



Agenda Item Summary

MEETING DATE: November 27, 2023

SUBJECT: **Ordinance No. 1049** – An Ordinance of the Town of Mead, Colorado, Amending Sections 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(g), AND 16-11-40(9) of the *Mead Municipal Code*, Regarding Floor Area Ratio Standards for Development

PRESENTED BY: Collin Mieras, Planner II

SUMMARY

Staff is proposing text amendments to Chapter 16 – Land Use Code of the Mead Municipal Code (“MMC”) relating to density and dimensional standards for lots and structures. Specifically, the proposed text amendments aim to eliminate floor area ratio (FAR) standards (“Text Amendments”). The Text Amendments are laid out with specificity in Exhibit A to Ordinance No. 1049 (“Ordinance”). The Planning Commission recommended approval of the Text Amendments after a public hearing at their regular meeting on November 15, 2023.

Staff also made recommendations to the Planning Commission regarding text amendments to Section 16-3-90(e)(2) to establish set distances that non-foundational flatwork, such as walkways, patios, driveways, and parking lots, can encroach into the setbacks of a property. The Planning Commission, at their November 15, 2023, regular meeting, unanimously voted to not adopt the separate resolution for the establishment of set distances for encroachment of non-foundational flatwork into setbacks. Staff has subsequently elected to not bring forward the proposed text amendments to Section 16-3-90(e)(2) at this time.

This AIS recommends that the Board of Trustees approve the proposed Text Amendments to Sections 16-1-150, 16-3-80 – Table 3.3, 16-3-90(g), and 16-11-40(9) of the Mead Municipal Code.

OVERVIEW

FAR is the gross floor area of a building on a lot divided by the total area of the lot. For example, a 25,000 square-foot, one-story building located on a 100,000 square-foot lot would have a FAR of .25. See the provided attachment for a graphic representation of FAR.

A FAR maximum is typically used in land use codes to control the intensity of a development. Staff has found that the FAR maximum in the MMC is unnecessary as other density and dimensional standards already appropriately limit the intensity of development. Therefore, the Text Amendments include the following:

- Amend Section 16-1-150 to delete the definition of the term “floor area ratio.”
- Amend Section 16-3-80. – Table 3.3, which outlines the Density and Dimensional Standards for zoning districts in the Town. The proposed amendment removes the maximum Floor Area Ratio (FAR) standard from the table, as well as references to FAR.
- Amend Section 16-3-90(g) to remove the explanation of how FAR is to be measured.

- Amend Section 16-11-40(9) to eliminate the FAR standard for manufactured housing (for which the MMC includes lot and structure area dimensional standards).

REVIEW CRITERIA ANALYSIS

Zoning Amendment Review Criteria (MMC Section 16-3-160. Amendments)

The criteria by which text amendments to Chapter 16 of the Code (“Land Use Code”) are evaluated are set forth in Section 16-3-160(f), *Criteria for text amendments to the Zoning Code*. This subsection reads as follows:

For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the text of this Article shall not be amended except:

- (1) To correct a manifest error in the text of this Article; or
- (2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff; or
- (3) To accommodate innovations in land use and development practices that were not contemplated at the adoption of this Article; or
- (4) To further the implementation of the goals and objectives of the Town Comprehensive Plan.”

Only one of the review criteria listed above must be met for the proposed Text Amendments to be approved. Staff believes the Text Amendments meet the following criteria:

(2) *To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff;*

Staff has found that the use of FAR in the MMC is unnecessary, as the MMC includes other density and dimensional standards that control the intensity of development. These standards include maximum lot coverage, height, and dwelling units per acre, as well as on-site parking and landscaping requirements.

When the FAR maximum is implemented along with the other density and dimensional standards listed above, it becomes increasingly complicated and burdensome for the developer to design their site and meet all the standards. Taking out the FAR maximum will allow for property owners to have more flexibility in designing their site, while still being limited by the other density and dimensional standards to the appropriate intensity of use for the property.

FINANCIAL CONSIDERATIONS

N/A

STAFF RECOMMENDATION/ACTION REQUIRED

Staff finds that the proposed Text Amendments, as outlined, satisfactorily meet the criteria for approval as set forth in Section 16-3-160(f) of the MMC and request that the Board of Trustees approve Ordinance No. 1049, Amending Sections 16-1-150., 16-3-80 – Table 3.3, 16-3-90(g), and 16-11-40(9) regarding floor area ratio standards for development via the following motion:

Suggested Motion:

“I move to approve Ordinance No. 1049 - An Ordinance of the Town of Mead, Colorado, Amending Sections 16-1-150, 16-3-80 – TABLE 3.3, 16-3-90(g), AND 16-11-40(9) of the *Mead Municipal Code*, Regarding Floor Area Ratio Standards for Development.”

ATTACHMENTS

Ordinance No. 1049

FAR Representation Graphic

EXHIBIT A to Ordinance: Text Amendments shown with additions underlined and deletions in strike-through