

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

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

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

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

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

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

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

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

WHEREAS, the Board of Trustees considered the Amendments at a duly noticed public hearing on _____, 2023; and

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

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

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

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

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

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

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

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

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

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

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

ATTEST:

TOWN OF MEAD:

By: _____
Mary E. Strutt, MMC, Town Clerk

By: _____
Colleen G. Whitlow, Mayor

EXHIBIT A

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

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

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

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

[Attached beginning on the following page.]

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

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

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

Rural Zoning District

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

Notes to Table 3-3

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

15 Single-Family Attached Density and Dimensional Standards:

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

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

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

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

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

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

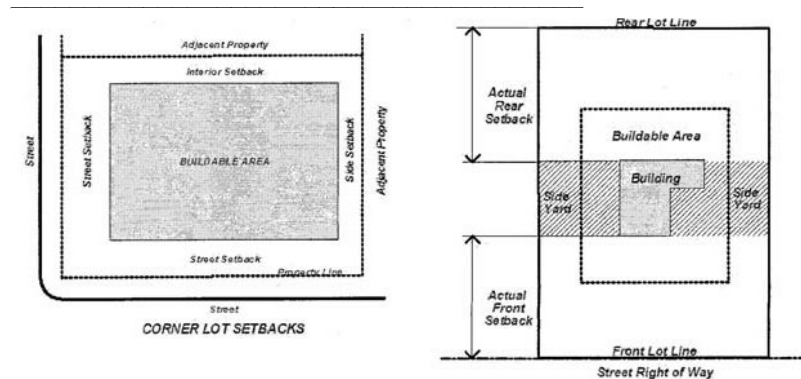


Figure 3.2 Corner Lot Setbacks and Figure 3.3 Measurements of Setbacks

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

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

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

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

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