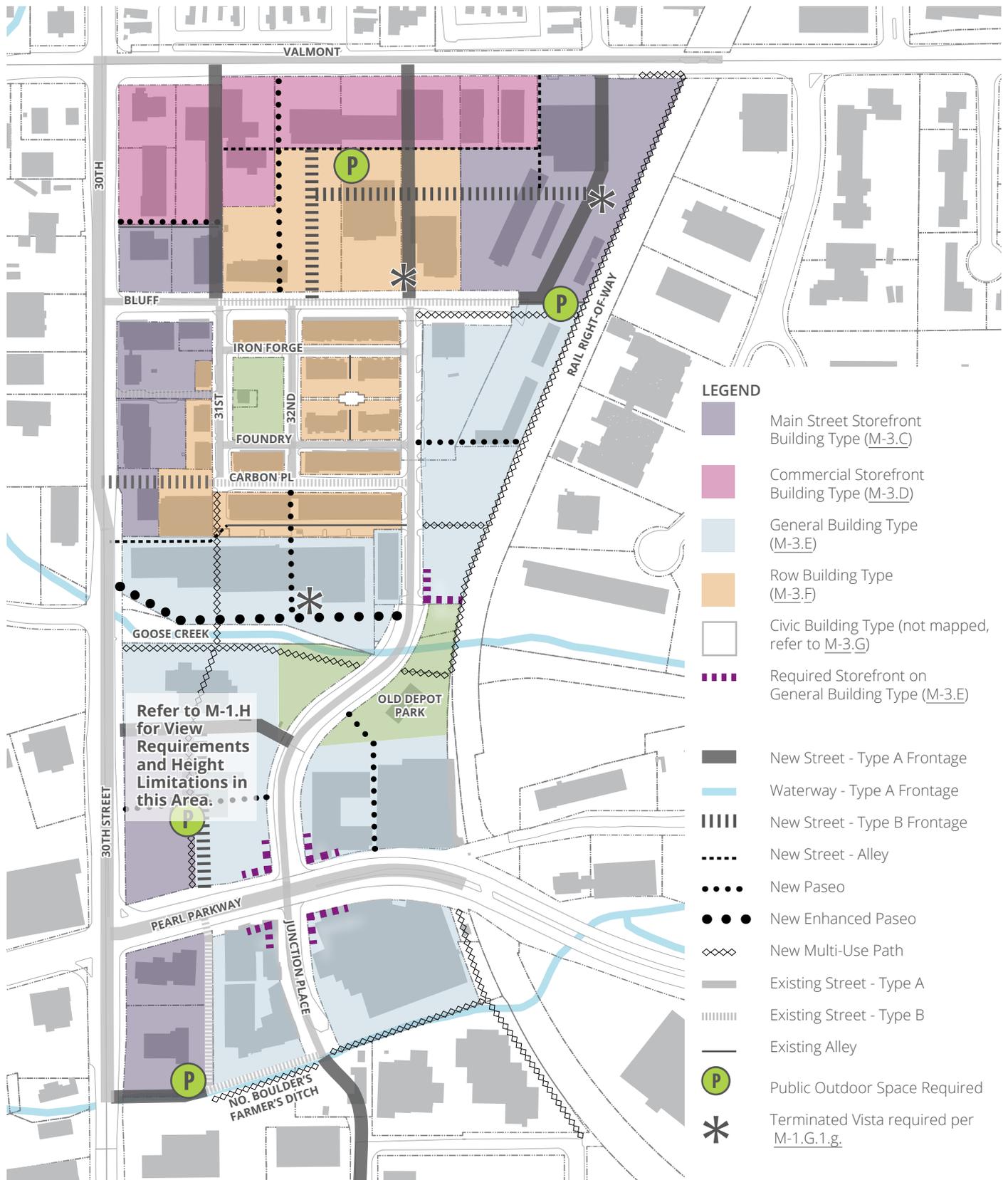
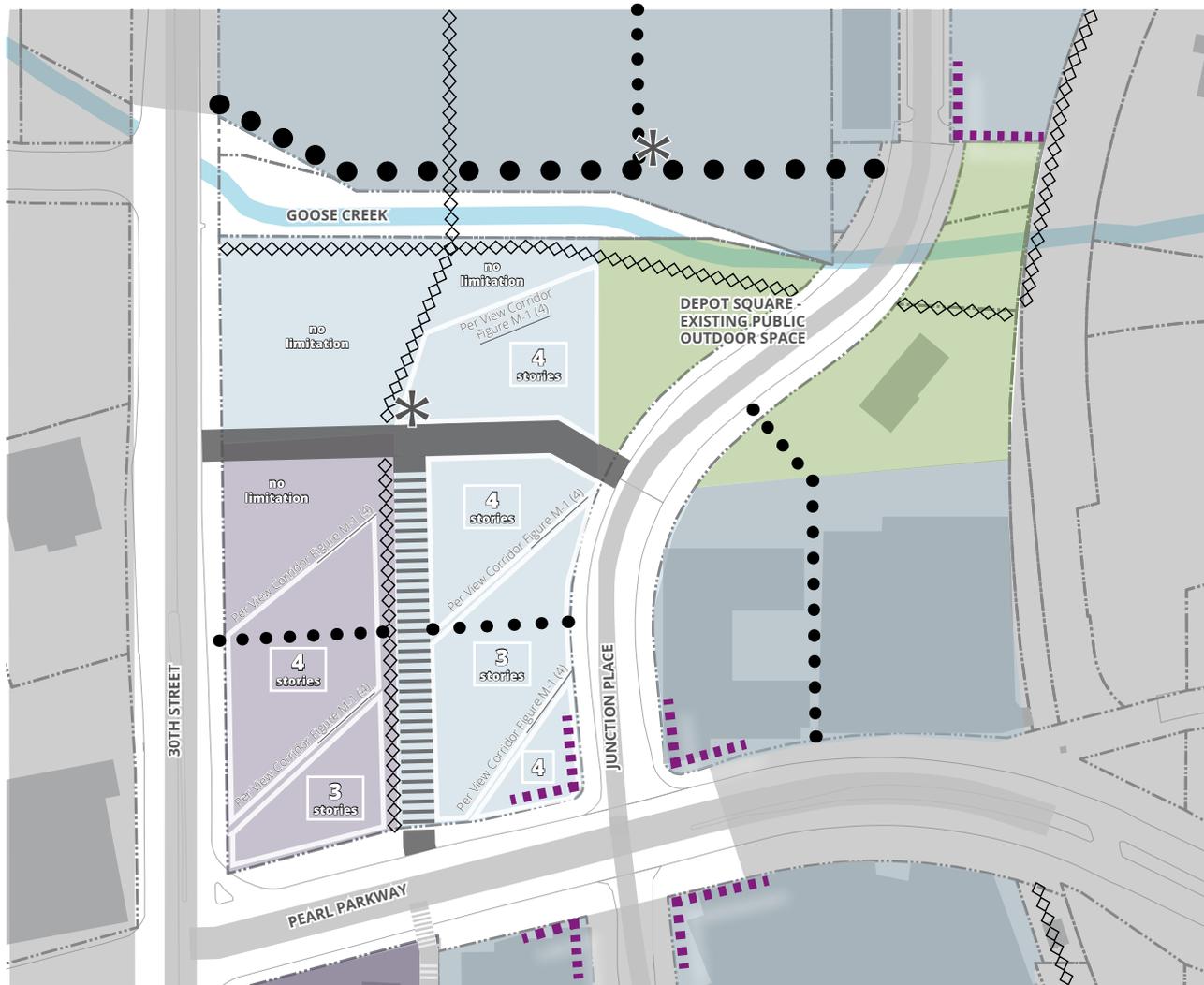


Figure M-1 (2). Regulating Plan: Boulder Junction Phase I

# M-1. Overview

Regulating Plans

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## LEGEND

- |  |  |  |                              |
|--|--|--|------------------------------|
|  | Main Street Storefront Building Type (M-3.C)                                   |  | New Street - Type A Frontage |
|  | General Building Type (M-3.E)  |  | New Street - Type B Frontage |
|  | Civic Building Type (not mapped, refer to M-3.G)                               |  | New Street - Alley           |
|  | Required Storefront on General Building Type (M-3.E)                           |  | New Paseo                    |
|  | Maximum Height permitted in locations  |  | New Enhanced Paseo           |
|  | Public Outdoor Space required to retain views per View Corridor Figure M-1 (4) |  | New Multi-Use Path           |
|  | Street Terminus required per M-1.G.1.g   |  | Existing Street - Type A     |
|  |  |  | Existing Street - Type B     |

Figure M-1 (3). Regulating Plan Inset: SE Corner of Boulder Junction Phase I

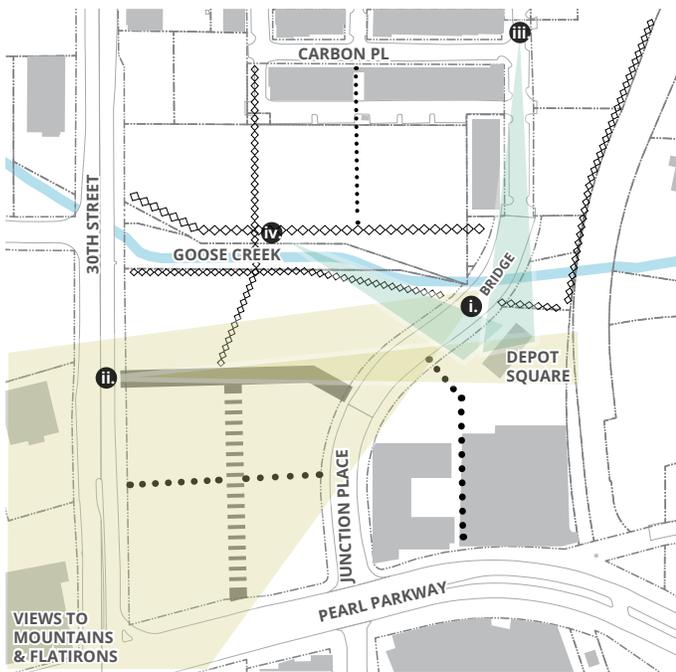


Figure M-1 (4). View Corridors to Retain

- ii. From Junction Place north of the Depot Square bridge, south to the old Depot Building in Depot Square as shown in yellow on Figure M-1 (4).
- iii. From Junction Place north of the Depot Square bridge, south to the old Depot Building in Depot Square as shown in light blue on Figure M-1 (4).
- iv. From the north side of Goose Creek at approximately the intersection between the north-south multi-use path and the east-west Enhanced Paseo, to the old Depot Building in Depot Square as shown in light blue on Figure M-1 (4).

**b. Height Limitations.** Building heights shall be limited on the sites affected by the preserved view corridors and further refined during the documentation process as follows:

- i. Maximum building heights are shown in stories on Figure M-1 (3). Refer to M-3. Building Types for floor-to-floor heights for stories.
- ii. Specific location of view corridors limits, and heights required to preserve those views, shall be further refined by the documentation, required in Subsection E.1.c, below.
- iii. Upon review of documentation submitted, the city manager may require additional limitation up to 50 feet in any direction horizontally of the limits shown.
- iv. Roof top mechanicals, utilities, and appurtenances shall not be located within the limited view corridors.

**c. Documentation Required.** Documentation shall be submitted with Design Review application as follows.

**H. VIEW CORRIDORS**

**1. Boulder Junction Phase I.** Refer to Figure M-1 (3) and Figure M-1 (4) for view corridors through specific sites in Boulder Junction Phase I.

**a. Intent to Preserve Views.** The intent of the following requirements is to preserve the following views, also illustrated on Figure M-1 (4):

- i. From the southernmost point of the Depot Square bridge through the site to the Flatirons and west to tops of mountains as shown in yellow on Figure M-1 (4).
- ii. From 30th Street down the new east-west street between Goose Creek and Pearl



Figure M-1 (5). Example Documentation of Preserved Views from Junction Place Bridge

# M-1. Overview

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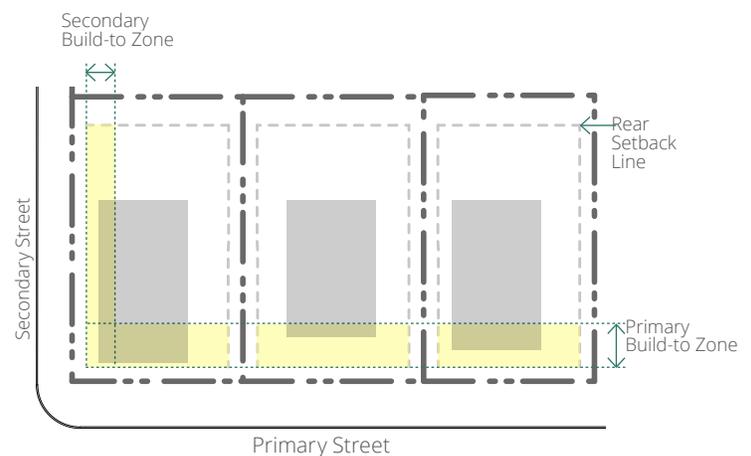
## Definitions

- i. Plan illustrating location of mountain range, notation of Flatirons 1 through 5, location of building footprints with heights noted, location of streets, and location of public outdoor space.
- ii. Three-dimensional, geographically accurate digital model illustrating the views noted as well as any additional views preserved through the site, and including photographically depicting the mountains in their accurate geographic locations.<sup>10</sup> Refer to Figure M-1 (5). Example Documentation of Preserved Views from Junction Place Bridge.

## I. DEFINITIONS

For the purposes of this document, the following terms shall have the following meanings:

- 1. **Balcony.** A platform that projects from a facade of a building above grade and is enclosed by a parapet or railing. Does not include false balconies, sometimes referred to as juliet balconies or balconets, consisting of a railing across a door with no outdoor platform.



### BUILD-TO ZONES ALONG FRONTAGE LINE

A build-to zone indicates a zone or area in which the facade of a building must be located. The use of a build-to zone allows control over building placement, while the range provides some flexibility. This method provides more predictability in building placement.



### SETBACK LINES ALONG FRONTAGE LINE

A setback line indicates the closest a building may be placed to a property line, but is silent on where behind that line a building may be placed.

**Figure M-1 (6).** Build-to Zone & Setback Lines

<sup>10</sup> Can we legally say Google Earth or similar? CAO says no.

- 2. **Build-to Zone.** An area in which the facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line. Refer to Figure M-1 (6). Build-to Zone & Setback Lines. Figure M-1 (7). Facade Definition.
- 3. **Expression Line.** An architectural feature consisting of a decorative, three-dimensional, linear element, horizontal or vertical, protruding or indented at least 2 inches from the exterior facade of a building typically utilized to delineate the top or bottom of floors or stories of a building or divide a facade into smaller sections.  
  
Vertical elements may include a column, pilaster, or other continuous vertical ornamentation. Horizontal elements may include a cornice, belt course, molding, string courses, canopy, balcony, or other continuous horizontal ornamentation and projections.
- 4. **Facade.** For the purposes of this appendix, facade refers to all facades that would be included in an drawing elevation of the building as well as any facades connecting those facades. Refer to Figure M-1 (7). Facade Definition.

- 5. **Frontage, Type A.** A frontage along a Type A Street that receives priority over other frontages in terms of locating principal entrances, prioritizing facade design elements, and incorporating design requirements associated with pedestrian orientation.
- 6. **Frontage, Type B.** A frontage along a Type B Street that allows for a lower level of facade treatment as well as permits locations for garage and parking lot driveway entrances.
- 7. **Impervious Site Coverage.** The percentage of a lot developed with principal or accessory structures and other impervious surfaces, such as driveways, sidewalks, and patios.
- 8. **Occupied Building Space.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, vehicle service areas, or parking.
- 9. **Paseo.** A pathway designed for use by pedestrians, located mid-block, allowing pedestrian movement through the block from one street to another without traveling along the block's perimeter.
- 10. **Porch.** For the purposes of this Chapter, a porch is a roofed, raised structure at the entrance to

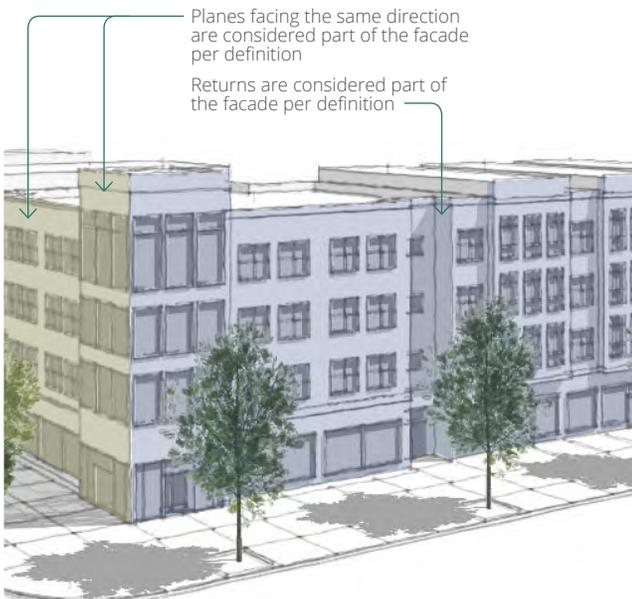


Figure M-1 (7). Facade Definition.

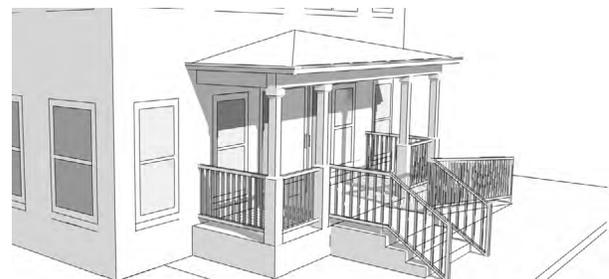


Figure M-1 (8). Example of a Porch.

# M-1. Overview

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## Definitions

the building, and a transition between the interior of the building and the exterior yard or adjacent sidewalk. Refer to [Figure M-1 \(8\)](#). Example of a [Porch](#).

11. **Semi-Pervious Surface.** Also referred to as semi-pervious material. A material that allows for at least 40% absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or green roofs.
12. **Stoop.** A platform entranceway at the door to a building, providing a transition between the interior of the building and the sidewalk outside the building. The stoop may be elevated or at grade, and may be covered by a canopy or awning. Refer to [Figure M-1 \(9\)](#). Example of a [Stoop](#).
13. **Story, Ground.** Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.<sup>11</sup>

<sup>11</sup> Current general definition of: Basement means that portion of a building that is partially or totally below grade such that no portion of the space extends more than two feet above the natural grade around the perimeter of the building. (See Figure 16-1 of this section.)



**Figure M-1 (9).** Example of a Stoop

14. **Story, Half.** A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.
15. **Story, Upper.** Also referred to as upper floor. The floors located above the ground story of a building.
16. **Street, Type A.** A street designated on the Regulating Plan that receives priority over other streets in terms of setting front lot lines and locating building entrances. Refer to [Figure M-1\(2\)](#) Regulating Plan for mapped location of Type A streets.
17. **Street, Type B.** A street designated on the Regulating Plan that receives lower priority than Type A Street in terms of building frontage and facade requirements allows for a lower level of facade treatment as well as permits locations for garage and parking lot driveways entrances. Refer to [Figure M-1\(2\)](#) Regulating Plan for mapped location of Type B streets.
18. **Transparency.** The measurement of the percentage of a facade that has highly transparent, low reflectance windows with minimum 55 percent transmittance factor and a reflectance factor of not greater than 0.25
19. **Visible Basement.** A half story partially below grade and partially exposed above with required transparency on the street facade. 5
20. **Way, Public.** Public ways, for the purposes of this Appendix M, include streets, paseos, and multi-use paths. Alleys are not included in the requirements for public ways.
21. **Yard, Rear.**<sup>12</sup> A yard extending from the rear building facade to the rear lot line between the side yards or, on a corner lot, between the street adjacent side and side yards.

<sup>12</sup> For the special design area, it would be helpful to redefine the rear yard as between the side yards, where the side yards extend all the way to the rear lot line. Typically, we locate all of the “undesirables” (parking, loading, etc.) in the rear yard, meaning it is screened from the street fully by building. If we do not revise the rear yard definition as shown in this draft, I will need to define it as something else (“parking yard”).



# M-2. Public Realm



### A. PUBLIC REALM PLANS

Public realm plans build upon the framework established by the regulating plans for locations within the Special Design Area and focus on the street, paseo, multi-use path, and public outdoor space requirements for the specific area. The requirements of the public realm plan are applicable to each parcel within the Special Design Area.

#### 1. Boulder Junction Phase I Public Realm Plan.

Refer to Figure M-2 (1) for the Public Realm Plan established for Boulder Junction Phase I. The public realm plan is provided to illustrate the requirements of the Transit Village Area Plan (TVAP), Chapter 4 Transportation Connections. The public realm plan illustrates the following:

- a. **Intent.** The location of required new streets, alleys, paths, and paseos, is specified to implement walkable, bikeable blocks and the requirements of the Transit Village Area Plan (TVAP), specifically Chapter 4 Transportation Connections.
- b. **Required Public Ways.** All public ways, including streets, alleys, paseos, and multi-use paths, shall be constructed on the parcels shown unless otherwise stated in this subsection.
  - i. **Additional Public Ways.** Additional public ways of the types specified may be included.<sup>1</sup>
  - ii. **Elimination.** Public ways shall not be eliminated, unless through a **Major Exception (Sec. 9-2)**.
  - iii. **Alternatives.** Alternative street layouts may be requested through a **Minor Design Exception**<sup>2</sup> process (refer to Sec. 9-2) and the amendment process defined by the Transit Village Area Plan (TVAP), Chapter 4 Transportation Connections.
- c. **Orientation of Public Ways.** New public ways shall be generally oriented as shown, but may curve or angle in between end points.
  - i. Paseos and multi-use paths may curve, jog, or angle within a 10 foot offset in either direction from the location shown.<sup>3</sup>

d. **Shared Frontage on Public Ways.** New public ways shown on the edge of parcels shall be located on the parcels as shown on Figure M-2 (1). Public Realm Plan: Boulder Junction Phase I.

- i. **New Street or Alley.** The edge of the right-of-way or easement for the new public way shall be located within 5 feet of the parcel line and shall be designed to allow utilization by the adjacent parcel, as shown by the shared frontage symbol on Figure M-2 (1). Public Realm Plan: Boulder Junction Phase I.
  - ii. **Paseos or Multi-Use Paths.** The paseo or multi-use path shall be constructed to allow frontage on the adjacent parcels as illustrated by the shared frontage symbol.
  - iii. **Straddling the Parcel Line.** The location of the new public way may straddle the parcel line if coordinated in writing with the adjacent parcel owner. The full street shall be constructed at the time of any development approval unless a half street or otherwise is approved through a **Minor Design Exception**.
- e. **Flexible Locations of Public Ways.** Public ways shown wholly within a development site, to be developed on both sides within the same development, may be located per the following:
- i. **New Street or Alley.** New streets or alleys may be located within 50 feet<sup>4</sup> of the location shown. Relocated streets and alleys shall have either a building or public outdoor space type on both sides. Where shown connecting to an existing street, that end point shall be maintained.<sup>5</sup>
  - ii. **New Paseo or Multi-Use Path.** Paseos and multi-use paths shall be developed on the parcel shown within 20 feet of the location shown.
- f. **Public Way Types.** Refer to Section M-2.C. Street & Public Way Types for public way type requirements.
- i. New streets shall utilize either the Base Street, Residential Collector Street, or Shared Street types.

1 Note that no new collector streets are proposed on this portion of Boulder Junction Phase I, so per the plan, all others could be administratively approved. We can add this as an administrative exception? to allow denial.?

2 A major exception would trigger council approval, which would only be triggered per TVAP if the connection was eliminated.

3 Purpose of this is to maintain views through to the extent

possible.

4 Per administrative approval in TVAP.

5 For streets that shall be aligned with existing, we should illustrate that on the Public Realm Plan. For streets that may be more flexible, if we show them as not aligned on the plan, it will allow the applicant to align it or not. Moot now that S'Park layout is included.

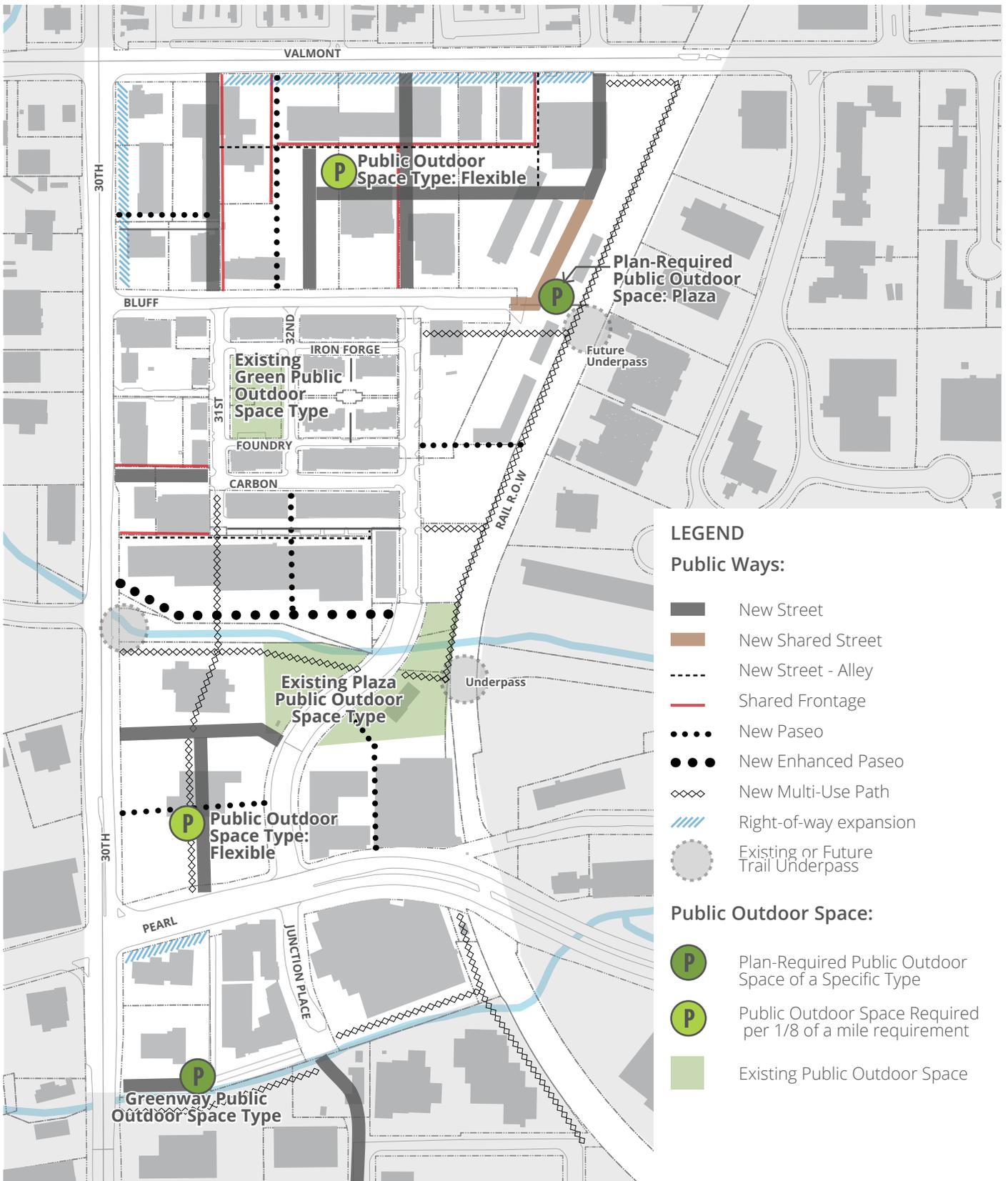


Figure M-2 (1). Public Realm Plan: Boulder Junction Phase I

## Public Realm Plans

- ii. The Shared Street shall be limited to no more than one block in length in the area and requires approval of Public Works and TVAP for use.
- iii. Refer to Section M-2.C for the required components to the Paseo Type, Enhanced Paseos, and Multi-Use Path.

**g. Right-of-Way Expansion.** The City requires additional right-of-way for Valmont, Pearl, and 30th Streets for specific planned improvements to those existing streets, including but not limited to on-street bicycle lanes and on-street parking per the Transit Village Area Plan (TVAP), to be coordinated at the required Pre-Application Meeting.

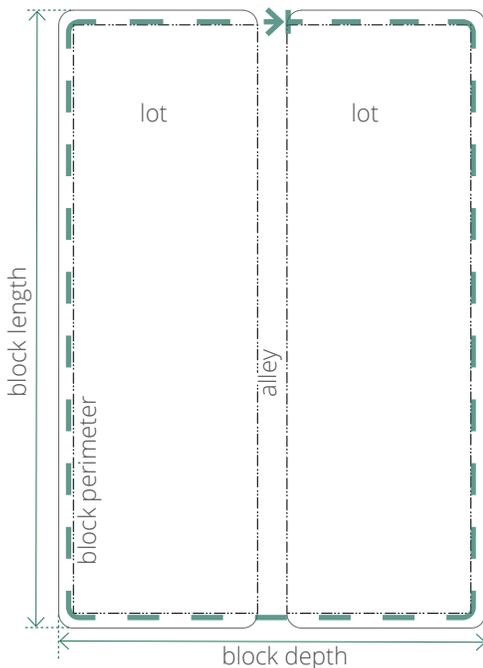
**h. Public Outdoor Space.** Locations for **Public Outdoor Space Types** are shown on the Public Realm Plan as follows:

- i. **Plan-Required Public Outdoor Space.** Locations for public outdoor space defined in the area plan are required per the Transit Village Area Plan, with requirements defined by the specific public outdoor space type.
- ii. **Underpass Open Space.** Open space shall be provided to accommodate any future underpass. Minimum size shall be long enough to provide for the transition grades and wide enough to allow for additional

landscaping and paving area. Minimum size to be coordinated with the city manager, but shall not be less than 200 feet by 35 feet.

- iii. **Public Outdoor Space within 1/8 Mile.** One public outdoor space type is required within 1/8 of a mile of all public entrances into buildings.

- (1) Existing open space may fulfill the requirement.
- (2) Refer to the **Public Outdoor Space Types** defined in Section M-2.F. Public Outdoor Space Types. Utilize the type required on the Public Realm Plan. If specified as flexible, utilize a type that will result in a mix of public outdoor spaces in the vicinity of the development.



**Figure M-2 (2).** Typical Block Elements

## B. GENERAL BLOCK, STREET, & PUBLIC OUTDOOR SPACE LAYOUT REQUIREMENTS.

Refer to Title 9, Chapter 12 for Subdivision requirements and the Design and Construction Standards manual. The following establishes additional requirements for block and street layout within the Special Design Area with the goal of creating an interconnecting system of multi-modal public ways.

1. **Block Configurations.** Refer to the Public Realm Plan for required block configurations. For areas without a Public Realm Plan, the following configuration requirements apply to all projects within the Special Design Area over 3 acres in size.
  - a. **Maximum Block Perimeter.** Block perimeter shall be less than 1,600 feet, except with an approved **minor design exception** due to natural features or other already existing site constraints, such as the rail corridor.
  - b. **Block Depth.** Blocks shall typically be two lots or buildings deep to provide fronts of buildings on at least two block faces. Blocks consisting of more than 60 percent open space may be shallower. Blocks may also include an alley. Blocks may include existing lots within an adjacent development.
  - c. **Type A Streets.** Type A streets shall be located along at least two of the block frontages, preferably on the longest block faces. Refer to Section M-1.G for explanation of Type A Streets.
  - d. **Connections to Adjacent Properties.** Development sites shall connect to adjacent development sites along a public right-of-way, with a minimum of one public way intersecting or abutting the project boundary per every **800 feet** of perimeter project boundary.<sup>6</sup>
2. **Public Outdoor Space Requirement.** Incorporate **Public Outdoor Space Types** into the street and block layout per specific area requirements noted on the Public Realm plan and general public space requirements specified in Section M-2.F. Public Outdoor Space Types.

<sup>6</sup> TVAP defines an “approximate 400-foot grid”.

### C. STREET & PUBLIC WAY TYPES

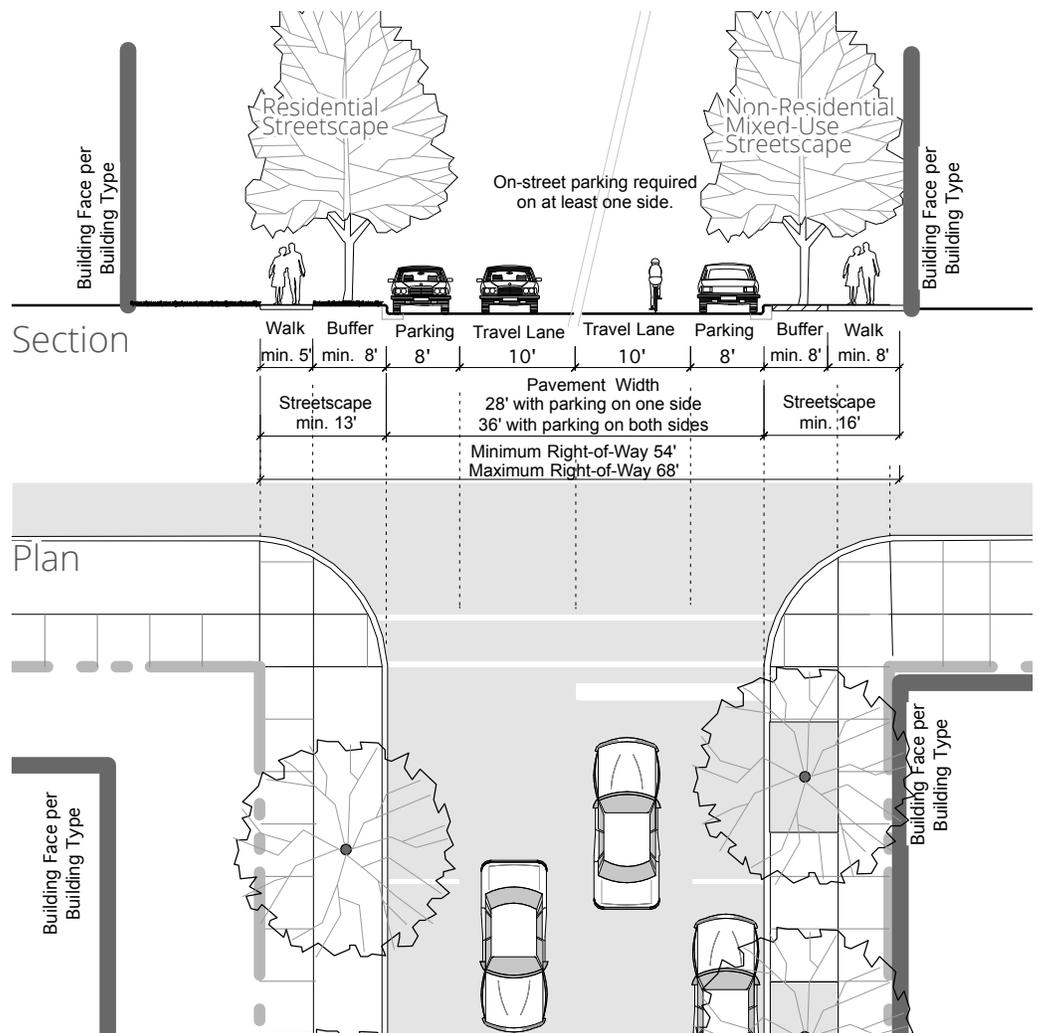
The following street types are permitted for new streets and public ways. For existing streets, the minimum streetscape area is required. If additional space is required, right-of-way shall be dedicated to fulfill the streetscape requirement.<sup>7</sup>

The graphics provided here illustrate the preferred configuration of each street type.

During the Pre-Application Conference required pursuant to Section 9-2-X, B.R.C. 1981, the city manager may require additional right-of-way, pavement width, or additional street elements depending on unique site locations and characteristics.

<sup>7</sup> These requirements need to be set off in a separately numbered section, especially for reference purposes.

- 1. Base Street Type.** The Base Street Type is a public street for neighborhood or local level through-traffic requiring a two way, dedicated lane system. Refer to Figure M-2 (3). Base Street. Refer to Design and Construction Manual for Base Street Type requirements with the following additions/exceptions:
  - a. On-Street Parking.** On-street parking is required on at least one side of all streets.
  - b. Mixed-Use Streetscape.** The minimum dimension for streetscapes along non-residential ground stories is 16 feet, with a clear sidewalk area of 8 feet.
  - c. Reduced Minimum Pavement.** When only one lane of on-street parking is utilized, the minimum pavement width is 28 feet and the minimum right-of-way width is 54 feet.



- 2. **Residential Collector Street Type.** The Residential Collector Street Type is public street for neighborhood locations with lower traffic volumes, allowing a yield street in lieu of separate lanes. Refer to Figure M-2 (4). Residential Collector Street.
- 3. **Shared Street.** The Shared Street is a private

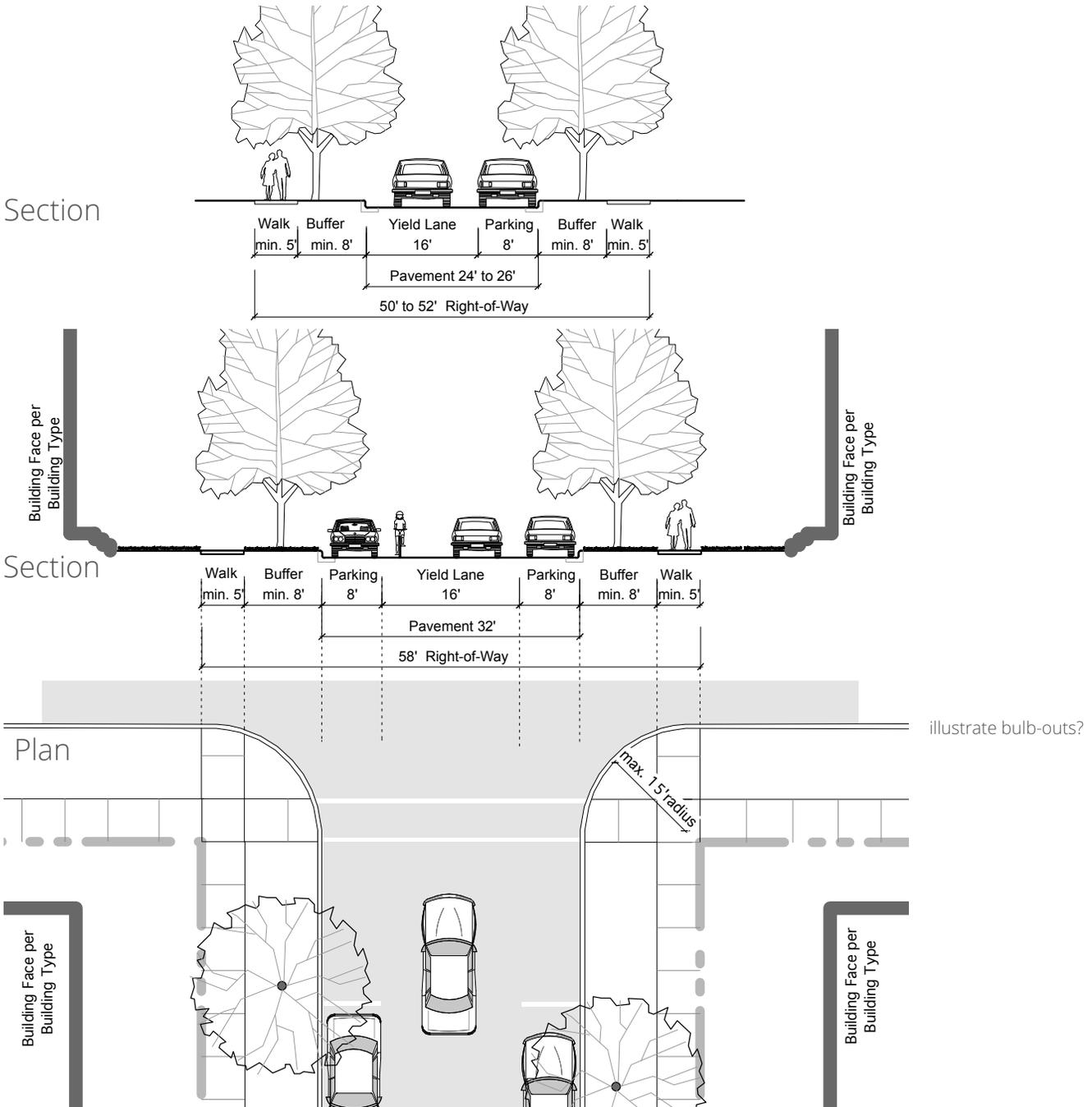


Figure M-2 (4). Residential Collector Street

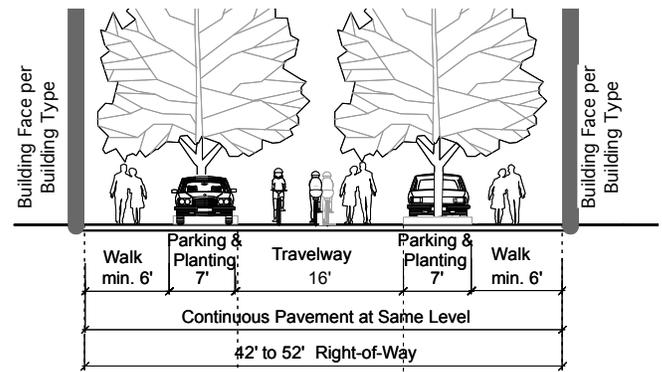
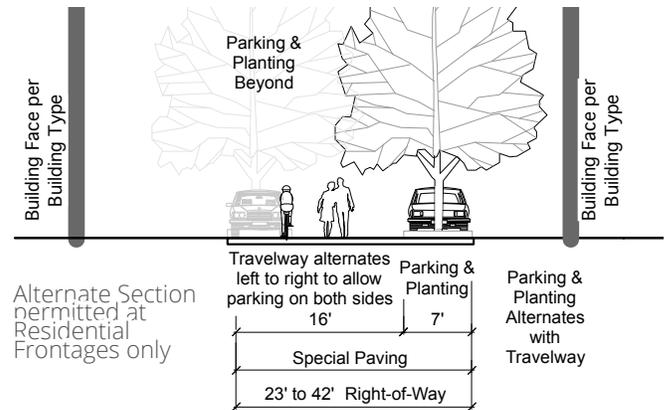
# M-2. Public Realm

## Street & Public Way Types

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shared street, designed to allow vehicles, pedestrians, and bicycles to circulate with equal priority at a slow pace. The shared street shall have a public access easement across the entire right-of-way. Refer to Figure M-2 (5). Shared Street.

SHARED STREET	
Permitted Adjacent to building types	All; limited to no more than one block length
Right-of-way Width	42' to 52'; residential only 23' to 42'; private r.o.w. with public access easement
Travel Lanes	One yield lane; 1- or 2-way; maximum 16' in width
Allowable Turn Lanes	None permitted
Parking Lanes	Parallel; 7' to 8' wide; incorporated into street design
Pavement, Curbs	Special paving design required to define shared spaces; roll curbs required between walks and shared travelway for sight-impaired pedestrians; barrier curbs not permitted except for tree/landscape areas
Bicycle Facilities	Shared on street
Pedestrian Facilities	Minimum 6' wide clear separate sidewalk area required, integrated into design of street; none required on alternate for residential frontages
Street Buffer (refer to Section M-3.E. Streetscape Design Requirements.)	Streetscape required, integrated with street design



Section

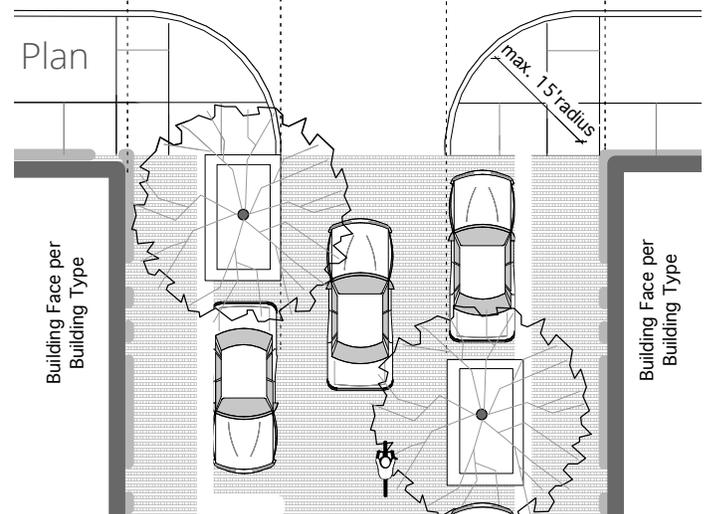


Figure M-2 (5). Shared Street

4. **Paseo.** The paseo is a private way provided for new walkways between buildings as designated in area plans. Paseos required by the Public Realm plan shall have a public access easement across the

entire required right-of-way. Refer to [Figure M-2 \(6\). Paseo.](#)

PASEO	
Permitted Adjacent to building types	All
Easement	Required full width of space; publicly accessible. <b>Narrow Paseo is permitted only for open air Paseo and when one adjacent building is 2 stories or less.</b>
Minimum & Maximum Width	Narrow Paseo: Minimum 9', maximum 12' Wide Paseo: minimum 12', maximum 20'
Pedestrian Facilities	Narrow Paseo: minimum 8' average wide sidewalk, special paving Wide Paseo: minimum 8' wide sidewalk
Lighting	Pedestrian-scaled lighting required

Landscape Requirements	Narrow Paseo: shall include at least one of the following: vines, espaliers, perennials, or groundcover Wide Paseo: shall include at least one of the following: ornamental or shade trees (1 per 50' of length); shrubs, perennials, or groundcover (or combination) covering at least 30% of the space
Special Requirements	Paseos required by Public Realm Plan shall be open to the sky, with the exception of cloth canopies or trellises, and special detailing to include at least 2 of the following: sculpture, wall or overhead trellises, murals, specialty lighting such as catenary or string lights, benches

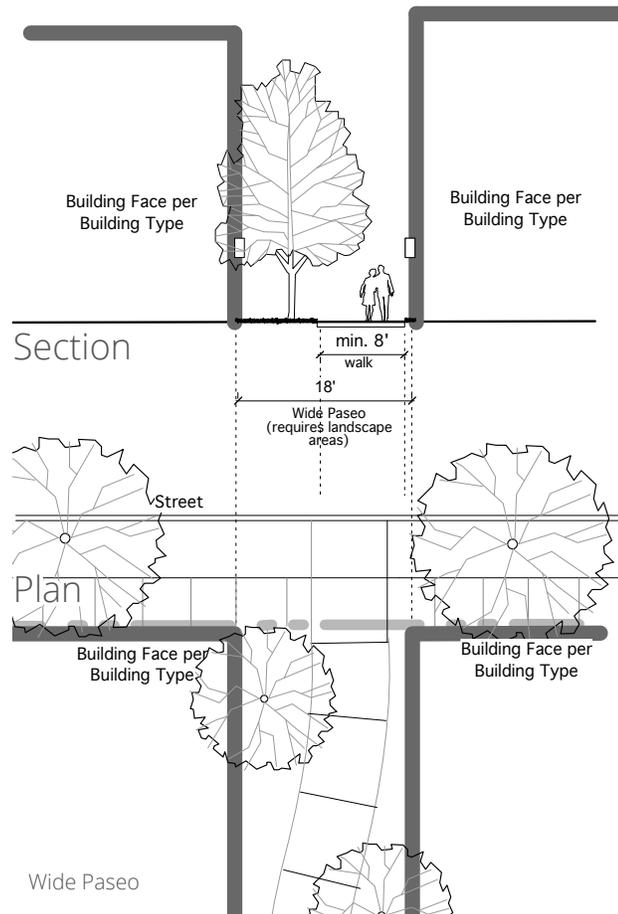
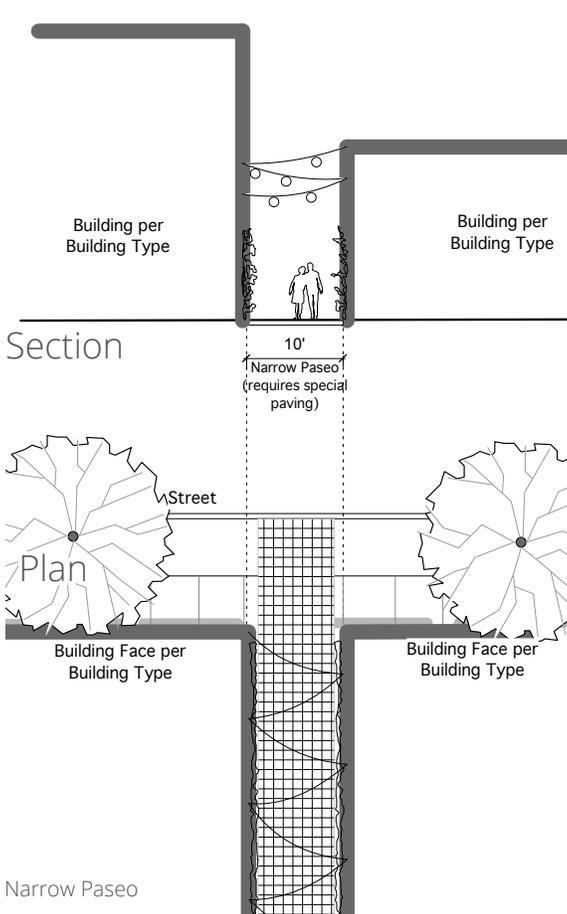


Figure M-2 (6). Paseo

# M-2. Public Realm

## Street & Public Way Types

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5. **Enhanced Paseo.** The enhanced paseo incorporates a wider easement space to allow for pausing spaces as well as a wider buffer from adjacent buildings. Refer to [Figure M-2 \(7\). Enhanced Paseo.](#)

- 6. **Multi-Use Path.** The multi-use path accommodates pedestrians and bicycles. Refer to the city's Design and Construction Standards manual and/or the Greenways Design Guideline for the requirements for multi-use paths.
- 7. **Alley.** Alleys shall be provided through blocks to access parking, to service buildings, and to pick up refuse/recycling and are not considered public ways. Refer to [Design and Construction Standards 2.06 for Base Alleys in Mixed-Use Locations.](#)

ENHANCED PASEO	
Permitted Adjacent to Building Types	All; Required locations per M-1.G., <a href="#">Regulating Plans</a>
Easement Width	Required minimum 25' width; <b>public access easement required</b>
Multi-Use Path/ Sidewalk	minimum 10' wide path way required, accommodating both pedestrians and slow bicyclists, consisting of at least 50% concrete pavers, stone, brick paving, or crushed granite
Landscape Requirements	Minimum 8' landscape area along lot line at Goose Creek Street trees required per streetscape design standards, Sec. 9-9-13.
Lighting Requirements	Pedestrian-scaled fixtures required
Special Requirements	Seating area/overlooks required at a minimum of one per 200 feet of creek frontage. Seating area/overlooks to include special paving details utilizing at least 30% brick, stone, or concrete pavers.  Terraced retaining walls, maximum height of 36" (ideally 18" for seating) shall be used to transition significant grades.

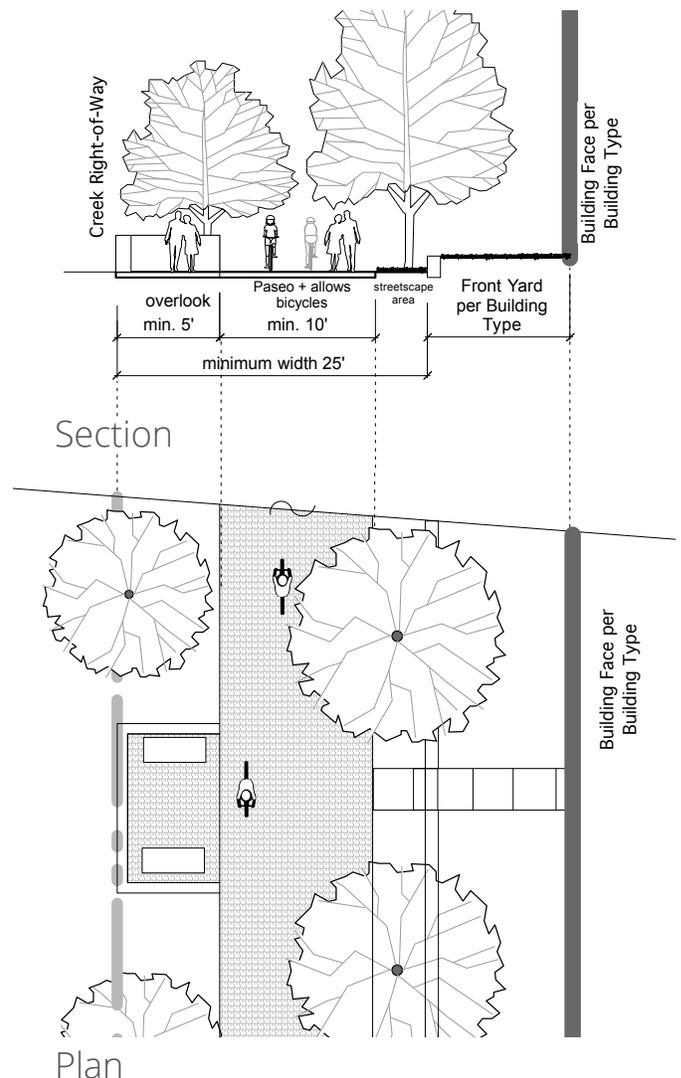


Figure M-2 (7). Enhanced Paseo

**D. GENERAL STREET REQUIREMENTS**

Refer to Title 8 of the Land Use Code for street requirements. Refer to the Design and Construction Standards for technical information.

1. **Public Use.** All streets shall be available for public use at all times. **Gated streets and streets posted as private are not permitted.**<sup>8</sup>
2. **Intersection Design.** The following applies to all new intersections and existing intersections with a new street connection.
  - a. **Crossing Distances.** Typical crosswalks shall not extend over 38 feet without a landscape median, bulb-outs and/or other pedestrian refuge to mitigate the effects of vehicular traffic on crossing and increase pedestrian safety and comfort.
  - b. **Bulb-outs.** To shorten pedestrian crossing distances and where parking or space is available, bulb-outs shall be utilized at all intersections, unless otherwise determined by the Department of Public Works.
  - c. **Sight Triangle Area.** Sight triangle area is formed at a corner intersection of two public rights-of-way, a right-of-way and driveway, or a right-of-way and alley. Two sides are 15 feet, measured along the right-of-way line of the streets, of the alley, and the edge of the driveway. The third side is a line connecting the two sides. This triangular area is significant for the determination of sight distance requirements for right angle intersections only.
    - i. **Minor Exception.** The sight triangle requirements may be modified through a minor exception approved by the city manager, if accepted engineering practice would indicate that a modified visibility distance, either greater or lesser, would be acceptable or necessary for the safety of pedestrians, motorists, and bicyclists.<sup>9</sup>

<sup>8</sup> Okay with CAO?

<sup>9</sup> It appears that these are usually determined during the site review, but these dimensions should work for most new situations. Do we need the requirement since the r.o.w. usually incorporates almost 15' pedestrian areas? Seems excessive for alleys and driveways?

**E. STREETScape DESIGN REQUIREMENTS**

A consistent streetscape design shall be submitted for approval for all street frontages within the development.

1. **Applicability.** The following applies to all new and existing streets and shared streets, new enhanced paseo locations, and new paseos, unless otherwise determined by the city manager.<sup>10</sup>
2. **Streetscape Area.** The streetscape of any existing or new street occupies the full pedestrian realm including the pedestrian facilities area and the street buffer as noted on the street type or similar area of an existing street. For shared streets, enhanced paseos, and paseos, streetscape occupies the entire right-of-way or easement.
3. **Standard Specifications.** Streetscape, at a minimum, shall meet any standards specified by the city for sidewalk, curb, access, and buffer area construction.
4. **Design Submittal.** At a minimum, the streetscape design submittal shall include the following:
  - i. **Street Trees.** Street trees shall be placed in the street buffer area between the sidewalk and curb per Sections 9-9-12 and 9-9-13.
  - ii. **Pavement Design.** Pavement design for streets and sidewalks shall specify materials and patterns. The minimum sidewalk widths required by the street type plus the extension of the sidewalk to the back of curb, and any extension to storefronts shall be included.
  - iii. **Street Furnishings.** Benches and/or seatwalls, planters, planter fences, tree grates, tree guards, and trash receptacles shall be specified and quantities and locations listed for each street. For each block face for streets and shared streets, a minimum of 2 benches and one trash receptacle is required. Minimum required furnishings for other public ways shall be submitted. Tree grates may be required per 9-9-13.
  - iv. **Bicycle Racks.** Bicycle racks shall be supplied to meet the minimum bicycle parking requirements of the blockface uses per 9-9-6 (g) for required bicycle parking spaces. If rear bicycle parking is utilized, a minimum of 50

<sup>10</sup> Discuss how to handle streetscape on existing streets? Portions of multi-way boulevards are already handled?

## M-2. Public Realm

### Streetscape Design Requirements

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percent of the required ground floor use bicycle parking shall be supplied within the streetscape.

- v. **Landscape Design.** Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and open tree wells.
- vi. **Lighting.** Pedestrian and vehicular lighting shall be specified and locations and quantities noted. All lighting shall meet any technical requirements of the city and Section 9-9-16, including the Dark Skies ordinance. Cut sheets and samples shall be submitted.
- vii. **Stormwater Facilities.** Any stormwater facilities proposed for the right-of-way shall be included in the streetscape design. Facilities such as stormwater planter or parkway swales may be included. Maintenance responsibilities and processes shall be included.
- viii. **Identity Elements.** Any other elements designed to establish the identity of the street, such as banners mounted on lightpoles, pavement markers, artwork, or wayfinding signage, shall be included in the streetscape design submittal. These elements are subject to review and approval based upon Section 9-9-21. "Signs", B.R.C., 1981, and other city codes and ordinances.

#### 5. Streetscape Design Continuation.

The approved streetscape design may be utilized by the city for the extension of any street outside the development to provide continuity.

**F. PUBLIC OUTDOOR SPACE TYPES<sup>11</sup>**

The following design requirements apply to all public outdoor space developed within the Special Design Area, unless otherwise stated.

- 1. **Public Outdoor Space Types.** All public outdoor space provided within the Special Design Area shall comply with one of the **Public Outdoor Space Types** defined by Subsections M-2.F.11 through 15.
- 2. **Access.** All public outdoor space shall provide public access from a pedestrian route associated with a vehicular right-of-way and/or adjacent building entrances/exits.
- 3. **Easement Required.** **Public Outdoor Space Types** shall be designated by easement allowing public access.
- 4. **Fencing.** **Public Outdoor Space Types** may incorporate fencing provided that the following requirements are met.
  - a. **Height.** Fencing shall be a maximum height of 48 inches, unless approved by the city manager for such circumstances as proximity to railroad right-of-way and use around swimming pools, ball fields, and ball courts.
  - b. **Level of Opacity.** Fence opacity shall be no greater than 60 percent.
  - c. **Type.** Chain-link fencing is not permitted along any street frontage, with the exception of

dedicated sports field or court fencing approved by the city manager.

- d. **Spacing of Openings.** Openings or gates shall be provided on every street frontage at a minimum of one per every 100 feet of frontage.
- 5. **Open Water Body.** All open water bodies, such as lakes, ponds, pools, creeks, and streams, within a public outdoor space type shall be located at least 20 feet from a property line to allow for pedestrian and bicycle access as well as a landscape area surrounding the water body.
- 6. **Parking Requirements.** Parking shall not be required for any public outdoor space type, unless a use other than open space is determined by the city manager.
- 7. **Continuity.** New public outdoor space shall connect to abutting, or proximate existing or planned trail right-of-way or open space.
- 8. **Measuring Size.**
  - a. **Size.** The size of the public outdoor space is measured to include all landscape and hardscape areas associated directly with the public outdoor space.
  - b. **Minimum Dimension.** The minimum length or width of the public outdoor space type, as measured along the longest two straight lines intersecting at a right angle defining the maximum length and width of the lot. Refer to Figure M-2 (8). Measuring Minimum Dimensions.
  - c. **Minimum Percentage of Street Frontage Required.** A minimum percentage of the public outdoor space perimeter, as measured along the outer edge of the space, shall be located directly adjacent to a street. This requirement provides access and visibility to the public outdoor space.
- 9. **Improvements.** As noted in the specific requirements for each public outdoor space type, the following types of site improvements and structures may be permitted.
  - a. **Fully Enclosed Structures Permitted.** Fully enclosed structures may include such uses as small cafes, kiosks, community centers, and restrooms.
  - b. **Maximum Area.** For some **Public Outdoor Space Types**, fully enclosed structures are permitted, but limited to a maximum building coverage as a percentage of the public outdoor space area.

11 Struggling with the name for these to differentiate them from the useable open space required in the existing code. Options included civic space types, public outdoor space types, public space types, park/plaza types?



Figure M-2 (8). Measuring Minimum Dimensions

# M-2. Public Realm

## Public Outdoor Space Types

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- c. Semi-Enclosed Structures. Open-air structures, such as gazebos, are permitted in all **Public Outdoor Space Types**.
- d. Maximum Impervious and Semi-Pervious Surface Permitted. The amounts of impervious and semi-pervious coverage are provided separately for each type to allow an additional amount of semi-pervious surface, such as permeable paving, above the impervious surfaces permitted, including, but not limited to, sidewalks, paths, and structures as permitted.
- e. Maximum Percentage of Open Water Body. The maximum amount of area within a type that may be covered by an open water body, including, but not limited to, ponds, lakes, and pools.

### 10. Stormwater in Public Outdoor Space Types.

Stormwater management practices, such as storage and retention facilities, may be integrated into the **Public Outdoor Space Types** and utilized to meet stormwater requirements for surrounding parcels.

- a. **Stormwater Features.** Stormwater features in public outdoor space may be designed as formal or natural amenities with additional uses other than stormwater management, such as an amphitheater, sports field, or a pond or pool as part of the landscape design.
- b. **Fencing.** Stormwater features shall not be fenced and shall not impede public use of the land they occupy.
- c. **Walls.** Retaining walls over 2.5 feet in height are not permitted in any public outdoor space accommodating stormwater. Exposed concrete is not permitted; all concrete shall be faced with stone or brick.
- d. **Structures.** All inlets, pipes, overflows, outfalls, and other structures required for the facility shall be incorporated into a landscape design and as unobtrusive as feasible. Exposed concrete is not permitted; all concrete shall be faced with stone or brick.
- e. **Qualified Professional.** A qualified landscape architect, shall be utilized to design the space for use by people, incorporating the stormwater features into the design.



### 11. Plaza.

The intent of the plaza is to provide a formal Public Outdoor Space Type of medium scale to serve as a gathering place for civic, social, and commercial purposes. The Plaza may contain a greater amount of impervious coverage than any other Public Outdoor Space Type. Special features, such as fountains and public art installations, are encouraged.

#### PLAZA REQUIREMENTS

Dimensions	
Minimum Size	0.10 acres
Maximum Size	3 acres
Minimum Dimension	80 feet
Minimum Percentage of Street or Public Way Frontage Required	25%
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Not permitted
Fully Enclosed Structures	Permitted; may cover maximum 5% of plaza area
Maximum Impervious Surface + Semi-Pervious Surface	60%+ 20%
Maximum Percentage of Open Water	30%



**12. Green.**

The intent of the green is to provide informal, medium scale active or passive recreation for building occupants and visitors within walking distance, mainly fronted by streets.

**13. Commons.**

The intent of the commons is to provide an informal, small to medium scale space for active or passive recreation for a limited area. Commons are typically internal to a block and tend to serve adjacent building occupants.

**GREEN REQUIREMENTS**

Dimensions	
Minimum Size	0.25 acres
Maximum Size	2 acres
Minimum Dimension	45 feet
Minimum Percentage of Street or Public Way Frontage Required	100% for greens less than 1.25 acres; 50% for greens 1.25 or more acres in size
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious Surface + Semi-Pervious Surface	20% + 15%
Maximum Percentage of Open Water	30%

**COMMONS REQUIREMENTS**

Dimensions	
Minimum Size	0.25 acres
Maximum Size	1.5 acres
Minimum Dimension	45 feet
Minimum Percentage of Street or Public Way Frontage Required	0%; requires a minimum of two access points (minimum 20 feet wide)
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious Surface + Semi-Pervious Surface	30% + 10%
Maximum Percentage of Open Water	30%

# M-2. Public Realm

## Public Outdoor Space Types

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### 14. Pocket Park.

The intent of the pocket park is to provide small scale, primarily landscaped active or passive recreation and gathering space for neighborhood residents within walking distance.



### 15. Park/Greenway.

The intent of the park/Greenway is to provide informal active and passive large-scale recreational amenities to local residents and the greater region. Parks have primarily natural plantings and are frequently created around an existing natural feature such as a water body or stands of trees.

#### POCKET PARK REQUIREMENTS

Dimensions	
Minimum Size	.10 acres
Maximum Size	1
Minimum Dimension	None
Minimum Percentage of Street Frontage Required	30%
Improvements	
Designated Sports Fields	Not permitted
Playgrounds	Permitted
Fully Enclosed Structures	Not permitted
Maximum Impervious Surface + Semi-Pervious Surface	30% + 10%
Maximum Percentage of Open Water	30%

#### PARK/GREENWAY REQUIREMENTS

Dimensions	
Minimum Size	2 acres
Maximum Size	None
Minimum Dimension	30 feet; minimum average width of 80 feet
Minimum Percentage of Street Frontage Required	30% for parks less than 5 acres; 20% for parks 5 or more acres in size
Improvements	
Designated Sports Fields	Permitted
Playgrounds	Permitted
Fully Enclosed Structures	Permitted in parks 5 acres or larger in size
Maximum Impervious Surface + Semi-Pervious Surface	20% + 10%
Maximum Percentage of Open Water	30%



## M-3. Building Types





A. GENERAL REQUIREMENTS

This section specifies the building form regulations associated with each allowable building type, as permitted by Regulating Plan per Section M-1.G superceding Chapter 9-7 Form and Bulk Standards and Chapter 9-8 Intensity Standards.

- 1. **Uses in Building Types.** Uses shall be consistent with the provisions of Chapter 9-6 Use Standards. Each building type can house a mix of uses depending on the district in which it is located. Some building types have additional limitations on permitted uses as located within the building.
- 2. **General Site & Building Design Requirements.** All buildings shall comply with the site design and building design requirements of Section M-4. Site & Building Design.
- 3. **Multiple Principal Structures.** Multiple structures may be constructed on all lots and parcels. All structures shall meet the requirements of permitted building type(s), including but not limited to the build-to zone requirements.<sup>1</sup>
- 4. **Permanent Structures.** All buildings constructed shall be constructed permanently, unless otherwise allowed as a temporary use in Chapter 9-6 Use Standards.

- 5. **Build to the Corner.** On corners, a building or structure shall be located at the intersection of the two build-to zones as shown on Figure M-3 (1).
- 6. **Type A & B Frontages.** A hierarchy of frontages is established for the Special Design Areas. Frontages include streets, paths, waterways, and other public ways. Refer to M-3.C through G Building Types for requirements along these frontages.
  - a. **Type A Frontage Description.** Type A Frontages define the fronts of lots and buildings, locate the principal entrance on the building, require the highest level of facade treatment, and establish restrictions on locations for parking and garage driveways and entrances.
    - i. **Type A Street Frontages.** Regulating plans designate street frontages to be treated as Type A.
    - ii. **Public Outdoor Space Types.** Lots containing or abutting a public outdoor space type shall treat frontages abutting the public space as Type A Frontages.
    - iii. **Specific Type A Frontages.** Public ways other than streets and alleys (such as but not limited to paseos, multi-use paths, waterways, busways, rail lines) to be treated as Type A Frontages are as follows:

<sup>1</sup> Note that build-to zone requirements mean that all buildings must front a build-to zone along a public way.

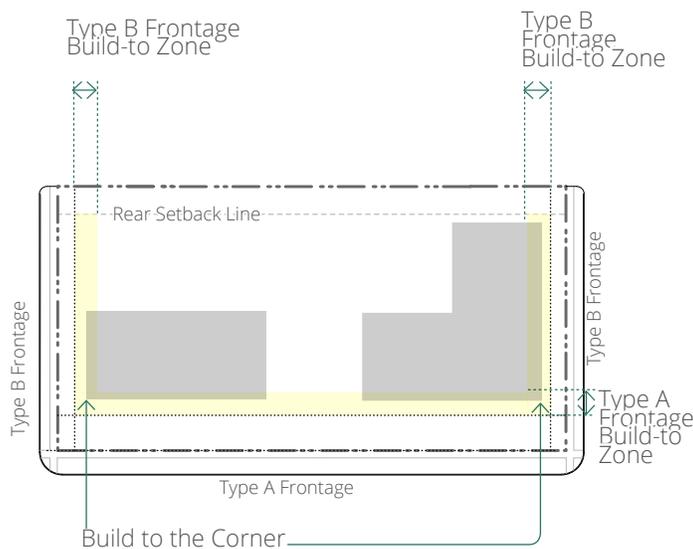


Figure M-3 (1). Build-to Corner and Build-to Zones

## M-3. Building Types

### General Requirements

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- (1) **Boulder Junction Phase I.** Goose Creek and the North Boulder Farmer's Ditch, all enhanced paseos (refer to M-2.C. Street & Public Way Types) shall be treated as a Type A Frontage.<sup>2</sup>
  - iv. **Corners.** At corners of buildings on public ways, Type A Frontages shall be continued around the corner along the public way for a minimum of 30 feet.
  - v. **Multiple Type A Frontages and No Type B Frontage.** If multiple Type A Frontages and no Type B Frontage exists, the city manager may approve one Type A Frontage to be treated as Type B Frontage for the building type requirements. The city manager shall base the decision on the following:
    - (1) Orientation of other parcels along the street, including fronts of buildings and locations of other vehicular access, are more consistent with Type B requirements.
    - (2) The street classification of the street is a more focused on traffic movement than pedestrian orientation.
    - (3) The area plan prioritizes the street lower than other Type A Frontages.
  - b. Type B Frontages Description.** Type B Frontages allow for a lower level of facade treatment in the building type requirements as well as permit locations for garage and parking lot driveways entrances. Type B Frontages may always be treated at the higher level of a Type A Frontage.
    - i. **Type B Street Frontages.** Regulating Plans designate street frontages to be treated as Type B Frontage.<sup>3</sup>
    - ii. **Other Public Ways.** All public ways other than streets or alleys (including but not limited to paseos, multi-use paths, waterways, busways, rail lines) shall be treated as Type B Frontages unless otherwise stated; however, vehicular access, and recycling/refuse/loading access is not permitted off these public ways.
7. **Yard Definition.** Yard is defined in Section 9-16-1, General Definitions, B.R.C. 1981. For the purposes of the Special Design Area, further definition is required as follows:
    - a. **Side and Rear Yards Abut Other Lots, an Alley, or a Rail Right-of-Way.** In the Special Design Area, only yards abutting a lot, an alley, or a rail right-of-way at the lot line, and not a street or waterway or other Type A or B frontage, are considered side or rear yards.
    - b. **All Lots may not have a Side or Rear Yard.** Parcels that occupy a full block have no side or rear yard, unless an alley is constructed through the parcel defining two rear yards.
    - c. **Front Yards, Street Adjacent Yards, and Side equals Front Yards.** Front Yards, Street Adjacent Yards, and Side equals Front Yards are now addressed through the use of Type A and Type B Frontages.

<sup>2</sup> Currently not requiring paseos, multi-use paths to be Type A...though they will still have transparency and material requirements and Type A frontage is required to turn the corners.

<sup>3</sup> Keeping this consistent with the rest of the document, written to allow other special design areas than Boulder Junction Phase 1 to be added.

## B. DESCRIPTIONS OF BUILDING TYPES

The following building types are established for development within Special Design Area. Refer to [M-1.G. Regulating Plans](#) for the locations of building types in the Special Design Area.

1. **Main Street Storefront Description.** The Main Street Storefront building type is a highly pedestrian-oriented, mixed-use building. Ground story storefront is required along all Type A streets with only personal service, retail, dining, and entertainment uses to provide activity. Upper story uses are highly flexible. Parking is in the rear or off-site. Refer to Section [M-3.C.](#) for requirements.
2. **Commercial Storefront Description.** The Commercial Storefront building type permits single use buildings and more parking locations, but still addresses pedestrian orientation with buildings built up to the sidewalk and storefront glass requirements. This building type allows a broader variety of commercial, retail, and industrial uses on the ground story, including vehicle-related uses. Refer to Section [M-3.D.](#) for requirements.
3. **General Building Description.** The General building type is a basic building that serves as urban fabric, built along the sidewalk connecting the more commercial spaces and open spaces. This building can accommodate a wide range of uses, from residential to office to industrial. It differs from the storefront by its lower requirement for ground story glass and allowance for an above-sidewalk level ground floor elevation. Refer to Section [M-3.E.](#) for requirements.
4. **Row Building Description.** The Row building type is similar to the General building, but is smaller in scale. The ground story is required to be divided into different units each with separate entrances. Townhouses, rowhouses, live-work units, incubator space, or small width industrial or craftsman spaces fit well into this building type. Refer to [M-3.F.](#) for requirements.
5. **Civic Building Description.** The Civic building type is the most flexible building, meant to allow for more iconic designs within the urban fabric of the area. This building type is limited to specific public and institutional uses, such as governmental facilities, religious assemblies, schools, colleges, and universities, as well as parks and recreation uses, museums, and live theaters. Refer to Section [M-3.G.](#) for requirements.

# M-3. Building Types

## Main Street Storefront Building Type

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### C. MAIN STREET STOREFRONT BUILDING TYPE

Refer to M-1.G Overview: Regulating Plans for the locations of buildings in the Special Design Area.

		BOULDER JUNCTION PHASE I	REFERENCES/ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to Figure M-3 (2).			
1	Minimum Type A Frontage Build-to Zone Coverage	90% required	One courtyard, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards Type A Frontage build-to zone coverage.
2	Type A Frontage Build-to Zone	0' to 5' from minimum streetscape, see note right	Minimum 16' non-residential streetscape from back of curb is required adjacent per Section M-2.C. Street & Public Way Types for Connector. Build-to zone measurement is from the edge of minimum streetscape.
3	Type B Frontage Build-to Zone	0' to 5' from minimum streetscape, see note right	
4	Minimum Side Setback	5'; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
5	Minimum Rear Setback	10'; minimum 25' if no alley; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
6	Maximum Building Length along any Public Way	150'	Refer to Section M-4.H for Building Massing Requirements.
7	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	70% 25%	Refer to Chapter 9-16, Definitions, B.R.C., 1981, for semi-pervious coverage.
8	Surface or Accessory Parking, Refuse & Recycling, Utilities, & Loading Location	Rear yard only	Refer to Section 9-9-12, B.R.C., 1981, for screening requirements.
9	Permitted Driveway Access Locations Permitted Garage Entrance Location	Alley Rear facade only; if no rear facade, Type B Frontage street is permitted	Refer to Subsection M-4.C.2. Driveways for sites without alley access and a hierarchy of permitted driveway locations.
<b>HEIGHT</b> Refer to Figure M-3 (3).			
10	Overall: Minimum Height Maximum Height	2 stories 5 stories up to 55', unless otherwise required by M-1.D Regulating Plan and/or M-1.E. View Corridors	Refer to Subsections M-3.H.3 Measuring Height and M-4.H for Building Massing requirements. Subsection M-3.I.5 Tower allows additional height in a limited footprint.
11	Ground Story: Minimum Height Maximum Height	14' 22'	Stories are measured floor to floor. Refer to Subsection M-3.H.4 for explanation of measurement.
12	Upper Stories: Minimum Height Maximum Height	9' 12'	Stories are measured floor to floor. Refer to Subsection M-3.H.4 for explanation of measurement.
<b>USES</b> Refer to Figure M-3 (3).			

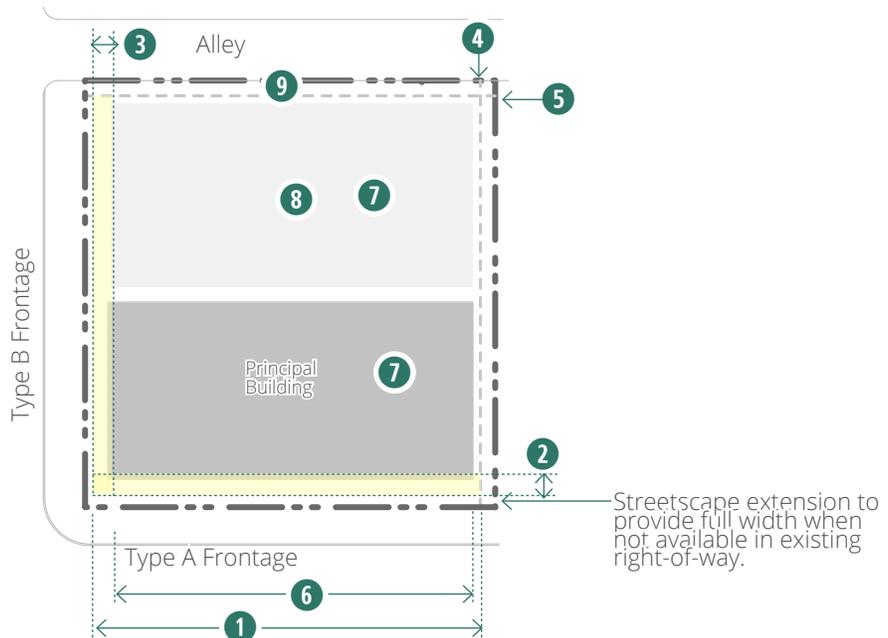
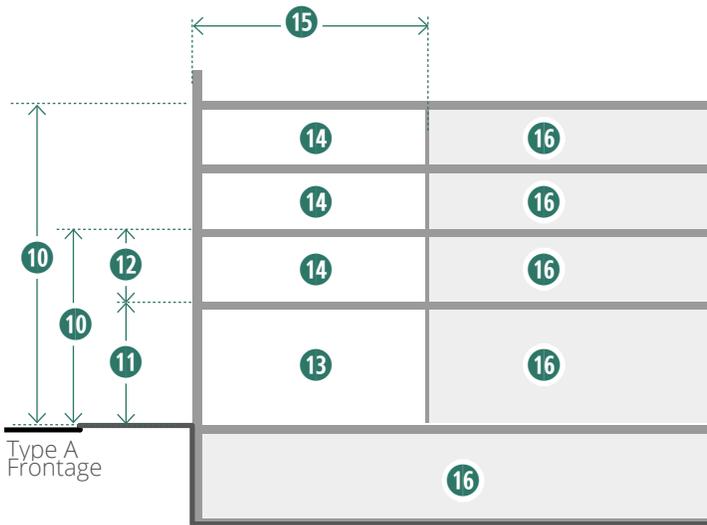
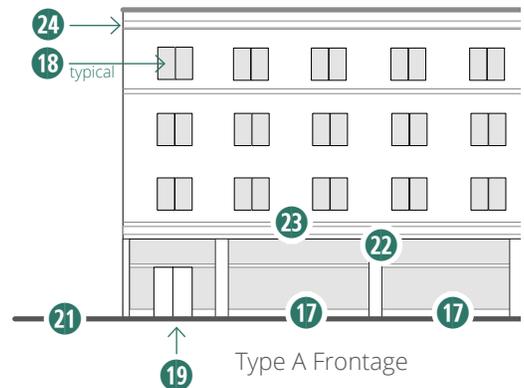


Figure M-3 (2). Storefront Building: Building Siting

BOULDER JUNCTION PHASE I		REFERENCES/ADDITIONAL REQUIREMENTS
13 Type A Frontage Ground Story	Only dining & entertainment, personal service, retail uses consistent with Chapter 9-6	Refer to Chapter 9-6, B.R.C., 1981, for permitted uses per zoning district and definition of uses.
14 Type B Frontage & All Upper Stories	All uses consistent with Chapter 9-6	
15 Required Occupied Building Space	Minimum 20' deep on all full height floors, not including basement, from any street facade.	Refer to Section M-1.I. <u>Definitions</u> for Occupied Building Space.
16 Parking within Building	Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.	Refer to Occupied Building Space requirement above.
<b>FAÇADE &amp; CAP REQUIREMENTS</b> Refer to Figure M-3 (4).		
17 Type A Frontage Ground Story Facade Transparency	Minimum 75% measured between 2' and 10' for average grade of adjacent sidewalk	Note that Subsection M-3.A.6 requires this treatment to turn corners. Refer to Subsection M-3.H.5 for information on measuring transparency.
18 Required Transparency All Street, Courtyards, Rail Way?, & Public Way Facades	Minimum 20%, measured per story of all stories, including blank wall limitations defined in M-3.H.5.	Refer to Subsection M-3.H.5 for information on measuring transparency.
19 Entrance Location & Number	Principal entrance required on Type A frontage facade; entrances required a minimum of one per every 60' of building facade	Refer to Section M-3.H.6 for information on measuring entrance location.
20 Entryway Configuration	Recessed between 3' and 8', maximum 8' wide, from the portion of the Type A frontage facade closest to the street	Refer to Subsection M-4.E.6 for Principal Entryway requirements.
21 Entrance/Ground Story Elevation	80% of entrances and the ground story shall be within 1.5' of adjacent sidewalk elevation	
22 Ground Story Vertical Facade Divisions	One minimum 2" deep expression line per every 30' of facade width	
23 Horizontal Facade Divisions	One minimum 2" deep expression line within 3' of the top of the ground story and the bottom of any 5th story	Refer to Section M-1.I. <u>Definitions</u> for Expression Line.
24 Permitted Cap Types	Parapet, Pitched, Flat; No more than 2 Towers permitted within 15' of any Type A or Type B frontage facade; 2 additional Towers permitted beyond the facades	Refer to Section M-3.I for Cap Types, including Towers, and other cap requirements.



**Figure M-3 (3).** Storefront Building Section: Height & Use Requirements



**Figure M-3 (4).** Storefront Building Elevation: Facade Design Requirements

## D. COMMERCIAL STOREFRONT BUILDING TYPE

Refer to M-1.A Overview: Regulating Plans for the locations of buildings in the Special Design Area.

BOULDER JUNCTION PHASE I			REFERENCES/ ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to Figure M-3 (2).			
<b>1</b>	Minimum Type A Frontage Build-to Zone Coverage	60% required	.
<b>2</b>	Type A Frontage Build-to Zone	12' to 20' along Valmont and 30th Street; 0' to 10' along new streets	Refer to Section M-3.H.2, for build-to zone; measurement is from the property line.
<b>3</b>	Type B Frontage Build-to Zone	0' to 10'	
<b>4</b>	Minimum Side Setback	5'; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
<b>5</b>	Minimum Rear Setback	15'; 25' required if no alley; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
<b>6</b>	Maximum Building Length along any Public Way	90'	Refer to Section M-4.H for Building Massing Requirements.
<b>7</b>	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	70% 25%	Refer to Section M-1.I. Definitions for semi-pervious coverage.
<b>8</b>	Surface or Accessory Parking & Loading Location Refuse & Recycling, Utilities Location	Rear yard & interior side yard  Rear yard only	Refer to Section 9-9-12, B.R.C., 1981, for screening requirements.
<b>9</b>	Permitted Driveway Access Locations Permitted Garage Entrance Location	Alley Rear facade preferred, Interior side facade permitted, one permitted on Type B Frontage facade	Refer to Subsection M-4.C.2. Driveways for sites without alley access and a hierarchy of permitted driveway locations.
<b>HEIGHT</b> Refer to Figure M-3 (3).			
<b>10</b>	Overall: Minimum Height Maximum Height	1 story 3 stories up to 35'	Refer to Subsections M-3.H.3 Measuring Height and M-4.H for Building Massing requirements. Subsection M-3.I.5 Tower allows additional height in a limited footprint.
<b>11</b>	Ground Story: Minimum Height Maximum Height	12' 18'	Stories are measured floor to floor. Refer to Subsection M-3.H.4 for explanation of measurement.
<b>12</b>	Upper Stories: Minimum Height Maximum Height	9' 14'	Stories are measured floor to floor. Refer to Subsection M-3.H.4 for explanation of measurement.

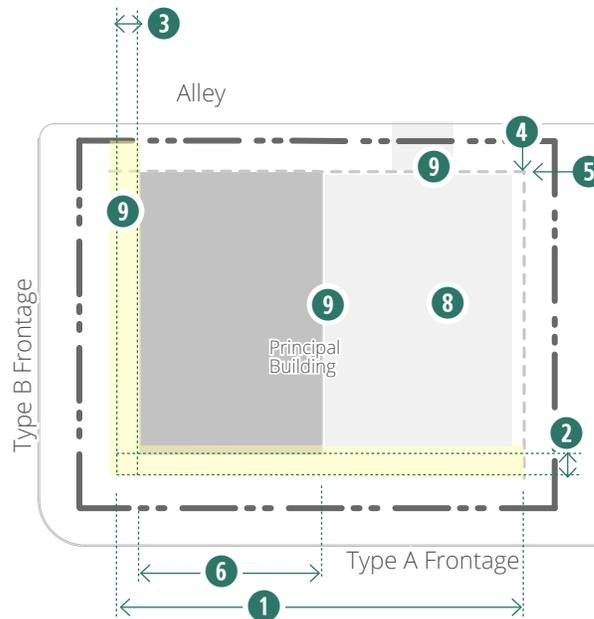
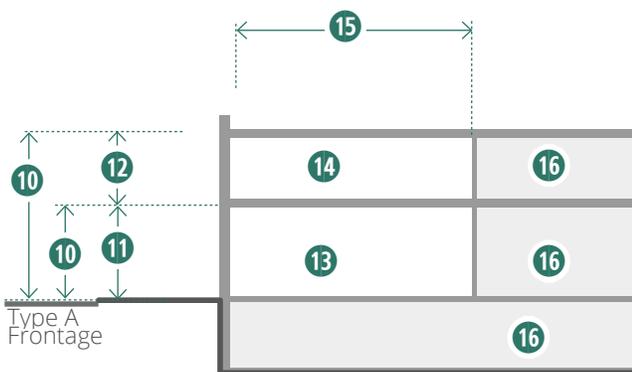


Figure M-3 (5). Commercial Storefront Building Plan: Building Siting Requirements

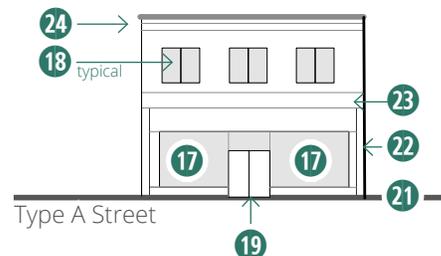
**BOULDER JUNCTION PHASE I**

**REFERENCES/  
ADDITIONAL REQUIREMENTS**

<b>USES</b> Refer to Figure M-3 (3).			<b>REFERENCES/ ADDITIONAL REQUIREMENTS</b>
<b>13</b>	All Frontages & Stories	All uses consistent with Chapter 9-6	Refer to Chapter 9-6, B.R.C., 1981, for permitted uses per zoning district and definition of uses..
<b>15</b>	Required Occupied Building Space	Minimum 20' deep on all full height floors from any street facade	Refer to Section M-1.1. <u>Definitions</u> for Occupied Building Space.
<b>16</b>	Parking within Building	Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.	Refer to Occupied Building Space requirement above.
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to Figure M-3 (4).			
<b>17</b>	Type A Frontage Ground Story Facade Transparency	Minimum 55% measured between 2' and 8' for average grade of adjacent sidewalk.	Note that Subsection M-3.A.6 requires this treatment to turn corners. Refer to Subsection M-3.H.5 for information on measuring transparency.
<b>18</b>	Required Transparency All Street, Courtyards, & Public Way Facades	Minimum 15%, measured per story of all stories, including blank wall limitations defined in M-3.H.5.	Refer to Subsection M-3.H.5 for information on measuring transparency.
<b>19</b>	Entrance Location & Number	Principal entrance required on Type A frontage facade; entrances required a minimum of one per every 50' of building facade	Refer to Section M-3.H.6 for information on measuring entrance location.
<b>20</b>	Entrance Configuration	Recessed between 3' and 8', maximum 8' wide, from the portion of the Type A frontage facade closest to the street	Refer to Subsection M-4.E.6 for Principal Entryway requirements.
<b>21</b>	Entrance/Ground Story Elevation	80% of entrances and the ground story shall be within 1.5' of adjacent sidewalk elevation	
<b>22</b>	Ground Story Vertical Facade Divisions	One minimum 2" deep expression line per every 30' of facade width	
<b>23</b>	Horizontal Facade Divisions	One minimum 2" deep expression line within 3' of the top of the ground story	Refer to Section M-1.1. <u>Definitions</u> for Expression Line.
<b>24</b>	Permitted Cap Types	Parapet, Pitched, Flat; one Tower permitted per building.	Refer to Section M-3.I for Cap Types, including Towers, and other cap requirements.



**Figure M-3 (6).** Commercial Storefront Building Section: Height & Use Requirements



**Figure M-3 (7).** Storefront Building Elevation: Facade Design Requirements

# M-3. Building Types

General Building Type

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## E. GENERAL BUILDING TYPE

Refer to M-1.A Overview: Regulating Plans for the locations of buildings in the Special Design Area.

		BOULDER JUNCTION PHASE I	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to FIGURE M-3 (8).			
1	Minimum Type A Frontage Build-to Zone Coverage	90% required	One courtyard, maximum of 30% of facade width or 30 feet wide, whichever is less, may count towards Type A Frontage build-to zone coverage.
2	Type A Frontage Build-to Zone	5' to 10' from minimum streetscape, see note right	Minimum 16' and 13' wide streetscape area from back of curb is required adjacent to non-residential and residential ground story uses, respectively, per M-2.C. Street & Public Way Types; build-to zone measurement is from the edge of minimum streetscape.
3	Type B Frontage Build-to Zone	5' to 10' from minimum streetscape, see note right	
4	Minimum Side Setback	5'; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
5	Minimum Rear Setback	10'; 25' required if no alley; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
6	Maximum Building Length along any Public Way	150'	Refer to M-4.ions M-4.H for Building Massing Requirements.
7	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	65% 25%	Refer to Section M-1.I. Definitions for semi-pervious coverage.
8	Surface or Accessory Parking, Refuse & Recycling, Utilities, & Loading Location	Rear yard only	Refer to Section 9-9-12, B.R.C., 1981, for screening requirements.
9	Permitted Driveway Access Locations Permitted Garage Entrance Location	Alley Rear facade only; if no rear facade, Type B Frontage street is permitted	Refer to Subsection M-4.C.2. Driveways for sites without alley access and a hierarchy of permitted driveway locations.
<b>HEIGHT</b> Refer to FIGURE M-3 (9).			
10	Overall: Minimum Height Maximum Height	2 stories 5 stories up to 55' unless otherwise required by M-1.D Regulating Plan and/or M-1.E. View Corridors	Refer to Subsections M-3.H.3 Measuring Height and M-4.H for Building Massing requirements. Subsection M-3.I.5 Tower allows additional height in a limited footprint.
11	All Stories: Minimum Height Maximum Height	9' 18'	Stories are measured floor to floor. Refer to Subsection M-3.H.4 for explanation of measurement.
<b>USES</b> Refer to FIGURE M-3 (9).			

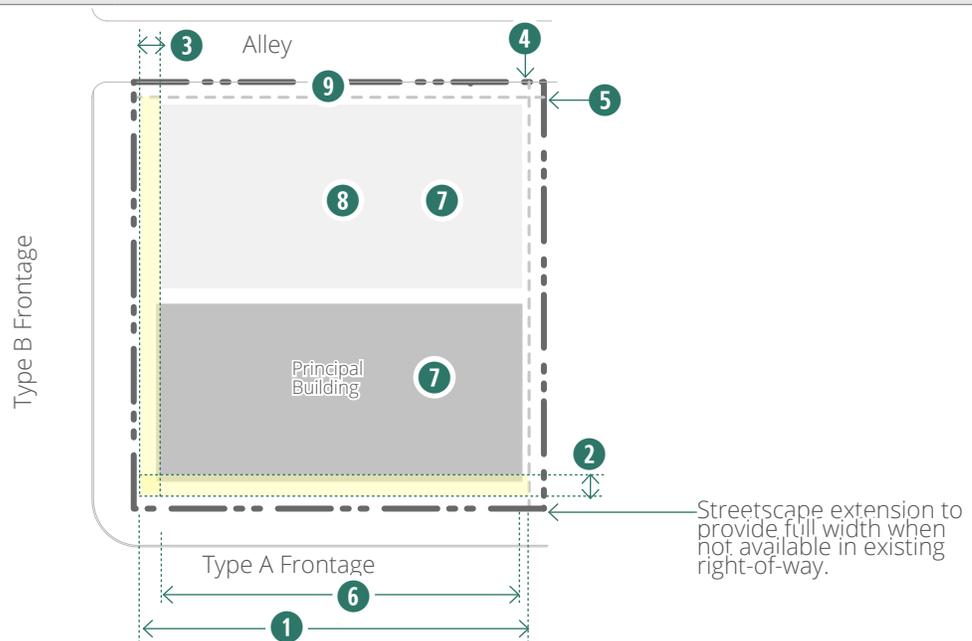


Figure M-3 (8). General Building: Building Siting

	BOULDER JUNCTION PHASE I	REFERENCES/ ADDITIONAL REQUIREMENTS
13 Type A Frontage Ground Story	Where Storefront is required per M-4.D Regulating Plan; limited to dining & entertainment, personal service, retail uses consistent with Chapter 9-6	Refer to Chapter 9-6, B.R.C., 1981, for permitted uses per zoning district and definition of uses.
14 All Frontages & Stories	All uses consistent with Chapter 9-6	
15 Required Occupied Building Space	Minimum 20' deep on all full height floors from any street facade	
16 Parking within Building	Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.	Refer to Occupied Building Space requirement above.
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to FIGURE M-3 (10).		
17 Type A Frontage Ground Story Facade Transparency	Where Storefront is required per M-1.G. Regulating Plans, minimum 75% required between 2' and 10' of facade, minimum of 60 feet along facade from building corner.	Note that Subsection M-3.A.6 requires this treatment to turn corners. Refer to Subsection M-3.H.5 for information on measuring transparency.
18 Required Transparency All Street, Courtyards, Rail Way?, & Public Way Facades	Minimum 20%, measured per story of all stories, including blank wall limitations defined in M-3.H.5.	Refer to Subsection M-3.H.5 for information on measuring transparency.
19 Entrance Location & Number	Principal entrance required on Type A frontage facade: entrances required a minimum of one per every 50' of building facade. Where Storefront is required per M-1.G. Regulating Plans, one entrance per 60 feet of storefront area.	Refer to Section M-3.H.6 for information on measuring entrance location.
20 Entrance Configuration	Entry doors shall be off a stoop, minimum 6' wide and 3' deep. Where Storefront is required per M-1.G. Regulating Plans, recessed between 3' and 8', maximum 8' wide, from the portion of the Type A frontage facade closest to street.	Refer to Section M-1.I. Definitions for Stoop and Porch. Refer to Subsection M-4.E.6 for Principal Entryway requirements.
21 Entrance/Ground Story Elevation	80% of entrances and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with visible basement (transparency required)	Exception: Entrances along Goose Creek frontage shall be located in reference to the elevation of 30th Street, Carbon Place, and/or Junction Place, whichever is closest.
22 Ground Story Vertical Facade Divisions	One minimum 2" deep expression line per every 60' of facade width	Refer to Section M-1.I. Definitions for Expression Line.
23 Horizontal Facade Divisions	One minimum 2" deep expression line within 3' of the top of the ground story and the bottom of any 5th story	
24 Permitted Cap Types	Parapet, Pitched, Flat; No more than 2 Towers permitted within 15' of any Type A or Type B frontage facade; 2 additional Towers permitted beyond the facades.	Refer to Section M-3.I for Cap Types, including Towers, and other cap requirements.

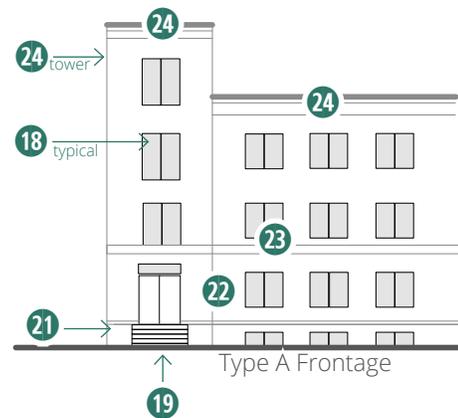
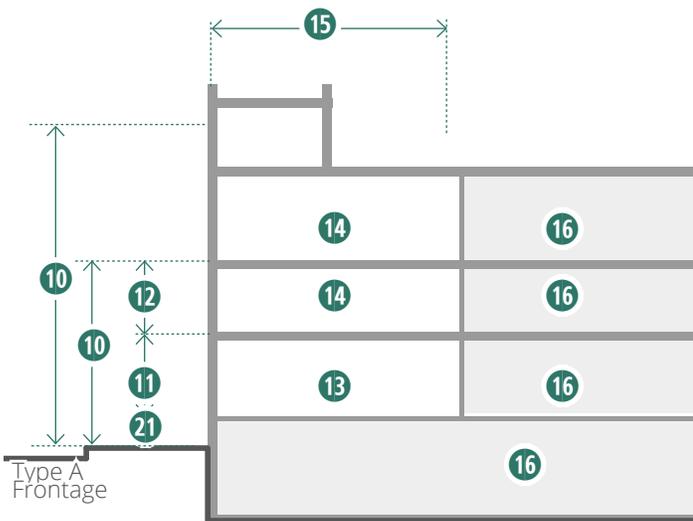


Figure M-3 (9). General Building: Height & Use Requirements

Figure M-3 (10). General Building: Facade Design Requirements

# M-3. Building Types

## Row Building Type

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1 Note that this would not permit the row buildings backing up to Bluff nor the buildings south of Foundry Place without a green roof or other change - allow more site coverage with public space requirement?

### F. ROW BUILDING TYPE

Refer to M-1.A Overview: Regulating Plans for the locations of buildings in the Special Design Area.

		BOULDER JUNCTION PHASE I	REFERENCES/ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to FIGURE M-3 (11).			For the purposes of the Row Building, a building consists of multiple vertical units.
1	Minimum Type A Frontage Build-to Zone Coverage	80% required	Each unit shall have a facade located within the build-to zone, except 1 of every 3 units may front a courtyard or public outdoor space type. Courtyards, maximum 30 feet wide, may count towards Type A Frontage build-to zone coverage.
2	Type A Frontage Build-to Zone	5' to 15' from minimum streetscape, see note right	Minimum 16' and 13' wide streetscape area from back of curb is required adjacent to non-residential and residential ground story uses, respectively, per M-2.C, Street & Public Way Types; build-to zone measurement is from the edge of minimum streetscape.
3	Type B Frontage Build-to Zone	5' to 15' from minimum streetscape, see note right	
4	Minimum Side Setback	7.5'; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C, Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
5	Minimum Rear Setback	20'; 30' if no alley; 5' for detached garage	Refer to Sections M-2.C, Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
6	Maximum Building Length Space between Buildings	Maximum 6 units or 120', whichever is less. Paseo or multi-use path is required between buildings.	Refer to Sections M-2.C, Street & Public Way Types for Paseo and Multi-Use Path required easement widths; Refer to Section M-4.H for Building Massing Requirements.
7	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	60% 20% <sup>1</sup>	Refer to Section M-1.J, Definitions for semi-pervious coverage.
8	Minimum Yard Area	Minimum 225 square feet rear yard required for each unit not fronting a courtyard or public outdoor space type.	Minimum yard area shall meet the standards of one of the applicable types of useable open space specified in Subsection 9-9-11(e), B.R.C., 1981.
9	Surface or Accessory Parking, Refuse & Recycling, Utilities, & Loading Location	Rear yard only	Refer to Section 9-9-12, B.R.C., 1981, for screening requirements.
10	Permitted Driveway Access Locations Permitted Garage Entrance Location	Alley Rear facade only; if no rear facade, one shared entrance off a Type B Frontage street is permitted.	Refer to Subsection M-4.C.2, Driveways for sites without alley access and a hierarchy of permitted driveway locations.

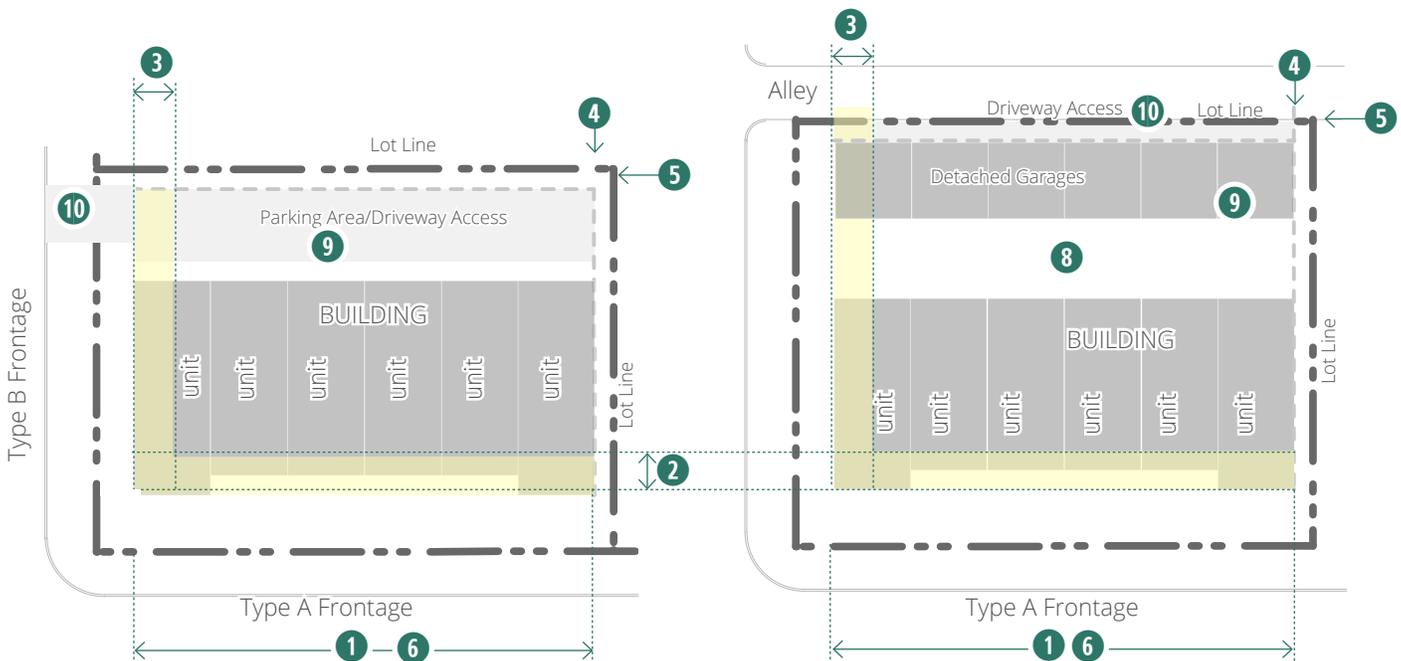
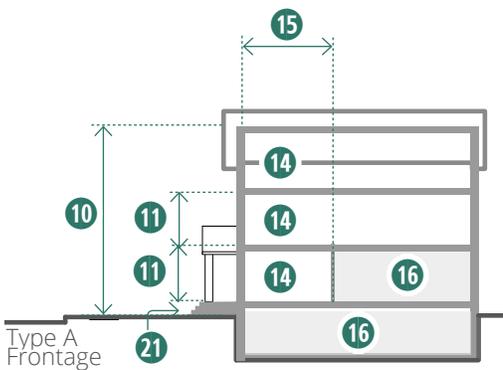


Figure M-3 (11). Row Building: Building Siting

**BOULDER JUNCTION PHASE I**

**REFERENCES/ADDITIONAL REQUIREMENTS**

<b>HEIGHT</b> Refer to FIGURE M-3 (12).			
<b>11</b>	Overall: Minimum Height Maximum Height	2 stories 3.5 stories, maximum 35'	Refer to Subsections M-3.H.3 Measuring Height and M-4.H for Building Massing requirements. Subsection M-3.I.5 Tower allows additional height in a limited footprint.
<b>12</b>	All Stories: Minimum Height Maximum Height	9' 16'	Stories are measured floor to floor. Refer to Subsection M-3.H.4 for explanation of measurement.
<b>USES</b> Refer to FIGURE M-3 (12).			
<b>14</b>	All Frontages & Stories	All uses consistent with Chapter 9-6	Refer to Chapter 9-6, B.R.C., 1981, for permitted uses per zoning district and definition of uses.
<b>15</b>	Required Occupied Building Space	Minimum 20' deep on all full height floors from any Type A street facade	Refer to Section M-1.I. Definitions for Occupied Building Space.
<b>16</b>	Parking within Building	Permitted fully in any basement and in rear of ground story. Prohibited where occupied space is required.	Refer to Occupied Building Space requirement above.
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to FIGURE M-3 (13).			
<b>18</b>	Required Transparency All Street, Courtyards, Rail Way?, & Public Way Facades	Minimum 20%, measured per story of all stories, including blank wall limitations defined in M-3.H.5.	Refer to Subsection M-3.H.5 for information on measuring transparency.
<b>19</b>	Entrance Location & Number	One entrance required per unit on the Type A frontage facade; minimum of one principal entrance per 30' of facade.	Refer to Section M-3.H.6 for information on measuring entrance location.
<b>20</b>	Entrance Configuration	Entry doors shall be off a stoop, minimum 4' wide and 3' deep, OR a porch, minimum 8' wide & 5' deep. No more than 2 entry doors may be located off each stoop or porch.	Refer to Section M-1.I. Definitions for Stoop and Porch. Refer to Subsection M-4.E.6 for Principal Entryway requirements.
<b>21</b>	Entrance/Ground Story Elevation on Type A Frontage Facade	All Type A frontage facade entrances and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with visible basement (transparency required)	
<b>22</b>	Ground Story Vertical Facade Divisions	One minimum 2" deep expression line per every 60' of facade width or every 2 units, whichever is less	Refer to Section M-1.I. Definitions for Expression Line.
<b>23</b>	Horizontal Facade Divisions	One minimum 2" deep expression line within 3' of any Visible Basement	
<b>24</b>	Permitted Cap Types	Parapet, Pitched, Flat; One tower is permitted per building.	Refer to Section M-3.I for Cap Types, including Towers, and other cap requirements.



**Figure M-3 (12).** Row Building: Height & Use Requirements



**Figure M-3 (13).** Row Building: Facade Design Requirements

# M-3. Building Types

## Civic Building Type

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### G. CIVIC BUILDING TYPE

The Civic building type is not mapped on the Regulating Plans, but is permitted in any location, limited by the permitted uses inside. Refer to M-1.A Overview: Regulating Plans.

		BOULDER JUNCTION PHASE I	REFERENCES/ ADDITIONAL REQUIREMENTS
<b>BUILDING SITING</b> Refer to FIGURE M-3 (14).			
1	Minimum Type A Frontage Coverage	none required	.
2	Type A Frontage Minimum Setback	20'	Minimum 16' wide streetscape area is required adjacent.
3	Type B Frontage Minimum Setback	15'	
4	Minimum Side Setback	15'; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
5	Minimum Rear Setback	15'; 0' required at Paseo or Multi-Use Path	Refer to Sections M-2.C. Street & Public Way Types for Paseo and Multi-Use Path required easement widths.
6	Maximum Building Length	None required	Refer to Section M-4.H for Building Massing Requirements.
7	Maximum Site Impervious Coverage Additional Semi-Pervious Coverage	50% 20%	Refer to Section M-1.J. Definitions for semi-pervious coverage.
8	Surface or Accessory Parking, Refuse & Recycling, Utilities, & Loading Location	Rear yard only	Refer to Section 9-9-12, B.R.C., 1981, for screening requirements.
9	Permitted Driveway Access Locations Permitted Garage Entrance Location	Alley Rear facade only; if no rear facade, Type B Frontage street is permitted	Refer to Subsection M-4.C.2. Driveways for sites without alley access and a hierarchy of permitted driveway locations.
<b>HEIGHT</b> Refer to FIGURE M-3 (15).			
10	Overall: Minimum Height Maximum Height	1 stories 5 stories up to 55'	Refer to Subsections M-3.H.3 Measuring Height and M-4.H for Building Massing requirements. Subsection M-3.I.5 Tower allows additional height in a limited footprint.
11	All Stories: Minimum Height Maximum Height	9' 18'; 24' on single story building	Stories are measured floor to floor. Refer to Subsection M-3.H.4 for explanation of measurement.

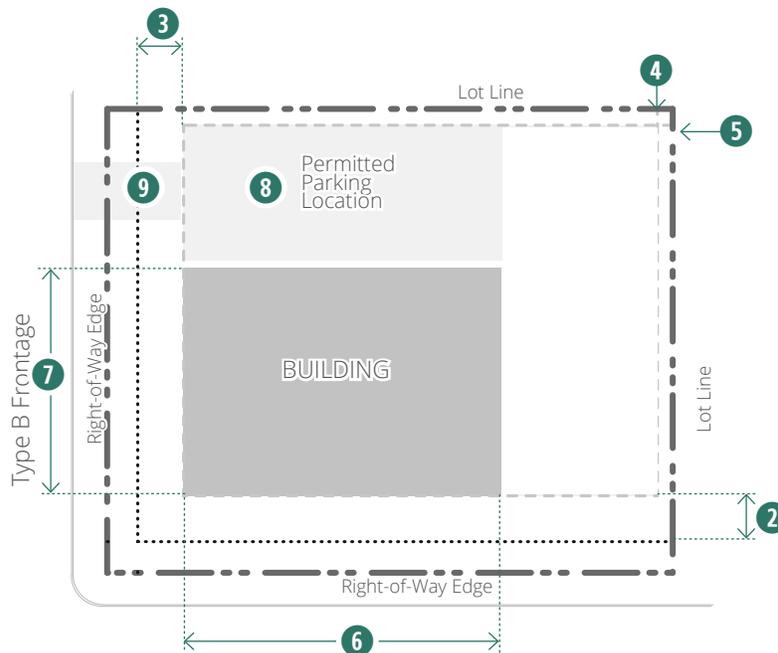


Figure M-3 (14). Civic Building: Building Siting

<b>BOULDER JUNCTION PHASE I</b>		<b>REFERENCES/ ADDITIONAL REQUIREMENTS</b>
<b>USES</b> Refer to FIGURE M-3 (15).		
<b>14</b> All Frontages & Stories	Limited to museum, theater, governmental facilities, religious assemblies, <b>transportation stations</b> , park & recreation uses, <b>public schools consistent with Chapter 9-6</b>	Refer to Chapter 9-6, B.R.C., 1981, for permitted uses per zoning district and definition of uses.
<b>15</b> Required Occupied Building Space	Minimum 20' deep on all full height floors from any street facade	Refer to Section M-1.1. <u>Definitions</u> for Occupied Building Space.
<b>16</b> Parking within Building	Permitted fully in any basement and in rear of all other stories. Prohibited where occupied space is required.	Refer to Occupied Building Space requirement above.
<b>FACADE &amp; CAP REQUIREMENTS</b> Refer to FIGURE M-3 (16).		
<b>18</b> Required Transparency All Street, Courtyards, <b>Rail Way?</b> , & Public Way Facades	Minimum 15%, measured per story of all stories.	Refer to Subsection M-3.H.5 for information on measuring transparency.
<b>19</b> Entrance Location & Number	Principal entrance required on Type A frontage facade	Refer to Section M-3.H.6 for information on measuring entrance location.
<b>20</b> Entrance Configuration	No requirement other than principal entryway requirements per M-4	Refer to Subsection M-4.E.6 for Principal Entryway requirements.
<b>21</b> Entrance/Ground Story Elevation	80% of entrances and the ground story shall be within 30" of adjacent street sidewalk average elevation OR between 30" and 5' with visible basement (transparency required)	Exception: Entrances along Goose Creek frontage shall be located in reference to 30th Street, Carbon Place, and/or Junction Place, whichever is closest.
<b>22</b> Ground Story Vertical Facade Divisions	No requirement	Refer to Section M-1.1. <u>Definitions</u> for Expression Line.
<b>23</b> Horizontal Facade Divisions	No requirement	
<b>24</b> Permitted Cap Types	Parapet, Pitched, Flat, <b>other with minor design exception</b> ; No more than 2 Towers permitted within 15' of any Type A or Type B frontage facade; 2 additional Towers permitted beyond the facades	Refer to Section M-3.I for Cap Types, including Towers, and other cap requirements.

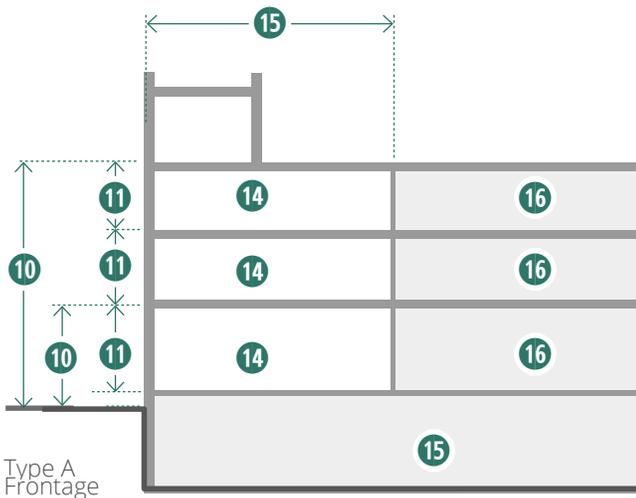


Figure M-3 (15). Civic Building: Height & Use Requirements

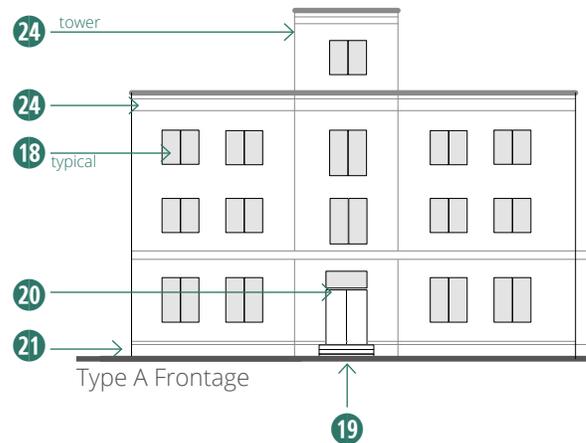


Figure M-3 (16). Civic Building: Facade Design Requirements

# M-3. Building Types

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## Measurement of Building Type Requirements

### H. MEASUREMENT OF BUILDING TYPE REQUIREMENTS

The standards outlined in the tables in Sections M-3.C through G, applicable to each building type, shall be measured and calculated consistent with the provisions of the following:

1. **Minimum Type A Frontage Lot Line Coverage.**  
The minimum percentage of building facade along the Type A Frontage of a lot is measured as follows:
  - a. **Measurement.** The minimum front lot line coverage shall, at a minimum, equal the width of the principal structures (as measured within the build-to zone along the frontage edge), divided by the length of the frontage parallel to the property line following the street minus setbacks. Refer to Figure M-3 (17). Minimum Type A Frontage Coverage.
  - b. **Courtyards.** For some building types, courtyards located along the facade in the build-to zone count towards the minimum coverage. Refer to Building Type requirements.

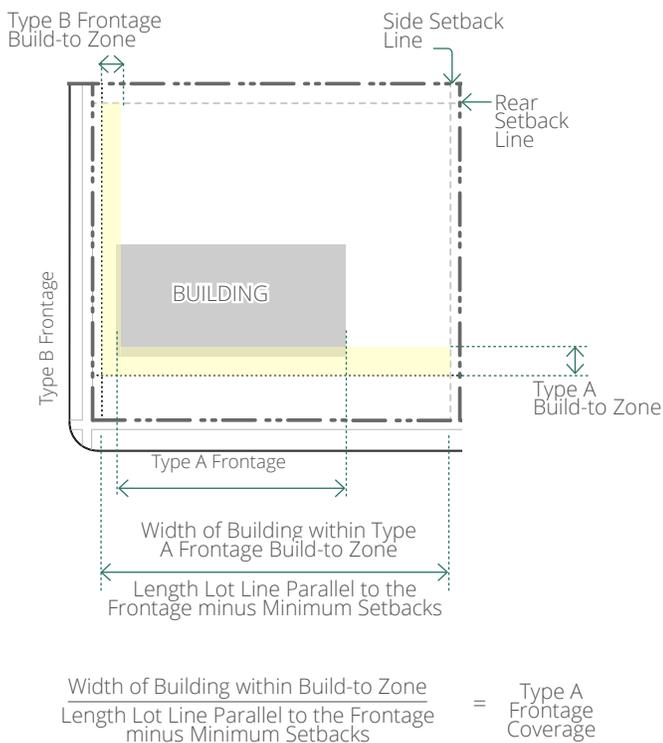


Figure M-3 (17). Minimum Type A Frontage Coverage

- c. **Public Outdoor Space Type.** Open spaces per public outdoor space type requirements are exempt from minimum Type A frontage lot line coverage.
2. **Build-to Zone.** The build-to zone shall be calculated and measured as follows. Refer to Figure M-3 (18). Build-to Zones.
  - a. **Measurement.** The build-to zone for all frontages is measured from the property line parallel to the frontage, unless additional streetscape area is required per Section M-2.C. Street & Public Way Types.
  - b. **Additional Streetscape Area.** When additional streetscape area is required per Section M-2.C. Street & Public Way Types, the build-to zone is measured from the edge of the required streetscape onto the site.
  - c. **Encroachments.** Awnings, architectural projections, balconies, and building mounted signage may extend beyond the build-to zone into any yard area, but shall not extend into the street right-of-way unless approved with a revocable permit or lease, as applicable.

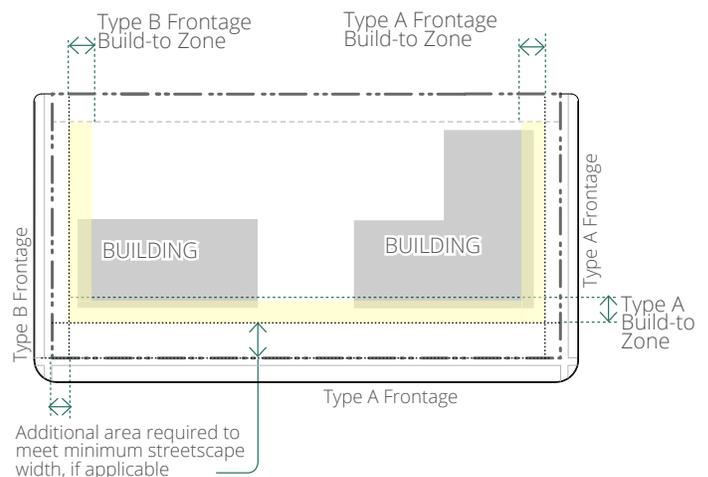


Figure M-3 (18). Build-to Zones

**3. Overall Minimum and Maximum Height.** (Refer to Figure M-3 (19). Measuring Stories with Floor-to-Floor Height).

- a. **Minimum Overall Height.** Each building type requires a minimum number of stories. The building must meet the minimum required height along all Type A frontage facades and measured a minimum of 30 feet deep into the building.
- b. **Maximum Overall Height.** Maximum heights are specified both in number of stories and overall dimension. This requirement applies to the entire building.
  - i. **Towers.** Where specifically allowed in the building type tables, Sections M-3.C through G, towers may exceed the overall maximum height per Section M-3.I. Cap Types.
  - ii. **Cap Type.** Where specified in Section M-3.I. Cap Types, certain cap types may allow additional height.
  - iii. **Maximum Heights per the City Charter and Land Use Code.** Refer to Sec. 84 of the

city charter for information on measuring overall maximum height, section 9-8-5, "Building Height," B.R.C. 1981, and the definitions of "Height" within chapter 9-16, "Definition," B.R.C. 1981.

- iv. **View Corridors.** Refer to M-1.D Regulating Plan and M-1.E. View Corridors for locations where maximum heights may be restricted due to preservation of certain view corridors.

**c. Two Half Stories.** Refer to chapter 9-16, B.R.C. 1981, for definition of a half story. A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.

**4. Minimum & Maximum Height per Story.** Each story is measured with a range of permitted floor-to-floor heights. Refer to Figure M-3 (19). Measuring Stories with Floor-to-Floor Height.

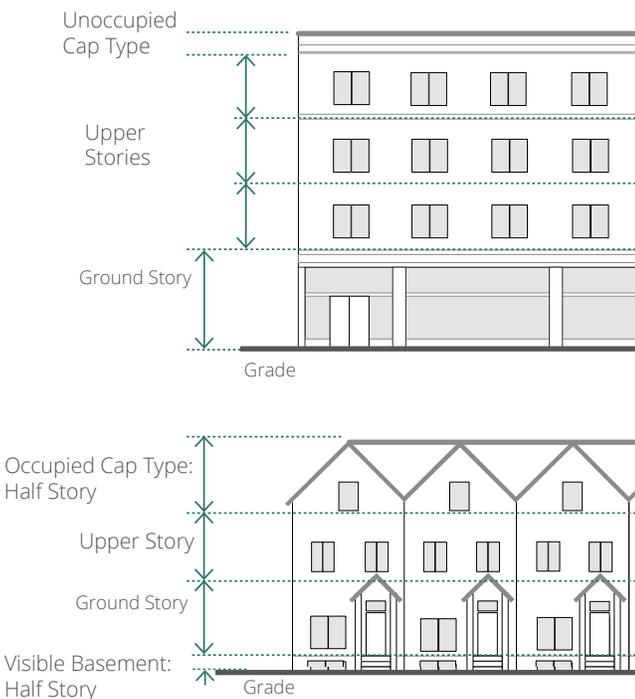
**a. Measurement.** Floor height shall be measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required to be met along facades, a minimum of 80 percent of each story.

**b. Single Story Buildings & Top Floor**

**Measurement.** For single story buildings and the uppermost story of a multiple story building, the range of allowable floor-to-floor height shall be one foot less than that required per building type. The measurement shall be from the floor of the story to the ceiling.

**c. Mezzanines.** Mezzanines may be included within the floor-to-floor height of any story, included in the calculation of stories. Mezzanines occupying more than 30 percent of the floor area below and extending above the story's allowable floor-to-floor height shall count as an additional story, including articulation of the story per Section M-4.G. Building Articulation.

**d. Taller Spaces.** Spaces exceeding the allowable floor-to-floor heights of the building type are not permitted on Type A Frontage facades. These spaces are unlimited on interior lots and Type B Frontage facades.



**Figure M-3 (19).** Measuring Stories with Floor-to-Floor Height

# M-3. Building Types

## Measurement of Building Type Requirements

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**5. Minimum Required Transparency.** Per the requirements of each building type, a minimum amount of transparency is required on all stories of street, courtyard, and public way facades.

**a. Measurement.** Minimum facade transparency is measured from floor-to-floor of each story separately, except for required minimum ground story transparency (refer to Subsection M-3.H.5.d., below). Refer to Figure M-3 (20). Measuring Minimum Facade Transparency, defined in chapter 9-16 “Definitions”, B.R.C. 1981, includes windows and any glass in doors that is highly transparent with low reflectance. The measurement may include the frame, mullions, and muntins, but shall not include trim or casing.

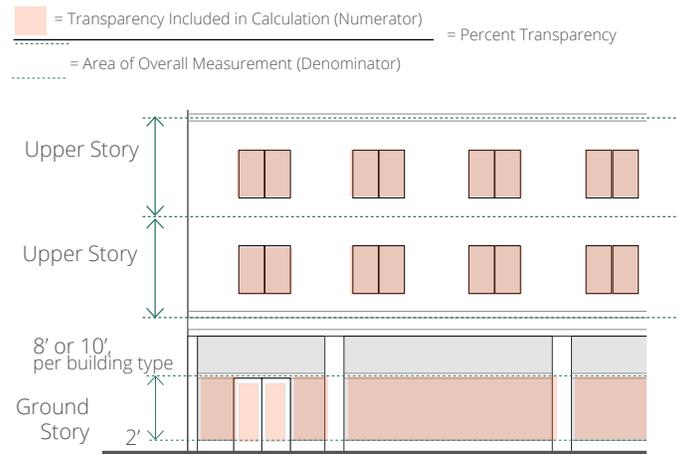
**b. Blank Wall Segments.** No rectangular area greater than 30% of the story’s facade, as measured floor to floor, shall be without transparency. And, no horizontal segment of a story’s facade greater than 15 feet in width shall be without transparency. Refer to Figure M-3 (21). Measuring Blank Wall Limitations.

**c. Exception.** When the facade of any story is located less than 6 feet from another parallel building facade, no minimum transparency is required for that story.

**d. Minimum Ground Story Transparency.** When required by the building type tables, Sections M-3.C through G, ground story transparency shall be measured between 2 feet and either 8 or 10 feet, as specified per building type, from the average grade at the base of the facade. Minimum ground story transparency supersedes the overall minimum transparency required for the building type.

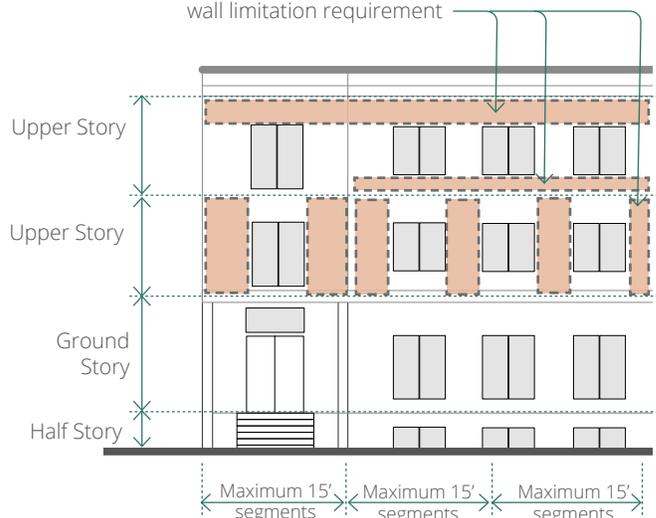
**e. Tall Stories.** Stories that are 18 feet or taller in height shall include additional transparency as follows. Refer to Figure M-3 (22). Transparency on Tall Stories.

- i. **Separate Ground Story Transparency Required.** When a separate minimum ground story transparency is required per the building types requirements (Sections M-3.C through G), the facade design shall fulfill that requirement in addition to a minimum of 25 percent transparency for the remainder of the ground story.
- ii. **No Separate Ground Story Transparency Required.** When no separate ground story transparency is required per the building

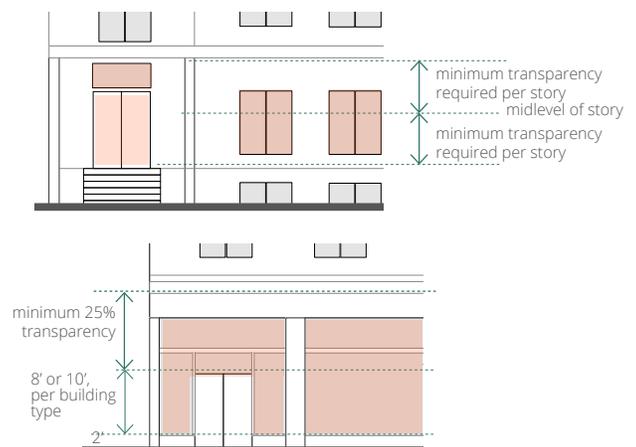


**Figure M-3 (20).** Measuring Minimum Facade Transparency

Examples of rectangular areas measured per story on a building facade, meeting the blank wall limitation requirement



**Figure M-3 (21).** Measuring Blank Wall Limitations



**Figure M-3 (22).** Transparency on Tall Stories

types requirements (Sections M-3.C through G), the story shall be treated as two separate stories, dividing in half horizontally, with the minimum transparency per story applied to each half.

**f. Half Stories.** All half stories located within roof structure and visible basements are required to meet the minimum required transparency.

### 6. Minimum Number of Required Entrances.

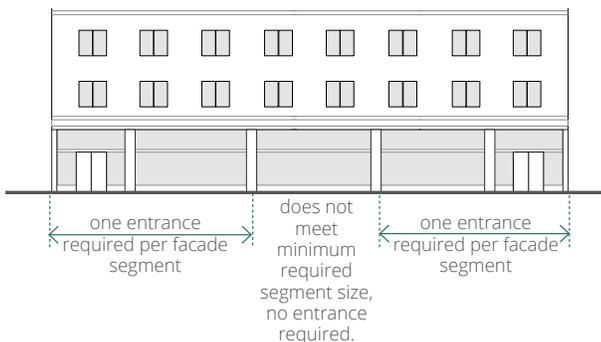
The number of entrances is required along Type A frontages, spaced per the building type requirements. For each increment of facade, one entrance is required. Refer to Figure M-3 (23). Number of Required Entrances

### I. CAP TYPES

The major components of any roof shall meet the requirements of one of the cap types permitted for the building type. Roofs for bay or bow windows and dormers are not required to meet a cap type.

**1. Other Cap Types.** Special cap designs may be submitted for a **minor design exception** during the design review process with the following requirements:

- a. The building shall warrant a separate status from the fabric of surrounding buildings, with a correspondence between the form of the cap and the meaning of the building use, such as a dome for a planetarium or a unique roof for a civic building type.
- b. The cap type shall not create additional occupiable space beyond that permitted by the building type.
- c. The shape of the roof shall be different from those defined in this section M-3.I. Cap Types, such as a dome, spire, or vault, and not a gabled roof, hipped roof, butterfly roof, gambrel roof, mansard roof, roof with parapet, flat roof.



**Figure M-3 (23).** Number of Required Entrances

# M-3. Building Types

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## Cap Types

2. **Pitched Cap Type.** The pitched cap type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run as shown in Figure M-3 (24). Examples of Pitched Cap Type.

a. **Pitch Measure.** The roof shall not be sloped less than a 4:12 (rise:run) or more than 14:12. Slopes less than 4:12 are permitted to occur on second story or higher roofs.

b. **Configurations.**

- i. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
- ii. Butterfly (inverted gable roof) and shed roofs are permitted with a maximum height of 8 feet, inclusive of any overhang.
- iii. **Gambrel and mansard roofs are not permitted.**

c. **Parallel Ridge Line.** A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. (Refer to Figure M-3 (24). Examples of Pitched Cap Type.).

d. **Roof Height.** Roofs without occupied building space and/or dormers shall have a maximum height on Type A and Type B Frontage facades equal to no more than 1.5 times the upper story floor to floor height utilized on the building.

e. **Occupied Building Space.** Occupied building space may be incorporated within the pitched cap type. If occupied, the space counts as a half story.

f. **Rooftop Appurtenances.** Any rooftop appurtenances shall be recessed within the pitched roof with no visibility on any street elevation drawing. Refer to Sec. 9-7-7 for additional requirements.

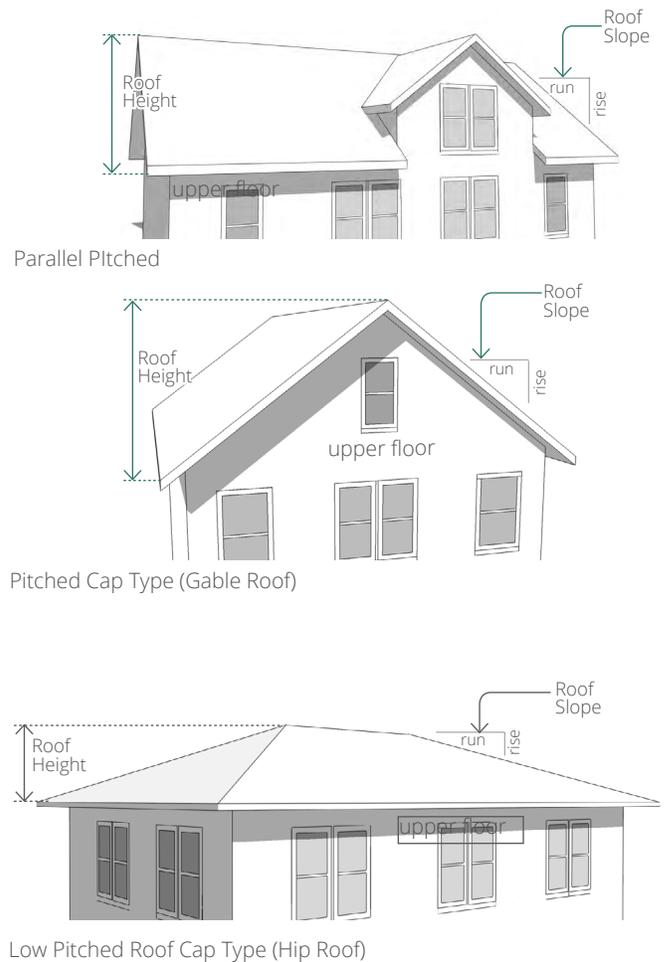
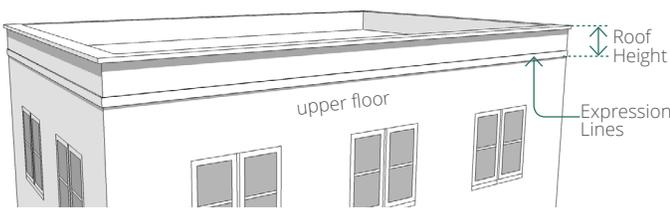


Figure M-3 (24). Examples of Pitched Cap Type

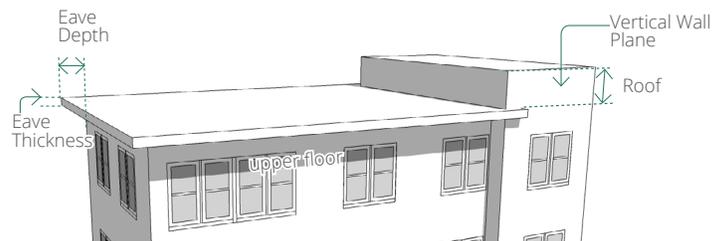
- 3. **Parapet Cap Type.** A parapet is a low wall projecting above a building's roof along the perimeter of the building as shown in [Figure M-3 \(25\)](#). Example of a Parapet Cap Type.
  - a. **Parapet Height.** Parapet height is measured from the top of the upper story to the top of the parapet.
    - i. **General Parapet Heights.** Minimum parapet height is 2 feet with a maximum height of 6 feet.
    - ii. **Parapets Exceeding 55 foot Height.** The city manager may approve a parapet causing the building height to exceed the maximum permitted height pursuant to Section 9-7-7, B.R.C., 1981.<sup>1</sup>
  - b. **Horizontal Expression Lines.** A minimum 2" deep expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
  - c. **Occupied Building Space.** No building shall have occupied space behind a parapet cap.
  - d. **Rooftop Appurtenances.** Any rooftop appurtenances shall be located towards the rear or interior of the parapet roof. The parapet shall screen the mechanicals from the elevation of the sidewalk across the street within the permitted overall heights of the building and parapet. Refer to Sec. 9-7-7 for additional requirements.

- 4. **Flat Cap Type.** The flat cap type has a visually flat roof with overhanging eaves as shown in [Figure M-3 \(26\)](#). Example of a Flat Cap Type.
  - a. **Configuration.** The roof shall have no visible slope from the street and eaves are required on all Type A and Type B Frontage facades.
  - b. **Eave Depth.** Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.
  - c. **Eave Thickness.** Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of 6 inches thick.
  - d. **Interrupting Vertical Walls.** Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap with the following requirements:
    - i. No more than one-third of the front facade shall consist of an interrupting vertical wall.
    - ii. Vertical walls shall extend no more than 8 feet above the top of the eave. Refer to [M-5.F. Building Proportions](#).
  - e. **Occupied Building Space.** No building shall have occupied space behind a flat cap.
  - f. **Rooftop Appurtenances.** Any rooftop appurtenances shall be located behind the interrupting vertical wall with no visibility on any street elevation drawing. Refer to Sec. 9-7-7 for additional requirements.

<sup>1</sup> 18" over the 55' height is permitted per 9-7-7 with special approval. This is not high enough proportionately for a parapet, if they max out the building spaces at 55 feet.



**Figure M-3 (25).** Example of a Parapet Cap Type



**Figure M-3 (26).** Example of a Flat Cap Type

# M-3. Building Types

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## Cap Types

5. **Towers.** A tower is a vertical element, polygonal (simple), rectilinear or cylindrical in plan that shall be used with other cap types. Refer to [Figure M-3 \(27\)](#). Example of a Tower.
- a. **Quantity.** The number of towers permitted on each building type is specified in the building type tables (M-3.C through G). Tower locations include the following:
    - i. **Towers close to the facade.** When specified per building type, the number of towers permitted close to the facade are associated with the facade design and will be visible from the street.
    - ii. **Additional Towers.** When specified per building type, additional functional towers, located beyond the facade a minimum of 15 feet and spaced a minimum of 30 feet apart, may be permitted, utilities, or provide locations for viewing the mountains or other scenery.
    - iii. **Flexible Location.** If permitted without any location limitations, the number of permitted towers may be located anywhere on the building.
  - b. **Tower Height.** The maximum tower height, measured from the top of the parapet or eave to the top of the tower shaft not including the cap, shall be the equivalent of the height of one upper floor of the building to which the tower is applied.
  - c. **Additional Height.** Towers may add a single story of additional height beyond the maximum height allowed per building type provided the following standards are met:
    - i. **Maximum Building Height of 35 feet.** For buildings where the maximum height is limited to 35 feet, the tower is permitted to exceed that height by one story plus the height of the cap, not to exceed 55 feet.
    - ii. **Maximum Building Height of 55 feet.** For buildings where the maximum height is 55 feet (per the city charter), the tower is permitted to exceed that height by 18' with a pitched cap and 14' with a parapet or flat cap. Occupied building space is not permitted in this tower.<sup>1</sup>
  - d. **Tower Width.** The maximum tower width along all facades shall be one-third the width of the front facade or 30 feet, whichever is less. Refer to Section [M-5.F. Building Proportions](#).
  - e. **Tower Spacing.** Towers shall be spaced from other towers no less than 60 feet, but no less than 120 feet along a Type A or Type B Frontage facade.
  - f. **Transparency.** Towers that meet the minimum floor-to-floor to height of the building type and are located within 30 feet of a facade shall meet the minimum transparency requirements of the building.
  - g. **Horizontal Expression Lines.** An minimum 2" deep expression line is required between the 4th and 5th stories of any tower and at the cap of the tower.
  - h. **Occupied Building Space.** Towers with minimum floor to floor heights required by the building type may be occupied by the same uses allowed in upper stories of the building type to which it is attached, with the exception of towers exceeding height limits per Subsection [M-3.1.5.c.ii](#).
  - i. **Rooftop Appurtenances.** No rooftop appurtenances are permitted on tower roofs.
  - j. **Tower Cap.** The tower shall be capped by a cap permitted on the building per the building type.

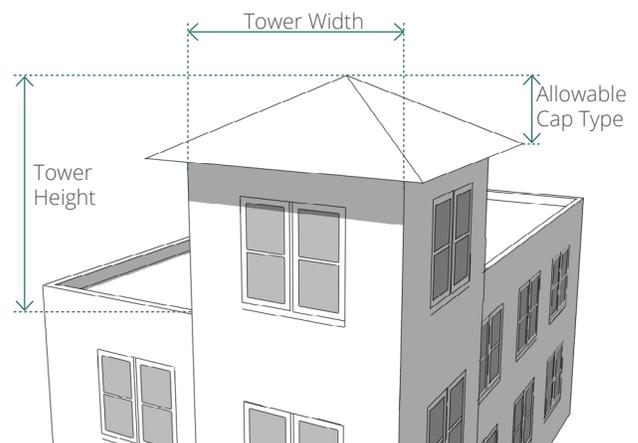


Figure M-3 (27). Example of a Tower

<sup>1</sup> Verify permissibility with CAO, but this would provide additional height variability.

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# M-4. Site & Building Design

# M-4. Site & Building Design

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## Applicability

### A. APPLICABILITY

The following outlines general design requirements applicable to all building sites and facades within the Special Design Area.

### B. INTENT

The intent of the requirements in this Section M-4, is to address each building's design, elicit high quality buildings, enhance the pedestrian experience, maintain an appropriate scale, and implement the vision for the area as defined in current plans.

All buildings are intended to be articulated in a simple, honest manner at human-scaled dimensions.

1. **Simple.** Simple means the buildings shall be organized and easy to understand and comprehend, through the use of repetition, regularity, and clear hierarchy.
2. **Honest.** Honest means the buildings shall clearly articulate their structure and function through the use of real, ideally natural materials. Entrances, stories, and potentially technology should be apparent in the design.
3. **Human-Scaled.** Human-scaled means the buildings shall be scaled to people. A more fine-grained design approach shall be used, particularly on the ground story where people walk adjacent to the building.

### C. SITE DESIGN REQUIREMENTS

1. **Treatment of Build-to Zones, Yards, & Setbacks.** All build-to zones not occupied by building, all minimum setbacks, and all yards shall be treated as follows:
  - a. **Vehicular Areas.** Surface parking lots, driveways, mechanicals, refuse/recycling areas, and loading spaces are not permitted within any build-to zone or minimum setback.
  - b. **Driveways.** Driveways may cross perpendicularly through build-to zones and setbacks, when permitted per Subsection M-4.C.2 Driveways, below, or to connect to a parking lot on abutting lots.
  - c. **Site Open Space Areas.** Build-to zones, setbacks, and yards, with the exception of parking, driveways, loading facilities, mechanicals, and refuse/recycling spaces, shall meet the standards of one of the applicable types of useable open space specified in Sec. 9-9-11(e), and meeting Sec. 9-9-11(a) Purpose of Open Space.

2. **Driveways.** Location of vehicular driveway access is regulated for each Type A and Type B Frontage in Section M-1.G. Regulating Plans. The following supercedes Sec. 9-9-5 (c) Site Access Control.

- a. **Hierarchy for Access Location.**<sup>1</sup> All buildings shall meet the following as shown in Figure M-4 (1). Driveway Locations by Frontage Type. The following hierarchy applies:
  - i. **Alleys or Lanes.** Access from an adjacent alley or lane is unlimited. Construction of new alleys is required per Section M-1.G Regulating Plans.
  - ii. **Type B Frontage Access.** If no alley exists, one driveway entrance may be constructed every 400 linear feet of street frontage or 2 total drive entrances, whichever is less, on each Type B Frontage street.
  - iii. **Type A Street.** If no alley or Type B street exists, one driveway access is permitted on a local Type A street, base street or residential collector street (refer to Subsections M-2.C 1 and 2 respectively).
  - iv. **Two Type A Streets.** If two Type A streets abut the lot and no other access option exists, the access shall be located off the Type A street determined by the city

<sup>1</sup> Incorporates 9-9-5 (d) specific statements regarding the Transit Village access, related to the plan: Site Access in the area that is a part of the Transit Village that is shown on Appendix G of Title 9, "Land Use Regulation," B.R.C. 1981, all properties that request a development approval that includes any additional residential units or the addition of any nonresidential floor area shall take primary vehicular access off of a street that is consistent with the approved Transit Village Connection Plan and that is not a street that is classified as minor arterial or above on the Transportation Master Plan. Secondary vehicular access on a street that is classified as minor arterial or above may be approved if it meets all of the requirements of this section.

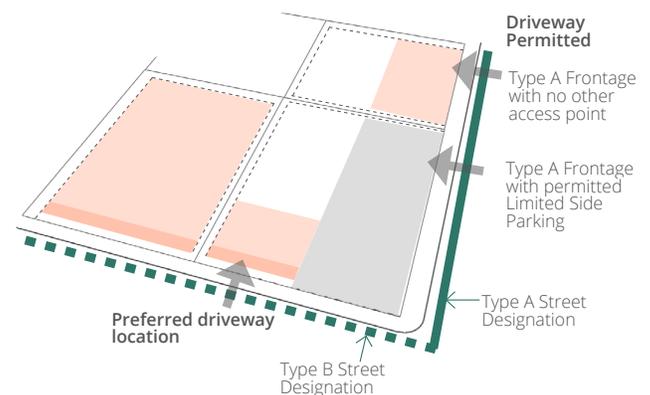


Figure M-4 (1). Driveway Locations by Frontage Type

manager. The city manager shall consider the orientation of other parcels along the street, locations of other vehicular access, the street classification of the street, and considerations in the area plan.

- v. **Type A Minor Arterial or Above.** New driveways off minor arterials or above are not permitted, unless other access is not available. The city manager may permit a second driveway as a minor exception to provide access off a minor arterial or above, based on recommendations from a traffic study.
- b. **Shared Driveways.** Shared driveways are encouraged for all adjacent developments.
- c. **Side Parking off Type A Street.** When side parking with the drive located perpendicular to the street centerline is utilized as permitted by the building type, one driveway is permitted off the Type A street. This driveway counts towards entrances permitted by above (Subsection M-4.C.2.a). The sidewalk paving shall extend across the driveway, signaling priority to the pedestrian.
- d. **Inter-Lot Drives.** When two or more surface parking lots are located adjacent to each other, the parking lots shall be connected with a drive perpendicularly crossing the side and/or rear setback.
- e. **Driveway Width.** Driveways shall be no greater than 24 feet in width at the right-of-way line. Driveways wider than 20 feet shall include landscaped, pedestrian refuge islands with a walk area to reduce the crossing to no more than 22 feet.

**D. FACADE MATERIALS**

- 1. **Intent.** The intent of the following requirements is to require well-tested, high quality, durable, natural materials intended for the majority of finished surfaces, while permitting a wider range of materials for details. Further, the regulations are intended to limit the number of materials to promote simpler, clearly articulated facades.
- 2. **Major Materials.** A minimum of 80 percent of each facade, not including window and door areas, shall be constructed of major materials.
  - a. **Simplicity of Surface Materials.** A minimum of 60 percent of each facade, not including window and door areas, shall be faced of a single major material, with the exception of architectural metal panel systems.
  - b. **Permitted Major Materials.** The following are acceptable major facade materials. Refer to Figure M-4 (2). Acceptable Materials and Figure M-4 (3). Unacceptable Major Materials.
    - i. Stone
    - ii. Brick
    - iii. Already Aged, Natural Cedar, sourced locally or from a similar climate<sup>2</sup>
    - iv. Architectural metal panel systems
  - c. **Prohibited Major Materials.** The following materials are not permitted for use as major materials.
    - i. Exposed, unfinished concrete
    - ii. Synthetic stucco (using foam insulation board)
    - iii. Unfinished wood except as listed above
    - iv. Glass block
    - v. Vinyl siding
    - vi. Plastic, including high-density polyethylene, polyvinyl chloride (PVC), and polycarbonate, panels
    - vii. Fiberglass and acrylic panels
  - d. **Limited Use Major Materials.** The following materials are prohibited except consistent with the following:
    - i. **Economy Bricks.** Brick types larger than 3 inches in height are permitted as major materials on rear, alley, and rail corridor facades.

<sup>2</sup> Any other acceptable woods?

# M-4. Site & Building Design

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## Facade Materials

- ii. **Fiber Cement Board.** Fiber cement lap siding or shingles (such as HardiePlank or HardieShingle or similar) are permitted on the Row building type.
  - iii. **Wood Lap Siding and Shingles.** Painted wood lap siding and wood shingles are permitted on the Row building type.
  - iv. **Cement-Based Stucco.** Cement-based stucco is permitted on all stories above the ground story, and on ground story facades facing rear yards, alleys, or the rail corridor. On the ground story, permitted major materials (per M-4tion M-4.D.2.b, above) shall turn the corner of the ground story facade no less than 30 feet along the adjacent facade.
  - v. **Concrete Masonry Units (CMU).** Burnished, glazed, or honed concrete masonry units (CMU) or block are permitted as major materials on facades facing rear, alley, and the rail corridor. Major materials shall turn the corner of the ground story facade no less than 30 feet along the adjacent facade.
3. **Minor Materials.** Minor materials are limited to trim, details, and other accent areas that combine to 20 percent or less of the total surface of each facade.

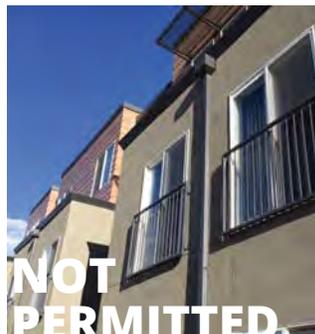
- a. **Major Materials.** All permitted major materials may serve as minor facade materials.
- b. **Permitted Minor Materials.** Permitted minor materials include the following:
  - i. Fiber cement and wood trim pieces
  - ii. Metal for beams, lintels, trim, exposed structure, and other ornamentation
  - iii. Burnished, glazed, or honed concrete masonry units (CMU) or block for columns, trim, and details, and no surfaces except storefront knee walls.
  - iv. Split-face, honed, or glazed concrete masonry units with a height less than 4.5 inches for surfaces less than 10 percent of the facade surface
  - v. Cast stone concrete elements
  - vi. Vinyl for window trim and soffits
  - vii. Glass curtain wall
  - viii. Cement-Based Stucco for surfaces
- c. **Limited Use Minor Materials.** The following materials are permitted as minor surface materials on upper floor facades only:
  - i. Fiber cement lap siding or shingles (such as HardiePlank or HardieShingle or similar)



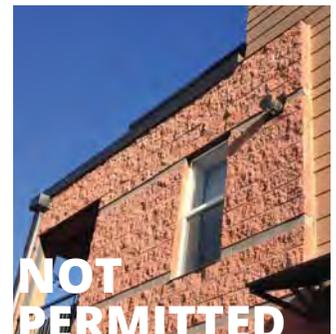
Brick with Metal Details



Architectural Metal Panels



Synthetic Stucco



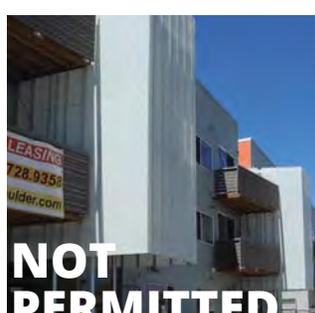
Concrete Masonry Units



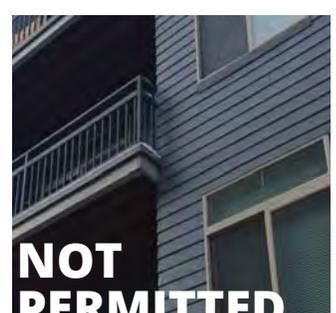
Wood with Metal Details



Cut Stone



Plastic Panels



Vinyl Siding

Figure M-4 (2). Acceptable Materials

Figure M-4 (3). Unacceptable Major Materials

- d. **Prohibited Minor Materials.** The following materials are prohibited for use as minor materials:
  - i. Face-sealed synthetic stucco or exterior insulation and finishing systems (EIFS)
  - ii. Synthetic stucco decorative elements, with the exception of drainage assemblies
- 4. **Other Materials with Approval.** Other high quality materials, not listed, may be requested with a **minor design exception** during the design review approval process. Samples and examples of successful, high quality local installations shall be provided by the applicant. **The materials shall be proven to be durable, high quality, and XXX.**
- 5. **Color.** Dominant building colors shall be from a historic palette from any major paint manufacturer. Other colors may be utilized for details and accents, but shall not exceed a total area larger than 10 percent of the facade surface area.<sup>3</sup>

<sup>3</sup> This is a pretty safe way to limit paint colors from garish colors. While some may want to open it up, per the IPS, colors that were too intense did not score well and were stated as a concern.



**Figure M-4 (4).** Vertically Oriented Windows with Expressed Lintels

**E. BUILDING FACADE ELEMENTS**

- 1. **Windows.** Windows on all buildings shall be constructed per the following requirements as shown in Figure M-4 (4). Vertically Oriented Windows with Expressed Lintels. The following requirements apply to all buildings in the Special Design Areas.
  - a. **Amount.** Percent of transparency is required per building type.
  - b. **Recessed.** On all buildings, all windows, with the exception of ground story storefront systems, shall be recessed with the glass a minimum of 2 inches back from the facade surface material or adjacent trim.
  - c. **Vertically Oriented.** All windows shall be vertically oriented with the following exceptions:
    - i. **Flat Cap Type.** When the flat cap type (refer to Section M-3.I. *Cap Types*) is utilized, horizontally oriented windows are permitted for 30 percent of the total transparency area of each story above the ground story.
    - ii. **Rear & Side Facades.** On rear and side facades, up to 50 percent of the total transparency area of each story may include horizontally oriented windows.
    - iii. **Exception.** Horizontally oriented windows may be requested through the **minor design exception** process when the transparency for each story is exceeded by 40 percent or more, the height of at least 75 percent of the windows is a minimum of 5 feet, and the windows are located no more than 3 feet above the interior floor level.
  - d. **Visibility through Glass.** Reflective glass and glass block are prohibited on street facades. Refer to 9-16 Definitions for permitted reflectance of window and door glass.
  - e. **Operable Windows.** ~~A minimum of 50 percent of the windows on each story of each facade shall be operable.~~<sup>4</sup>
  - f. **Expressed Lintels.** Lintels shall be expressed above all windows and doors, whether by a change in brick coursing or a separate element.

<sup>4</sup> Intent is to provide ready access to outside air and a human connection to the outdoors, but this requirement conflicts with energy code requirements. Could require mechanism to turn off system with open windows. Is it worth requiring?

# M-4. Site & Building Design

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## Building Facade Elements

2. **Awnings.** Refer to [Figure M-4 \(5\)](#). Examples of [Permitted Awnings](#).
  - a. **Material.** All awnings shall be canvas or metal. Plastic cloth awnings are prohibited. Solar awnings are permitted.
  - b. **Shapes.** Waterfall or convex, dome, and elongated dome awnings are prohibited.
  - c. **Lighting.** Backlit awnings are prohibited.
  - d. **Supports.** Frames shall be metal and shall be wall mounted. Support poles are prohibited unless utilized for outdoor eating areas over 8 feet in depth.
  - e. **Clearance.** All portions of any awning shall provide at least 8 feet of clearance over any walkway and shall not extend over any driveway.
  - f. **Multiple Awnings on the Facade.** When more than one awning is mounted on a facade, the awning types and colors shall be coordinated by matching the color, shape, material, or other element.
3. **Balconies.** The installation or construction of balconies on street facades is encouraged, but not required. Refer to [Figure M-4 \(6\)](#). Examples of [Balconies](#).
  - a. **Applicability.** These provisions apply to locations where balconies are incorporated into the facade design facing any street or public way.
  - b. **Size.** Balconies shall be a minimum of 4 feet deep and 5 feet wide.
  - c. **Balcony Support Structure.** Balconies shall be integral to the facade. Balconies on stepped-back stories may be independently secured, extending from the facade. Balcony support structures shall not include more than one balcony. Refer to [Figure 10.3-9 Examples of Permitted and Prohibited Balconies](#).
  - d. **Platform.** The balcony platform shall have significant thickness to appear structurally sound, a minimum of 3 inches. The underside of the balcony, as visible from any public way, shall be finished.
  - e. **Facade Coverage.** A maximum of 40 percent of the Type A and Type B Frontage facades, calculated separately for each facade, may be covered by balconies. The balcony area is calculated by drawing a rectangle around the platform/floor of balcony, any columns or indentions, and any ceiling/upper balcony.



Metal Awning

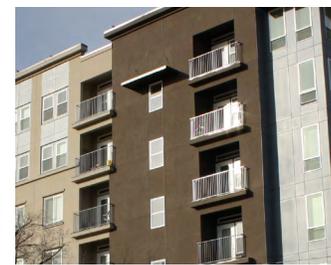


Canvas Awning

**Figure M-4 (5).** Examples of Permitted Awnings.



Balconies: Covers More than 40 Percent of Facade



Balconies Appropriately Attached to or Incorporated into Facade.

**Figure M-4 (6).** Examples of Balconies.

4. **Shutters.** If installed, shutters on any facing facade, whether functional or not, shall meet the following requirements:
  - a. **Size.** All shutters shall be sized for the windows, so that if the shutters were to be closed, they would not be too small for complete coverage of the window.
  - b. **Materials.** Shutters shall be wood, metal, or fiber cement. Vinyl shutters are prohibited. Other “engineered” woods may be submitted for a minor design exception during the design review process with an approved sample and examples of high quality local installations, installed a minimum of 5 years earlier and showing no degradation or wear of the material.
5. **Security Grills.** Interior and exterior security bars, grills, mesh or similar obstructions, whether permanently or temporarily affixed, shall not cover any exterior door or more than ten percent of any individual window or contiguous window area.
6. **Principal Entryway.** Refer to [Figure M-4 \(7\)](#). [Examples of Defined Principal Entryway.](#) Principal entrances to buildings or units shall be clearly delineated through one or more of the following:
  - a. **Cap or Canopy.** The entryway shall be covered by a cap or canopy differentiating it from the overall building cap.
  - b. **Sidelights and Transom.** Sidelights and/or transom windows shall be included around the entryway.
  - c. **Extended Articulation.** The entryway shall be included in a separate bay of the building extended up at least two stories.
  - d. **Other Design Options.** The city manager may approve different design options through a minor exception during design review if the design adds emphasis, draws attention to the entryway, and the above requirements are not feasible.



Figure M-4 (7). Examples of Defined Principal Entryway.

## Mechanical Appurtenances.

### F. MECHANICAL APPURTENANCES.

Mechanical appurtenances shall be located to create the least visual impact.

**1. Rooftop Mechanical Equipment.** The visual impact of rooftop mechanical equipment, including, without limitation, vents, ventilators, skylights, antennas, solar systems, and excluding wind energy systems, shall be minimized.

- a. Rooftop mechanical equipment shall be located using one of the following methods.
  - i. Locate all equipment within the building.
  - ii. Incorporate equipment into the roof design per Section M-3.I. Cap Types.
  - iii. Locate the equipment in a tower set a minimum of 15 feet from any Type A or B frontage facade. Refer to Section M-3.I.5. Towers
- b. Rooftop mechanical equipment shall not exceed 1000 square feet or 30 percent of the footprint, whichever is less.
- c. Rooftop mechanical equipment shall not exceed the height permitted by building type.
- d. The city manager may approve rooftop mechanical equipment that exceeds the height of the building type or is not located per paragraph 1.a, above, through a minor design exception, if the following standards are met:
  - i. The requirements of section 9-7-7 (a) (2) are met.
  - ii. The requirements of section 9-7-7 (a) (3) are met.
  - iii. No other alternative is feasible.

**2. Mechanical Appurtenances on Facades.**

Mechanical appurtenances, such as but not limited to dryer vents, gas meters, and air conditioners, shall be located as follows:

- a. **Facade.** All mechanical appurtenances required to be exposed on an exterior facade shall be located on a non-Type A frontage facade.
- b. **Alignment.** Multiple mechanical appurtenances shall be organized on the facade in a regular pattern, aligned, and illustrated on the drawing elevations submitted for approvals.
- c. **Material Coordination.** To the extent possible, mechanical appurtenances shall be located on a surface material that limits their visibility. For

example, dark colored vents will likely be more visible on light colored stucco than a textured, darker surface such as brick.

**3. Mechanical Appurtenances on Other Horizontal Surfaces.**

Mechanical appurtenances located on the ground, decks, or horizontal surfaces other than the roof, such as but not limited to electrical equipment and air conditioners, shall be located as follows:

- a. All mechanical appurtenances may be located in the rear yard or Type B street yard.
- b. Mechanical appurtenances may be located in a side yard, provided the side yard does not contain a paseo.
- c. The city manager may approve appurtenances located on a Type A street or on a paseo through a minor design exception, if the following conditions are met:
  - i. No other feasible option is available for the equipment.
  - ii. The appurtenance is fully screened with a wall and the wall does not prevent the facade from fulfilling any transparency requirements.

**G. BUILDING ARTICULATION**

Articulated buildings include clearly differentiated, components, using surface materials, expression lines, and separate patterns or configurations.

**1. Base, Middle, Top.** Layering the components of the building provides a sense of order and stability to buildings. The following intent statements support the requirements specified in Section M-3. Building Types and Section M-4. Site & Building Design. All buildings are meant to include a clearly articulated base, middle, and top as discussed in the following. Refer to Figure M-4 (8). Illustration of Base, Middle, and Cap.

- i. **Base.** The base of a building shall be differentiated from the upper stories per the requirements of Section M-3. Building Types.
  - (1) For mixed-use and non-residential buildings, the base is meant to establish an active ground story along the street, providing a public face (such as retail, service, or restaurant USES) for activities that occur within a building.
  - (2) For residential buildings, the base may be offset in height to separate the ground story from the sidewalk elevation as permitted by the building type regulations, Section M-3. More public spaces, such as lobbies, community rooms, workout rooms, should be located on the ground story as transition space between the public and the private residences.
- ii. **Middle.** The middle section of a building is meant to be occupied by people and shall be highly transparent to provide eyes on the

street. Balconies and terraces in the middle section of the building further this intent.

- iii. **Top.** The top of the building shall cap the building, clearly reading as the end of the building and completing the design, as required by Section M-3.I. Cap Types.

**2. Articulation of Stories.** Stories shall be clearly readable and articulated on all street, paseo, and multi-use path facades utilizing the following.

**a. Fenestration.** Fenestration or window placement shall be organized by stories. Minimum transparency is required per story per building type (refer to Section M-3. Building Types C through G). Refer to M-3section M-3.H.5. for requirements for measuring transparency.

**b. Expression Lines.** Horizontal expression lines and/or lintels may be used to delineate stories. Minimum expression lines are required per building type (refer to Section M-3. Building Types C through G).

**c. Mezzanines.** Mezzanines designed with a separate floor to floor height and story shall be articulated on the facade as a separate story.

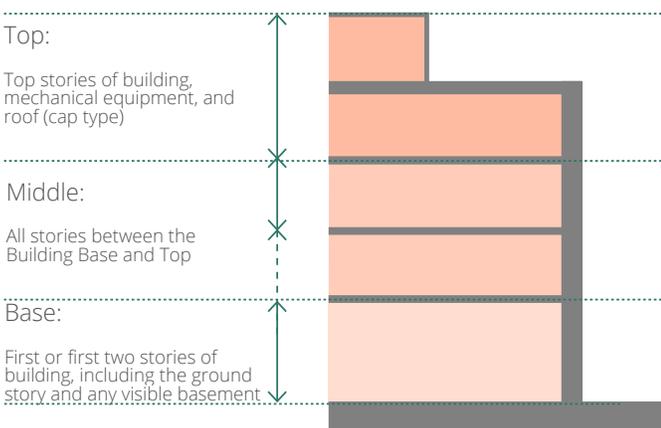
**d. Taller Spaces.** Refer to Subsection M-3.H.5.d for transparency requirements on tall stories, over 18 feet in floor to floor height. Transparency is required for that additional height and shall articulate the

**3. Building Facade Variety.** All buildings 100 feet in width or greater along any Type A or B Frontage shall fulfill the following requirements:

**a. Increments.** Each Type A or B Frontage facade shall be varied in segments less than or equal to 90 feet.

**b. Requirements.** Each facade segment shall vary by the type of dominant material, or color, scale, or orientation of that material, and at least two of the following:

- i. The proportion of recesses and projections.
- ii. The location of the entrance and window placement, unless storefronts are utilized
- iii. Roof type, plane, or material, unless otherwise stated in the building type requirements
- iv. Building heights



**Figure M-4 (8).** Illustration of Base, Middle, and Cap

## Building Massing

### H. BUILDING MASSING

1. **Intent.** The goals of the building massing standards are to ensure an appropriate perceived scale of buildings from the public ways -- breaking up large buildings in a simple way, to ensure a human-scaled place, and to provide a high level of permeability to all blocks.

2. **Multiple Buildings on One Site.** When more than one building is located on one development site and any building is over 45 feet in height, the following applies:

a. **Varied Building Heights.** For buildings more than 3 stories, a minimum of 30 percent of the total footprint of all buildings combined on the site shall be at least one story lower than the tallest portion of the building footprint, not including towers.

i. **Stepped-Back Facade.** The requirement for varied building heights, in Subsection M-4.H.2.a, above, shall not be met by a linear stepping-back of the facade along the top story, but shall constitute a change in massing of the building.

b. **Terraces & Pitched Roofs.** Roof areas on lower buildings are encouraged to be used for roof terraces, located to maximize mountain views, and/or for pitched cap types per Subsection M-3.1.2 Pitched Cap Type to increase the variety of caps in the area.

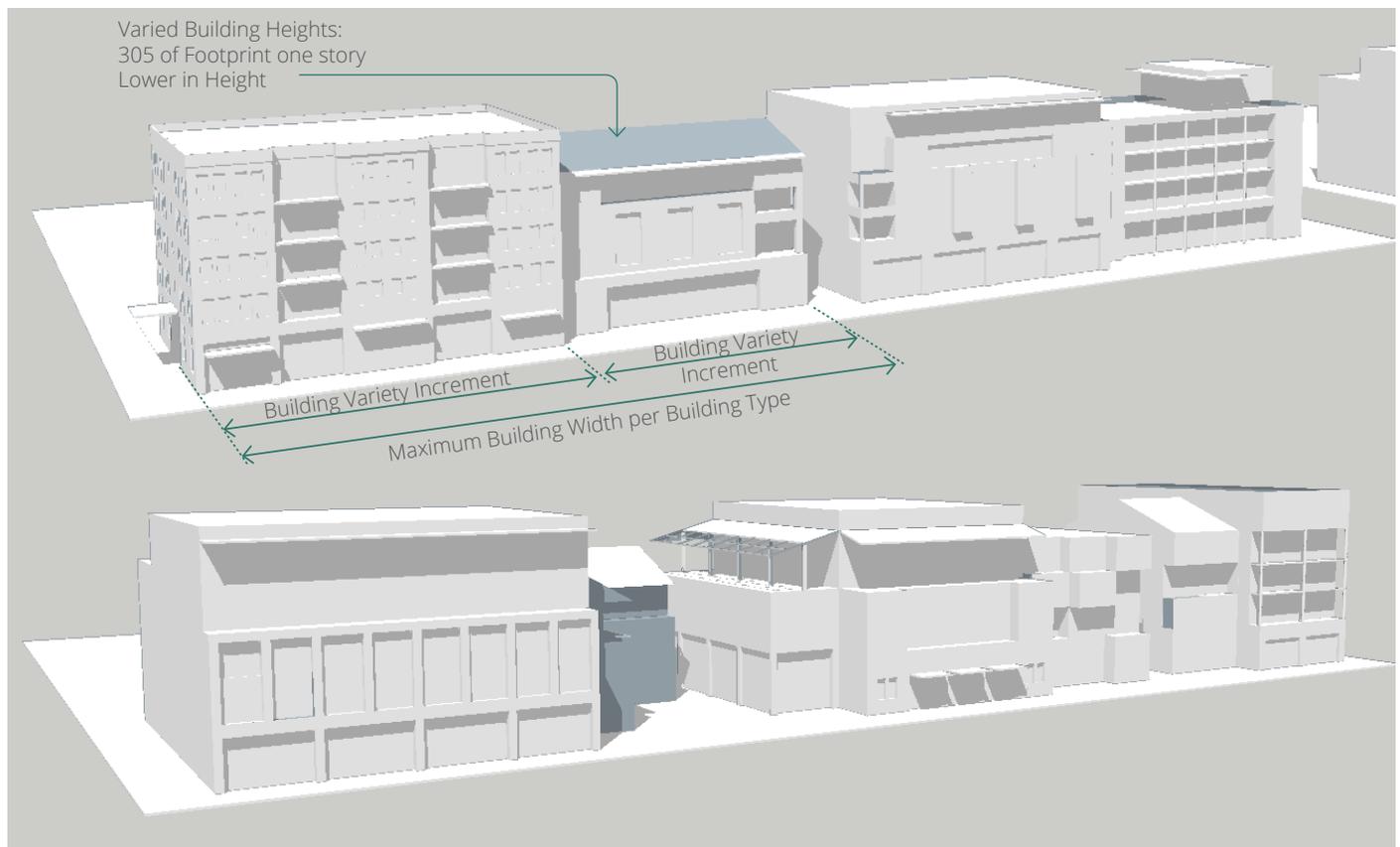


Figure M-4 (9). Illustrations of Building Massing and Articulation

**I. BUILDING PROPORTIONS**

All building designs shall include the aesthetically pleasing proportion of the golden ratio consistent with the following standards:

- 1. Historical Use of the Golden Ratio.** The golden ratio is a proportioning metric used throughout history to achieve what has been considered “divine” (as in the divine proportion) or visually pleasing proportions. The ratio is frequently found in art and architecture, as well as in nature.
- 2. Definition of the Golden Rectangle.** The golden rectangle uses the golden ratio, where the sides of the rectangle divided into a square and the remaining rectangle fulfill the metric. Refer to Figure M-4 (11), below.

Mathematically, the ratio is found by dividing a line into two parts so that the longest part divided by the smallest part is equal to the whole length divided by the longer part, written as  $b/a = (b + a)/b$ .

+ a)/ b. Numerically, the ratio is approximately 1:1.6180339887.

- 3. Demonstrate Use of Golden Ratio.** All projects are required to submit a diagram or series of diagrams demonstrating the use of the golden ratio in the design of the building, including the massing of the building and the design of the facade. Use of the golden ratio may include massing of building segments, windows, divisions of the facade, and overall height to width of the building. Refer to Figure M-4 (10) for examples of demonstrated use of the golden ratio.



Figure M-4 (10). Example of Documentation of Use of the Golden Ratio in the Building Design

**What is the Golden Ratio (AKA the Divine Proportion)?**

Two objects are in the golden ratio if their ratio is the same as the ratio of their sum to the larger of the two quantities. For example, a golden rectangle with longer side *a* and shorter side *b*, when placed adjacent to a square with sides of length *a*, will produce a similar golden rectangle with longer side *a + b* and shorter side *a*. This illustrates the relationship:

$$\frac{a+b}{a} = \frac{a}{b} = 1.6180\dots$$

The Golden Ratio is intimately related to the Fibonacci spiral, which is an approximation of the golden spiral created by drawing circular arcs connecting the opposite corners of squares in the Fibonacci tiling. The golden ratio appears in some patterns in nature, including the spiral arrangement of leaves and other plant parts.

Figure M-4 (11). Description of the Golden Ratio

# M-4. Site & Building Design

## Building Construction Quality

DRAFT

### J. BUILDING CONSTRUCTION QUALITY

1. **Intent.** The intent of the building construction quality requirements is to advance the quality of the construction of new buildings.
2. **Transition in Material.** Changes in surface materials shall meet the following standards.
  - a. **Corners.** Changes in major facade materials (refer to Section M-4.B) shall occur only at concave or interior corners.
  - b. **Same Surface.** Transitions in surface materials that occur on the same surface shall include one of the following:
    - i. A trim piece covering the transition.
    - ii. A change in plane of **at least 2 inches**, where the more detailed material is elevated above the less detailed material; e.g. brick is more detailed with joints and stucco is less detailed as a constant surface.
  - c. **Expression or Shadow Lines on Surfaces.** Materials that have significant thickness may be used to create shadow or expression lines on surfaces. For example, cast stone pieces may be offset to create a shadow line, where the actual convex corner of the piece is used to create the corner of the detail.  
  
Conversely, materials that have less thickness shall not be used in such a manner as to insinuate thickness. For example, stucco shall not be formed to create a pilaster on the surface.
  - d. **Window/Door & Surface Transitions.** Windows and doors shall transition to facade surface materials other than glass with a trim piece a minimum of 3 inches in width.
3. **Appropriate Grade of Materials.** Commercial quality doors, windows, and hardware shall be used on all building types with the exception of the Row building type.
4. **Applique Materials.** Materials with thickness less than 2.5 inches are not permitted to cantilever or extend beyond their structural support. These materials shall be used only in a surface application.
5. **Stucco Installation.** Stucco, when permitted, shall be of the highest installation quality, meeting the following criteria:
  - a. **Contractor Submittal.** The contractor utilized for installing the stucco shall have a minimum of 5 years experience with a minimum of at least 30

projects. Projects shall be high quality, meeting the requirements of this Subsection M-4.J.5. Contractor name, address, experience level (years and number of projects), and examples of installations within the last 5 years shall be submitted with the Design Review application.

- b. **Jointing.** All stucco joints shall be aligned along the facade in the pattern shown on the elevations submitted for the design approval. Joints shall also align with the locations of windows and doors and other changes in material.
- c. **Stucco Finish.** To limit the occurrence of hairline cracks and create consistent finishes, either an acrylic based resin finish or a two step paint base stucco system shall be used to texture and color the stucco finish.



*Applique materials that inadequately cover the underlying structure*



*Transition of materials on outside corner*



*flush windows*



*transition of material with no trim piece or shadow line*

Will replace images with photos from other cities. Will add images of acceptable quality construction details..

# M-4. Site & Building Design

Building Construction Quality

**DRAFT**

# Memorandum

Date: July 17, 2015

From: Victor Dover FAICP, Principal, Dover, Kohl & Partners  
Amy Groves, Senior Project Director, Dover, Kohl & Partners  
Emily Glavey, Town Planner, Dover, Kohl & Partners

To: Karl Guiler, AICP, Senior Planner / Code Amendment Specialist, City of Boulder

Re: **Design Excellence Initiative for Boulder: UPDATED** Preliminary  
Recommendations for FBC Code Integration & Better Design Outcomes Citywide

## 1. OBSERVATIONS:

*Observations from the January, 2015 Design Excellence Initiative memorandum (excerpted below) set the stage for this next phase of work.*

- a. **Boulder is smart:** The city has a high level of citizen awareness about architecture and urbanism, sophisticated elected officials, highly capable staff, quality-conscious developers, and dedicated local design professionals. There is no reason why the next generation of architecture cannot be the best yet.
- b. **Boulder has a tradition of innovation and raising the bar:** Open space, historic preservation, multimodal transportation, citizen participation, and affordable housing programs were all redefined by your community. It is reasonable to assume Boulder will redefine Design Excellence programs in the same way.
- c. **The public is justifiably frustrated:** This prosperous, discerning, capable community finds itself nonetheless routinely disappointed by modern-day buildings. Citizens ask, why (exactly) don't new buildings have as much charm as the old ones? Don't we deserve better?
- d. **Indeed, buildings aren't that great:** A number of the new ones I visited either reflect a bland, corporate architectural expression, or overdone, gaudy attempts to generate "visual interest." (This last, often undertaken in response to well-intentioned, but vague, outdated directions in official design guidelines.) I saw mal-proportioned elements, inappropriate upper-floor setbacks or "stepbacks," cacophony of materials, and poor building-to-public-space relationships, all despite exhaustive review procedures, and perhaps "design by committee," under Site Review. To be fair, Boulder's recent architecture is on par or above, when compared to peer cities nationally. In other words, it's a national problem; there's plenty of architectural disappointment to go around.

- e. **Qualms about disagreeable growth and disagreeable architecture are not the same things:** As difficult as it might be, it is worth trying to distinguish the different messages among the objections raised in Boulder’s raucous public conversation about development. Some citizen participants are simply unconvinced that any growth and change is desirable, regardless of its architectural packaging; others are focused on design flaws, and might accept or even welcome a taller building or denser development if they felt the architectural solution was Boulder-worthy.
- f. **Opposition to height is used as a proxy for opposition to growth:** Building height is a central factor determining architectural proportion, the shape of the public realm, and relationships with neighboring buildings, so it is inseparable from both planning regulation and architecture. For some, the decision about the number of floors in a building comes to symbolize and embody all their feelings about whether the city as a whole is growing too fast or too much. Thus some observers feel it is very difficult to have a public conversation about the design of an individual building (and its height) without going back over the whole debate about growth at every meeting.
- g. **The Boulderado Paradox:** Repeatedly, residents (and even designers) say their favorite building in the region is the Boulderado Hotel. Yet it seems impossible—given current regulations and recent official decisions—to imagine a building like the Boulderado getting approved today. The building is over 60 feet tall; even with Site Review permissions the tallest new buildings are capped at 55 feet. That part of the story tells us that just because a building extends beyond 35’ or 38’ doesn’t make it a “bad” building. But the contradiction between preferences and regulations doesn’t end there. Were it reviewed under current guidelines, the Boulderado would likely be deemed too flat along its street face (it goes straight up—no wedding-cake upper-level stepbacks), composed from too few materials, and designed with too plain a massing.
- h. **Applicants are frustrated, too:** I heard numerous anecdotes about the time, expense and risk involved with navigating the Site Review process. Yet developers put up with this and slog through, because development in Boulder can be lucrative enough to make it worth the effort. Several developers report that they budget 18-24 months (and sometimes twice that) and up to \$500,000 for the Site Review adventure. Three questions arose in my mind, hearing those stories. First, what if that money had been spent on embellishing the public realm and improving the quality of materials in the architecture, instead of covering the costly procedure? Second, if a way could be found to assure more satisfactory developments without the long review, would developers gladly take a by-right route even if they had to work within new, more stringent design requirements? Third, wouldn’t the deliberations of the boards and committees be better spent on the occasional projects that break the mold, the exceptions to the rule, instead of convening on almost every project?
- i. **There is vague and unhelpful wording in key regulatory documents:** Phrases like “create visual interest” and “use a variety of materials” and terms like “harmonize” and “compatibility” (and even some sort of desirable “chaos”) are embedded in crucial passages in the City’s thirteen separate sets of design guidelines. This invites architects to get it wrong in the minds of the reviewers, and opens the boards to accusations that their decisions are arbitrary. Some

observers believe that in response, designers have begun piling more and more different materials onto facades and fashioning endless breakdowns in the building volume, hoping to make it indisputable that there is sufficient visual interest and sufficient material variety. (And perhaps, to meet the chaos standard as well—one building has been nicknamed the “ransom note” for its startling dissonance of design.) Several people reported that the advice of staff and the conclusions of the Design Advisory Board are contradicted at subsequent Planning Board hearings, a situation made more complicated given the vague guidance in the regulatory instruments. A last-minute decision to lop the top off a building design during a public hearing, for example, suggests everyone would have benefited from a more clearly written standard.

- j. **The projects don't always get better:** The lack of predictability is compounded at least occasionally by unhelpful conclusions reached by the boards, conclusions reached despite every intention to comply with the guidance in official documents. Some of this may be due to residues from bygone planning fads that linger in the documents. For example, there's scant evidence to support the idea that wedding-cake stepbacks make for particularly good context-sensitive main street buildings; certainly the historic buildings of Pearl Street do not have wedding-cake profiles. Yet this shape has been demanded of modern buildings, quite conspicuously.
- k. **Why is the “by-right” route so seldom taken?** According to everyone I asked, relatively few developments simply occur with administrative approval within the bounds established in the basic zoning. This seems to be either because there are so many “triggers” in the ordinance that mandate a Site Review, or because applicants opt to take the risk in hopes of getting the lucrative permission to build a little more (or a lot more). The numerous triggers may have been put in place to expand the number of times and ways the public can comment on a proposal before it is approved or rejected. Interestingly, everyone I asked also said development applications that persist through the process usually get approved in the end. (“Almost always,” a planning board member and staffer said in unison.) Perhaps inadvertently, the message is being sent to developer applicants that the zoning the City has adopted doesn't reflect the real limits of what the City means to approve.

## 2. **Reforming the Regulatory Instruments, Improving Procedures & Advancing Design Culture**

*Key recommendations from the January 2015 memo (revised after conversations with staff and community members) that can be implemented as part of the pilot FBC for Boulder Junction:*

- a. **Recommendation for Regulatory Instruments:** Implement a Form-Based Code in Boulder Junction
  - i. The FBC can be used to streamline the development approval process;
  - ii. The FBC can create better predictability with development in the built environment;
  - iii. The FBC at Boulder Junction can act as a “pilot project” allowing the City to test and become familiar with FBC as a policy mechanism, so that this method may then be applied to other locations (in some form) in Boulder.

- b. **Recommendation for Improving Procedures:** Adjust the By-right and Site Review process in Boulder Junction
  - i. Ideal scenario would streamline the process for FBC-compliant development in Boulder Junction, providing a new by-right path to approval of building design and site plan;
  - ii. Identify community benefits of greatest importance upfront, and include required community benefit criteria in the Form-Based Code, which could if necessary be linked to incentives for development applicants;
  - iii. Allow full development (e.g., height / density / or intensity) by-right if applicant meets specified FBC requirements;
  - iv. Investigate establishing a collaborative Site Review Committee (e.g. establish a multi-disciplinary board / review that meets together (instead of sequentially) and includes planning, architecture, public works, and other relevant disciplines) to coordinate the approval process.

- c. **Recommendation for Advancing Design Culture:** Include Design Standards and/or Guidelines in (or appended to) the FBC for Boulder Junction
  - i. The FBC can include specific urban design *requirements* for new buildings (e.g. shopfront transparency, fundamental building elements, appropriate building-to-street relationship, avoiding the impulse for arbitrary step-backs);
  - ii. The Standards / Guidelines can include illustrated compositional *instructions* regarding building form, proportion and local distinctiveness (e.g. establishing a base-middle-top within a building façade, utilizing historic details and materials);
  - iii. The Standards / Guidelines can include examples of architectural elements that are permitted to go above the allowed height to achieve local distinctiveness (e.g. cupolas, lanterns, corner of building);
  - iv. The Standards / Guidelines can include examples within the built environment that meet or exceed sustainable building best practices (including passive and active strategies for energy conservation and generation), encouraging innovation;
  - v. The Standards / Guidelines can include illustrations and examples of relevant architectural design excellence.

### 3. Options for Integrating the Form-Based Code into Existing Development Policy Framework

*A critical component of the pilot FBC is determining how it fits within the existing policy framework, specifically the Site Review criteria. Several options are outlined for consideration:*

#### a. Options for Integration of the Code (Mandatory New District | Optional Overlay | Mandatory Overlay | Other?)

##### i. Form-Based Code District (Mandatory)

- 1. A new chapter permitting Form-Based Code districts can be added to the code, with Boulder Junction the first District adopted. When a FBC District is adopted,

the underlying zoning is replaced by the new FBC district (and related sub-districts) and their standards for all property within the FBC boundary on the zoning map. The code is mandatory for all new development within the area designed as the FBC District, yielding optimum predictability. The new FBC District (and its sub-districts) will have their own rules for building form and massing, street design, landscape design, open spaces (basically for all of the elements of the public realm), a Regulating Plan to link regulations to specific parcels and right-of-way, plus administrative processes, permitted uses, and definitions.

2. **Bottom Line**: This is the simplest way to implement the FBC; the existing code does not need to change other than adding a new chapter. In addition, all of the FBC requirements are in one place – property owners within that district easily find all of the rules that apply. There may need to be more meetings or hearings as part of the adoption process to understand the regulations, as this method is extensively changing the existing provisions and method of regulation; community support of the form and vision prescribed is needed.

## ii. **Overlay (Optional)**

1. An optional overlay may be floating or prescribed for use in a certain zone or district within the city. Property owners can either choose to use their existing zoning, or opt in to the FBC provisions. By “opting in”, they agree to follow all of the provisions of the FBC instead of the underlying zoning. This is most successful in areas where the existing zoning is viewed as “broken” by property owners – for example, due to arduous review processes, or undesirable use or form standards. If the FBC offers incentives that the existing zoning does not (such as more flexibility in uses, potential for greater height/massing, or faster review and approval process), most property owners will choose to use the FBC instead of their underlying zoning. A benefit of an optional code is that it is easier to pass through the adoption process (since it does not change any existing provisions, simply gives more options to property owners). However, to be successful, it must be used; thus the key is to offer incentives that the underlying zoning does not, while meeting goals for building form and sustainability. This approach is most successful in code applications that are designed to generate interest in new development (such as retrofitting suburban sprawl) – by giving great incentives such as increased development potential, or fixing a problem in existing zoning that is prohibitive to new development.
2. **Bottom Line**: In Boulder Junction, this approach may not be successful (the code may not be used, and thus predictability not attained) unless incentives can be offered to counterbalance increased architectural, form, and community benefit requirements of the FBC, to the degree that there is great confidence that most applicants will choose the FBC option. This approach could be considered for other areas of the City.

### iii. Overlay (Mandatory)

1. A third approach would be to adopt a Mandatory Overlay. In this case, an overlay district is created that applies to a certain zone as designated on the zoning map; the provisions of the overlay (which can include building height and form, building design, street design, architectural detailing, and community benefits) are mandatory for all properties in that zone. However, the underlying zoning still applies for any criteria not specified by the overlay (which may include permitted uses, landscape design, etc.)
2. **Bottom Line:** This yields predictability in elements that are covered by the FBC. As in option “i” above, this may require a longer code adoption process, and buy-in from the community, as it is mandatory to property owners. This approach may also be more confusing for end users of the code, as they will have to reference multiple code sections to understand what the rules are that apply to their property.

### iv. Other

1. The three options above are the most typical applications of Form-Based Code; there are other methods, such as integrating form-based provisions into the existing zoning framework (i.e., adding new requirements to Chapter 6 “Use Standards”, Chapter 7 “Form and Bulk Standards”, Chapter 8 “Intensity Standards”, Chapter 9 “Development Standards”, etc.) This may be more confusing to the end user, and will require amendments to most sections of the existing code. In addition, there may be recommended provisions of the FBC that are not addressed in typical zoning (such as building and street design details), and thus fitting into the existing framework could prove difficult. This approach is only recommended if one of the above options cannot be utilized.

### b. Options for Review Process (including Site Review criteria)

Regardless of the method of code integration, new administrative / review procedures will need to be established for the FBC; such provisions can be added in a new FBC Chapter (as described in “3.a.i” above, Form-Based Code District) or by adding a section for *Form-Based Code Review* to existing code Section 9-2 “Review Processes”. The provisions should designate a singular person (such as the Planning Director or a newly-created Form-Based Codes Administrator) or a collaborative Review Committee (including staff from planning, architecture, public works, and other relevant departments) to coordinate the process, review applications, and determine compliance for By-Right applications.

Additionally, the Site Review process could still be utilized for certain projects where a higher level of scrutiny and review is desired. Options include:

- i. **Scenario A, By-Right Development Approval Process (“Four by Right, So Design it Right”):**

1. Applicants can be approved administratively, **By-Right**, if meeting all provisions of the FBC:
  - a. The permitted maximum height (four stories) is designated by FBC district and/or on a Regulating Plan, and is a given and cannot be waived.
  - b. The FBC includes firm standards on massing, building position, fenestration, and other details to improve the quality of by-right development.
  - c. Applicants also need to meet Architectural Design Standards in the Code, to ensure quality and strengthen architectural character; compliance is determined by a designated City Architect or Urban Design Officer.
  - d. Community benefit criteria (such as inclusionary affordable housing, or new street or pedestrian connections) are also included upfront, specified in the code and/or Regulating Plan, and must be satisfied as a *requirement* of any new development under the code greater than two stories in height. (Community benefits are further described below, item 4).
  - e. The Code may specify **Warrants** that could be granted administratively. These are typically for minor variations which are identified in the code as options permitted “by Warrant” – such as additional permitted uses, flexibility in new street design details, or additional permitted building materials. Other deviations from FBC requirements (such as setbacks or build-to requirements) are only permitted by **Exception**, and require approval though the Planning Board (or other board designated to make such decisions). Exceptions should be granted only if the applicant can demonstrate unique circumstances on their property that make it difficult to meet code provisions. Exceptions to maximum building height, which is integral to achieving predictability in built results, should not be permitted.
2. **Site Review**, if and when it is used, is not used to increase development potential. The Site Review Process may still be used, on a **limited** basis in some instances, which may include:
  - a. If a single building is larger than 200,000 SF, or 200 dwelling units; or if the site is larger than one City block or 6 acres;
  - b. If the site is adjacent to a historic building or within a historic district;
  - c. The Planning Director may also use discretion to require Site Review for projects that need additional scrutiny, such as for buildings/sites at prominent intersections, that terminate important view vistas, or in locations that define community identity. Such discretion should be used sparingly.
  - d. Applicants may also themselves *elect* to follow the Site Review Process instead of By-Right as a means of altering certain other FBC criteria, besides height. It is recommended that the Site Review criteria be altered to include additional design elements for FBC projects and/or for City-wide projects, to ensure higher-quality design outcomes (see item 5, below). Thus, electing to use Site Review does not mean that the FBC requirements for building design no longer apply.

3. **Potential Benefits and Drawbacks:** This approach would clarify what is expected of new development, and build in a powerful potential incentive (e.g., predictable, maximized height) provided the building is consistent with the required character and vision, and would yield greater certainty for developers as well as in the resulting built form. This option strengthens the leverage wielded by staff in negotiating designs with applicants, since applicants will be eager to follow the streamlined path to the permit instead of being routed through SRP. Once the code is adopted, however, there will be no ability to dream up and demand new unforeseen “community benefits” not previously identified in the code.
4. **Bottom Line:** This is the best option if the City’s goals are to encourage incremental growth in the plan areas targeted for transit-oriented development, and to streamline the processes that currently strain applicants, staff, and the public. This is the best option if the City would be comfortable with four-story buildings if they were simply designed well, following meaningful architectural controls.

ii. **Scenario B, Hybrid Site Review Process (“Three by Right, but Four Takes More):**

1. A hybrid approach could be developed, that allows for ***By-Right*** approvals (as described under Scenario A, above) for buildings up to three stories in height. This adds one story above and beyond the two stories permitted today by right. Specific community benefit criteria would be included in the FBC, but these would likely be supplemented as new community benefits are identified and demanded via the Site Review Process.
2. In this scenario, ***Site Review*** will be used to approve buildings that exceed the new by-right limit (e.g., four stories). Site Review would be used more frequently under this option, to include:
  - a. If a building is proposed to be four stories in height;
  - b. If a single building is larger than 75,000 SF, or 75 dwelling units; or if the site is larger than one City block or 4 acres;
  - c. If the site is adjacent to a historic building or within a historic district;
  - d. The Planning Director may also use discretion to require Site Review for projects that need addition scrutiny, such as for buildings/sites at prominent intersections, that terminate important view vistas, or in locations that define community identity.
  - e. Applicants may also themselves *elect* to follow the Site Review Process instead of By-Right as a means of altering certain other FBC criteria. It is recommended that the Site Review criteria be altered to include additional design elements for FBC projects and/or for City-wide projects, to ensure higher-quality design outcomes (see item 5, below). Thus, electing to use Site Review does not mean the requirements for building design no longer apply.

3. **Potential Benefits and Drawbacks:** This approach would allow for a modest amount of additional development to happen on a by-right basis, if consistent with the code, which can yield greater predictability for developers as well as in the resulting built form. It would also allow for the longtime Site Review Process tradition to continue on larger buildings/sites where it is worth it to applicants to take the risk of Site Review. The Site Review will be supplemented by specifications in the FBC, and by the enhanced Site Review criteria, which will drive higher quality architectural outcomes.
4. **Bottom Line:** This is the best option if the City's goal is really three story buildings; and if the City would like to retain Site Review as a process for many development applications.

**iii. Scenario C, Retain Site Review Process (“Two and Through, or Take Your Chances”):**

1. A third approach would be to retain existing Site Review Process for development in excess of present two-story height limits; applicants may receive (but are not guaranteed) approval for three- or four-story buildings via the Site Review Process. ***By-Right*** approvals for buildings up to two-story buildings are granted if the criteria of the FBC are met, which will include: massing, fenestration, and other details to improve the quality of by-right development, as well as Design Standards, to ensure quality and strengthen architectural character (with compliance determined by Building Design Advisory Board review). Community benefits would be determined through the Site Review process.
2. In this scenario, ***Site Review*** will be used fairly frequently, to include:
  - a. If a building is proposed to be more than two stories in height;
  - b. If a single building is larger than 50,000 SF, or 50 dwelling units; or if the site is larger than 3 acres;
  - c. If the site is adjacent to a historic building or within a historic district;
  - d. The Planning Director may also use discretion to require Site Review for projects that need addition scrutiny, such as for buildings/sites at prominent intersections, that terminate important view vistas, or in locations that define community identity.
  - e. Applicants may also themselves *elect* to follow the Site Review Process instead of By-Right as a means of altering certain other FBC criteria. It is recommended that the Site Review criteria be altered to include additional design elements for FBC projects and/or for City-wide projects, to ensure higher-quality design outcomes (see item 5, below). Thus, electing to use Site Review does not mean the requirements for building design no longer apply.
3. **Potential Benefits and Drawbacks:** This approach would demand that the current approvals system proceeds intact, but is supplemented by the new exacting design criteria in the FBC to potentially yield higher quality outcomes in architecture and site planning. This would also extend and sustain maximum

opportunity for ongoing public meetings and expose projects to maximum scrutiny. This scenario, however, would result in less predictability than ever for developers (in both the amount of time to win approval and in accumulating requirements) and in built form (depending on what is approved or denied under the site review process), and for neighbors. However, the published material with which applicants work prior to submitting designs-- and upon which the review bodies could actually depend-- would be improved.

4. **Bottom Line**: This might be the best option if the City's primary goals are really to retain full discretion, maximize negotiation and tolerate uncertainty when it comes, and to deal with growth via large projects that can afford the risk and cost of a challenging process.

#### iv. Scenario D, Variations of the above

#### 4. Community Benefits (can fit within each scenario, some required, some as incentives)

Ensuring that community benefits are incorporated into the development process is an important part of planning in Boulder. With growth and change in the built environment, improvements to community spaces and places are essential. A Form-Based Code can facilitate this important process by both implementing up-front requirements and by providing options to be used as incentives.

A series of potential benefits, in accordance with the goals expressed by the Boulder community, can be included as a part of the Form-Based Code for the Transit Village. This approach outlines a clear and streamlined approach to desired elements. These items are listed and discussed in the following:

- i. **Minimum Affordable Housing Units.** Consistent with the Inclusionary Housing policy that has been implemented in Boulder, the Form-Based code can require that a minimum number of affordable units that meet the threshold are included in new residential or mixed-use development; or, a specific minimum percentage of affordable units may be required (Scenarios A, B and C). Additional units, beyond this minimum, may also be outlined in the code as an incentive to the applicant, in exchange for increased development potential or other advantages (Scenarios B and C).
- ii. **Urban Design Standards.** Urban design standards will establish basic rules for good urban form in the Transit Village. An example is ensuring that building mass is not too large or long—by inserting a maximum building length, or requiring a break in the façade every \_\_\_ feet or by using a distinguishable architectural element. Other examples include requiring that sidewalks in commercial and mixed use areas are at least 10 or 12 feet wide, implementing consistently spaced street trees and lighting, and making sure that shopfronts are predominantly transparent; this will strengthen the public realm in the Transit Village. Where each building meets the public realm, pedestrian and cyclist comfort and interest are *the* priority.
- iii. **Green Buildings & Green Infrastructure.** Establishing minimum green building standards—such as LEED certification or meeting the Living Building Challenge—is often a

requirement for new development in a Form-Based Code (e.g. Miami21 in Miami, Florida). Additionally, using alternative energy sources and systems to generate electricity are themes that are consistent with goals that have been outlined as a priority for staff and the community. A specific percentage of alternative energy (solar, wind, geothermal, etc.) may be required in new buildings.

- iv. **Neighborhood Connectivity.** Strengthening neighborhood mobility by adding street connections for cars, bikes, transit users, and pedestrians is one of the primary goals of a Form-Based Code. In conjunction with the Urban Design Standards, establishing new bike/pedestrian links and street connections encourages (and often stimulates) walkability. New connections are required and identified on the Regulating Plan. Often, a Street Atlas is created as a companion to the Regulating Plan, identifying specific context-appropriate street designs that accommodate all forms of mobility.
- v. **LEED ND: Neighborhood Pattern & Design.** Specific parameters in the Neighborhood Pattern & Design section of LEED ND, including compact development, walkable streets, mixed-use neighborhoods, additional transit facilities, a reduced parking footprint, and connections to open spaces, can be listed as a part of a requirements in the Form-Based Code, resulting in benefits to the community. To review this section of LEED ND, click on the link below:

[http://www.usgbc.org/sites/default/files/LEED%20v4%20ballot%20version%20\(ND\)%20-%2013%2011%2013.pdf](http://www.usgbc.org/sites/default/files/LEED%20v4%20ballot%20version%20(ND)%20-%2013%2011%2013.pdf)

- vi. **Public Space Improvements.** Implementation of new parks and plazas, and the upkeep of existing public spaces is critical throughout the process of new development. A minimum requirement for new public space or the upkeep of an existing space within the public realm, adjacent or near to new development, should be included as a part of the development standards in the Form-Based Code. This can include publicly accessible, elevated (rooftop) open spaces that are designed well. The Regulating Plan can identify the size and type of key public areas in the Transit Village.
- vii. **Affordable Commerce/Incubator Space.** A neighborhood or a City needs to include a variety of affordable housing options, and a supply of affordable commerce areas, or incubator spaces, are also essential. These areas allow innovation in shared places and can be a neighborhood requirement. Policy that outlines desired outcomes and locations for affordable commerce can be described in the Form-Based Code.

**Recommendation:** Require many or all of the above community benefits in the Form-Based Code. These can be included in any of the suggested process scenarios (listed above). Identifying these benefits as requirements can streamline the negotiation process for development approval between staff and the applicant while also improving the built environment.

In addition to requirements related to community upgrades in the Form-Based Code, an additional set of elements may be described as incentives to the applicant. Incentives can be outlined in a table, describing additional height (as permitted in Scenarios A – C), intensity or a reduction from the parking requirement in exchange for a specific community benefit. Many or all of the following items can be included:

- viii. **Enhanced Bike Amenities.** The bike activity in Boulder is one of the busiest in the country; particular incentives should promote additional connections to the existing network. Desired connections can be identified on a Bike Network Map.
- ix. **Refurbished Streets & Complete Streets.** While Urban Design Standards are essential for creating a truly mobile community, retrofitting streets—to make them more complete by including pedestrian and bike infrastructure—makes a place that is both accessible and memorable. Improvements beyond the required urban design standards, such as a road diet, can be strongly encouraged if listed as an incentive.
- x. **Sustainable Materials & Methods.** A certain amount of sustainable materials and methods can be a required in the Form-Based Code (particularly for meeting a green building standard), but additional emphasis can be encouraged if this is also listed as an incentive. For example, credit for using materials that are harvested locally and utilizing local labor will be economically beneficial and environmentally sustainable.
- xi. **Energy Innovations.** Encouraging new development that is carbon neutral (or “net zero energy” or “net positive energy”) is coherent with the long standing vision and innovation in the Boulder community. In addition, district energy solutions such as shared energy collection, distribution, and conservation may be listed as an incentive to the applicant.
- xii. **Guarantee Hiring of Local Construction Labor.** Incentives for developers that mandate a preference for construction personnel sourced from the greater Boulder Valley, are another opportunity for immediate local benefits.

**Recommendation:** Outline many or all of the above community benefits in the Form-Based Code as options for incentives to the applicant. These can be included in any of the suggested process scenarios (listed above). Identifying these benefits as incentives can complement the negotiation process for development approval between staff and the applicant, while also improving the built environment.

## 5. Changes to Site Review Criteria | City-wide Design Criteria

The Design Excellence Initiative was started in large part due to the dissatisfaction with the built results of some recent development proposals in Boulder; this has prompted a closer look at the approvals processes, specifically the Site Review Process (Section 9-2-14). The Form-Based Code is one method to prescribe a higher level of detail to achieve design excellence; however, as outlined above, even if adopted, some development proposals will continue to utilize the Site Review process. Therefore, it is recommended that the Site Review process be revised to a) include increased design criteria for new development in designated FBC zones; and b) include increased design criteria to apply to all development under Site Review, City-wide.

Recommended revisions to Site Review Criteria include:

- i. **9-2-14(b) Scope:** This section should be revised to include thresholds for FBC development that is required to undergo the Site Review process (as described in either scenario A, B, or C, above). There will be no minimum threshold; any development in a FBC district may *elect* to undergo Site Plan Review as a means of altering FBC criteria.

- ii. **9-2-14(c) Modifications to Development Standards:** In the FBC districts, standards could be altered *except* those that are instrumental to ensuring predictability in the built realm. Such items that should **not** be permitted, even by Site Review, include:
  - 1. Building Height: Greater than four stories is not permitted.
  - 2. Building Design Basics: Specific building design criteria could be modified, within reason, as long as the intent of the FBC remains intact. For example, there will likely be requirements for build-to lines and setbacks; building façade length; transparency (doors and windows to face the street and public spaces); shopfront design; active uses along sidewalks (habitable space, not parking); or building appurtenances (awnings, balconies, or arcades). The specific standards (min or max dimensions or percentages) could be modified if the applicant can demonstrate that it is a minor deviation and why it is needed; however, major variations (for example, large expanses of blank walls without doors or windows facing a street or public space) should never be permitted. Once the Form-Based Code is drafted, potential minor variations can be described in greater detail, and included in section 9-2-14 (c).
- iii. **9-2-14(h) Criteria for Review:** A new section should be added to 9-2-14(h)(2) Site Design that describes additional criteria to be used in the review of FBC projects. The additional items should reference or restate architectural and urban design standards for the design of buildings in the FBC districts; opting in to site review should not mean one has the ability to opt out of the design standards. Such standards would include minimum criteria for basic building transparency and orientation, façade length and design, proportionality and composition, materials, parking, landscaping, and street design elements such as sidewalks, bike facilities, and street trees. These guidelines can be created once the FBC district is complete, to identify the basic minimum criteria that should apply to all new development.

Portions of the architectural and urban design criteria specified for the FBC district could be made to apply to Site Review projects city-wide. The existing criteria are a good first step; however, they are general in nature, and thus it is difficult to ensure quality results. Some suggestions for refinement include:

- 1. Open Space: Typical minimum sizes (in sf or acres) should be defined for various open space types (such as park, plaza, courtyard, green), to give guidance on if the space provided is usable.
- 2. Circulation: Standards should require connectivity of pedestrians, cyclists, and vehicles between adjacent parcels (or at least building a “stub-out” to provide for future connectivity)
- 3. Parking: Many communities are prescribing “maximum” parking standards (which may be used instead of or in addition to “minimum” ratios) especially in mixed-use zones where parking will be shared among uses. Market demand will typically ensure a minimum amount of parking is provided, making parking minimums irrelevant; however, requiring parking minimums at too high a ratio, or allowing developers to construct unlimited parking, requires buildings to be large enough to conceal that

parking or else be set amongst large parking fields, both of which work against walkability. Setting a *maximum* ratio per use can ensure that superfluous amounts of parking are not constructed. This strategy could be utilized in all mixed-use zones, including FBC Districts as well as proposed Site Plan projects.

4. Building Design: The standards for Building Design should be enhanced to add additional specificity about what is desired, to give applicants and reviewers more detailed criteria and guidance. Portions of the standards for the FBC District that speak to “urban design basics”, or good overall practices to achieve walkable, visually interesting design, can be made to apply city-wide. This includes standards for building transparency and orientation, façade length and design, proportionality and composition. Criteria should be specific; for example, regarding façade transparency, instead of simply providing an intent statement such as “Building facades that face streets or public spaces should maintain transparency to add visual interest for pedestrians, as well as safety and aesthetic appeal”, some guidance should be also provided as to what that means. As an example, “The first story of a shopfront building facade should have a minimum of 70% of the façade in doors and windows. For residential or office uses, as well as upper stories on shopfront buildings, there should be a minimum of 30% transparency per story.”
5. Street Design: Street Design basics should also be addressed as part of Site Review; the design of streets go hand-in-hand with the design of buildings on private property in creating a quality public realm. Criteria for sidewalks, street trees, on-street parking bike facilities, lane widths, curb radii, and other important design elements should be specified to guide any project that includes a new or retrofitted street.

## **6. Recommendations for FBC in other locations**

*Future memo drafts will include recommendations for applying FBC in other areas of the City*