

APPENDIX
(SECTION G TO REPORT)

REPORT

TO CHERRY HILLS VILLAGE CITY COUNCIL

BY

**RESIDENTIAL DEVELOPMENT
STANDARDS COMMITTEE**

SEPTEMBER 30, 2009

G. Appendix

Tab 1) Resolution 17, Series 2008

RESOLUTION NO. 17
SERIES OF 2008

INTRODUCED BY: HARRIET LAMAIR
SECONDED BY: RUSSELL STEWART

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
CONCERNING
THE ESTABLISHMENT OF THE
RESIDENTIAL DEVELOPMENT STANDARDS COMMITTEE
AND THE ASSIGNMENT OF DUTIES AND RESPONSIBILITIES**

WHEREAS, the City Council approved Resolution 11, Series 2008 on June 3, 2008 establishing the Residential Development Standards Committee (RDSC) and assigning duties and responsibilities; and

WHEREAS, the City Council desires to increase the number of residents appointed to the Committee from four (4) to five (5); and

WHEREAS, the City Council has decided to repeal said resolution and adopt a new resolution to accommodate the above modification to the RDSC; and

WHEREAS, the RDSC is to be formed in response to numerous concerns voiced by residents of the City who expressed concern about the impact of development upon the character of the community, as a result of the scope and size of residential redevelopment projects in the City; and

WHEREAS, the Council desires to establish a citizen committee to study and provide a comprehensive evaluation of the City's residential development standards; including, but not limited to, setbacks, height, floor area, open space coverage on individual lots, accessory structures, natural surroundings, the issuance of building permits, enforcement and implementation; and

WHEREAS, such work will include the need for a working familiarity with the City's Master Plan, regulations and policies; and

WHEREAS, the RDSC will be charged with providing a thorough analysis and recommendations to the Council concerning possible actions; and

WHEREAS, the RDSC must ensure that its evaluation and recommendations take into consideration the health, safety and general welfare of the residents of the City, and the goals of the Master Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE THAT:

Section 1.

Resolution 11, Series 2008 shall hereby be repealed.

Section 2.

The City Council of the City of Cherry Hills Village hereby establishes the Residential Development Standards Committee (RDSC).

Purpose:

The purpose of the RDSC is to thoroughly analyze the City's existing residential development standards and their impact on development within the City as a whole, as well as in specific neighborhoods. The RDSC shall provide recommendations to the Council on possible actions to address those impacts, while ensuring that their evaluation and recommendations consider the health, safety and general welfare of the residents of the City of Cherry Hills Village, and the goals of the City's Master Plan.

Members:

The RDSC shall be comprised of five (5) residents of Cherry Hills Village appointed by the City Council. Some knowledge and familiarity in planning, architecture, landscape architecture, construction, and public policy are preferred; however such experience may not be

required. In addition to the five (5) residents appointed by the Council, there shall be two (2) members of the City Council assigned to the RDSC as non-voting advisors to the committee.

Duties and Responsibilities:

The City Council designates the following duties and responsibilities to the RDSC:

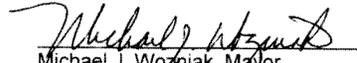
1. Thoroughly evaluate the community and identify issues associated with the City's residential development standards. Such analysis should, at a minimum, consider the following: setbacks, height, floor area, open space coverage on lots, accessory structures, natural surroundings (including existing trees and landscaping), the issuance of building permits, enforcement and implementation, and how these factors relate to the City's Master Plan.
2. Review all planning, studies and work performed to date by the City that has looked at the issues of residential development standards.
3. Research what other communities are doing to address similar issues to those identified.
4. Develop a number of potential actions that could be considered to address those issues identified and discuss various pros and cons of each. Such considerations should identify whether the possible actions are City-wide or neighborhood specific.
5. Generate recommendations to the Council on a course of action to address those issues identified.
6. Provide a complete and detailed report to Council addressing all of the findings of the Committee as assigned by the City Council.

All meetings of the RDSC shall be open to the public. The RDSC shall set and post its schedule and agendas, publicize any open meeting dates in the same manner as other City advisory committees, invite input from the community and representatives from the construction industry, interview City staff, and provide progress reports to City Council as the Committee deems appropriate or as City Council requests. The Committee's role is advisory only. Final authority for any changes to the City's development standards shall remain vested with City Council.

Section 3.

This Resolution be effective immediately.

Introduced, passed and adopted at the
regular meeting of City Council this 16th day
of September, 2008, by a vote of 5 yes and 0 no.


Michael J. Wozniak, Mayor

APPROVED AS TO FORM:


Kenneth S. Fellman, City Attorney

ATTEST:


Melissa G. Formby, City Clerk

(SEAL)

Tab 2) Public Meeting Survey Results

CHERRY HILLS VILLAGE RESIDENTIAL DEVELOPMENT BUILDING STANDARDS COMMITTEE

SURVEY OF CITIZENS

Results Summary

(27 Surveys Received)

Your answers to the following problems identified by CHV citizens will help in formulating recommendations to City Council regarding residential development building standards. In problems 1-7, please check those measures you see as possible solutions.

1. PROBLEM: The size and scale of some new homes are too large relative to lot size and/or neighborhood character - - -

- 26 Limit building size to a percentage of lot size - Floor Area Ratio.
- .20 OK, allow up to .25 w/ incentives.
- Be careful how FAR is defined. Do not count basement (below grade) in FAR.
- 1%
- Restrict floor area ratio from what it now is. A dramatic reduction is necessary. No more monster mansions w/ no yards!
- Restrict % to less than it is now.
- 4 Other recommended solution:
- Setbacks and bulk plane restrictions.
- Increase setbacks based upon increased lot size.
- Consider impact fees for houses over certain size sq. ft. Utilize funds for open space acquisition.
- Bulk plane limits also helpful.
- 1 No action is warranted.

2. PROBLEM: Too much of the bulk/mass of some new homes is too close to property lines - - -

- 16 Limit heights of structures according to the distances from property lines - Bulk Plane.
12 In certain zoning districts, increase maximum height limit as trade-off for lower height limit on part of structure closest to property line.
- No
- 6 Other recommended solution:
- Increase setbacks based upon increased lot size.
- Use FAR Ratio.
- Increase setbacks – therefore decrease building envelope.
- As a trade off item in conjunction w/ review.
- Prefer bulk plane w/ trade offs in height.
- Anything to help.
- Increase setbacks.
- 2 No action is warranted.
- Too limiting on many lots and will drive awkward looking architecture. No, don't go here, this is more relevant to tighter urban lot conditions.

3. PROBLEM: Building facades of some new homes are too close to neighboring homes or adjacent streets - - -

14 Increase side, rear and/or front setbacks to concentrate development on interior of lot.

- *Doesn't always work on odd-shaped lots.*

10 Maintain current minimum side/rear/front setbacks but establish "development envelopes" (based on cumulative totals of setbacks) that are greater than the minimum setback requirements.

7 Other recommended solution:

- *Increase setbacks based upon increased lot size.*

- *Do some sort of combination that is fair to homeowner and neighbors.*

- *Maximum setbacks to relate to adjacent neighborhood context, i.e. adjacent properties distance from street.*

- *Perhaps limit the length of façade that can be up to the min. setback line. Most important to consider context (adj. neighbors) instead of inc. setback.*

- *Maximum setbacks may apply to some lots depending upon context of surrounding properties. - This is where you need design review committee.*

- *Just get them away from us.*

- *Bulk plane limits also address this question.*

3 No action is warranted.

- *Subject to review.*

4. PROBLEM: Re-grading for new construction can impact drainage and historical view corridors of neighboring properties - - -

14 Include areas of grade modifications in Floor Area Ratios.

- *Don't know for sure, may be the solution.*

12 Limit retaining walls and berms within setback areas.

2 Other recommended solution:

- *Plus a grading permit should be required so that compliance is assured, including maintaining a record of prior grading so that "future" scrape offs are not unfairly advantaged, by "two" grading schemes or plans.*

- *Limit grading.*

7 No action is warranted.

5. PROBLEM: No construction standards for "sustainable" or "green" residential development exist in CHV - - -

16 Require new residential construction to meet Gold Rating of LEED (Leadership in Energy and Environmental Design) or some other energy efficiency standard such as:

- *Silver or Platinum.*

- *"Suggest" instead of "Require"*

- *Some kinds of standards, encourage. These could be incentive, I do doubt that a 20,000 sq. ft. house for 2 people could even qualify for LEED status.*

- *OK, but only silver as min. not Gold.*

- *Provide incentives.*

- *Energy star, best available, most aggressive practices for energy, resource and water conservation, bike paths, bus access.*

- *Decrease outside lights, energy efficient, sustainable products.*

7 No action is warranted.

6. PROBLEM: No standards for preserving desirable landscape and habitat areas as part of a residential development plan - - -

- 15 Establish minimum landscape and habitat preservation standards.
- "Suggest" instead of "Require"
- Appropriate trees, etc.
- 19 Offer incentives for preserving existing landscape and/or habitat areas.
- 6 Other recommended solution:
- Environmental review in Planning and Zoning
- Subject to review
- If landscape screening/privacy is removed, replacement of some sort should be required.
- Require minimum new planning requirement.
- Do not mandate.
- 5% of total cost.
- 1 No action is warranted.

7. PROBLEM: No method for evaluating impact of proposed development on surrounding neighborhood - - -

- 20 Require contextual design review of proposed development or variance request.
- Establish environmental review protocol * very important for developers to go through.
- "Suggest" instead of "Require"
- This step would allow the implementation of any or all of th recommendations with flexibility and the goal of improving quality of the built product.
- Yes, but need teeth in order to enforce recommendations of Design Review Committee. Must require renovations or new plans to show surrounding context o fadjacnet homes, site features, grades dn vegetation.
- Might be a better way, but please no covenants, design rules, etc.
- With appropriate input (not veto) by neighbors.
- Make it more of a requirement than voluntary.
- This is a very creative idea.
- Not a good solution but I can't think of a better on at the moment.
- 3 Other recommended solution:
- Please let neighbors see plans & have input w/ design review committee
- Do not require, but offer.
- 4 No action is warranted.

8. Please check the lot size in your neighborhood.

 ¼ or less acre 3 ¼ to ½ acre 7 ½ to 1.0 acre 12 1.0 to 2.5 acres 5 2.5/+
acres

9. Please rank other issues of concern the committee should study, with “1” being the most important issue and your last number in rank being the least important.

_____ Fencing – design and location within rights-of-way and within setback areas.

Votes for Rank 1: 5
Votes for Rank 2: 4
Votes for Rank 3: 5
Votes for Rank 4: 0
Votes for Rank 5: 1
Votes without Rank: 2

- *Fences, no stucco on Quincy! Or anywhere except in walled development.*

_____ “Dark skies” – standards for night lighting.

Votes for Rank 1: 6
Votes for Rank 2: 4
Votes for Rank 3: 4
Votes for Rank 4: 1
Votes for Rank 5: 0
Votes without Rank: 2

- Yes

_____ Accessory structures – size and location standards.

Votes for Rank 1: 3
Votes for Rank 2: 3
Votes for Rank 3: 3
Votes for Rank 4: 7
Votes for Rank 5: 0
Votes without Rank: 3

_____ Standards for development of properties that border open space/trails.

Votes for Rank 1: 3
Votes for Rank 2: 3
Votes for Rank 3: 1
Votes for Rank 4: 4
Votes for Rank 5: 2
Votes without Rank: 2

_____ Other issue(s) which should be considered:

- *(No Rank) Design restrictions and approval process for small lot sizes (18 lots in Village non-conforming)*
- *(Rank 1) Impact on neighbor's privacy – site lines, sunlight*
- *(Rank 2) Noise, staggered permits, traffic, staging*
- *(Rank 1) Sustainability and energy standards*
- *(Rank 1) Constant construction – noise, filth, lots of traffic, etc.*

ADDITIONAL COMMENTS:

- *Please – increase setbacks for all lots but smaller lots especially (ex// Buell – too big for lot size)*
- *Establish max square footage of resid. Home/ for each zoning R-1, R-2, etc.*
- *Establish Environmental Review Process in Planning and Zoning*
- *Establish fencing (acceptable) material – natural only – no stucco, especially on Quincy*
- *Thank you all for forming this committee and working on the problems. I hope your efforts will be successful, especially, no more monsters!*
- *Thank you for addressing these important matters. Preserving the character of our village will benefit everyone in the long run.*
- *Design review to look for ways to avoid mistakes in site or design quality would help make for more successful new construction. Houses would sell better, neighbors would be happier.*

- *Impact fees for homes over a certain size of 8,000 s.f. Fees could be used for community, park and environmental benefits for the whole Village.*
- *Historic preservation ordinance for buildings over 50 years old require review before demolition permit can be issued.*
- *Thanks for the thought you are giving to these standards.*
- *Incorporate accessory structures into Floor Area Ratio!!!*
- *Where is a commitment to – and advocacy for – hanging onto/preserving the increasingly limited open spaces (e.g., St. Clair property).*
- *Open space encouragement.*
- *I am particularly concerned with context and height restrictions.*

THANK YOU FOR YOUR ANSWERS. RESULTS OF THIS SURVEY WILL BE PUBLISHED IN MINUTES OF THE RESIDENTIAL DEVELOPMENT BUILDING STANDARDS COMMITTEE AND ON THE CHERRY HILLS VILLAGE WEBSITE.

Tab 3) – Floor Area Ratio (FAR) and Home Size Data

Allowable Single-Story Building Areas for Sample Lot under Current Zoning

| <i>Zone District</i> | <i>Min Gross Lot Size</i> | <i>Buildable Area*</i> |
|----------------------|---------------------------|------------------------|
| R-1 (2.50 AC) | 108,900 Sq. Ft. | 64,400 Sq. Ft. |
| R-2 (1.25 AC) | 54,450 Sq. Ft. | 24,448 Sq. Ft. |
| R-3 (1.00 AC) | 43,560 Sq. Ft. | 21,221 Sq. Ft. |
| R-4 (0.50 AC) | 21,780 Sq. Ft. | 7,702 Sq. Ft. |
| R-5 (16,000 SF) | 16,000 Sq. Ft. | 8,528 Sq. Ft. |

*This may be less than maximum house size because the property owner could build more than this by adding a second story.

Village-Wide House Size Data: Above-Ground Livable Area + Garage*

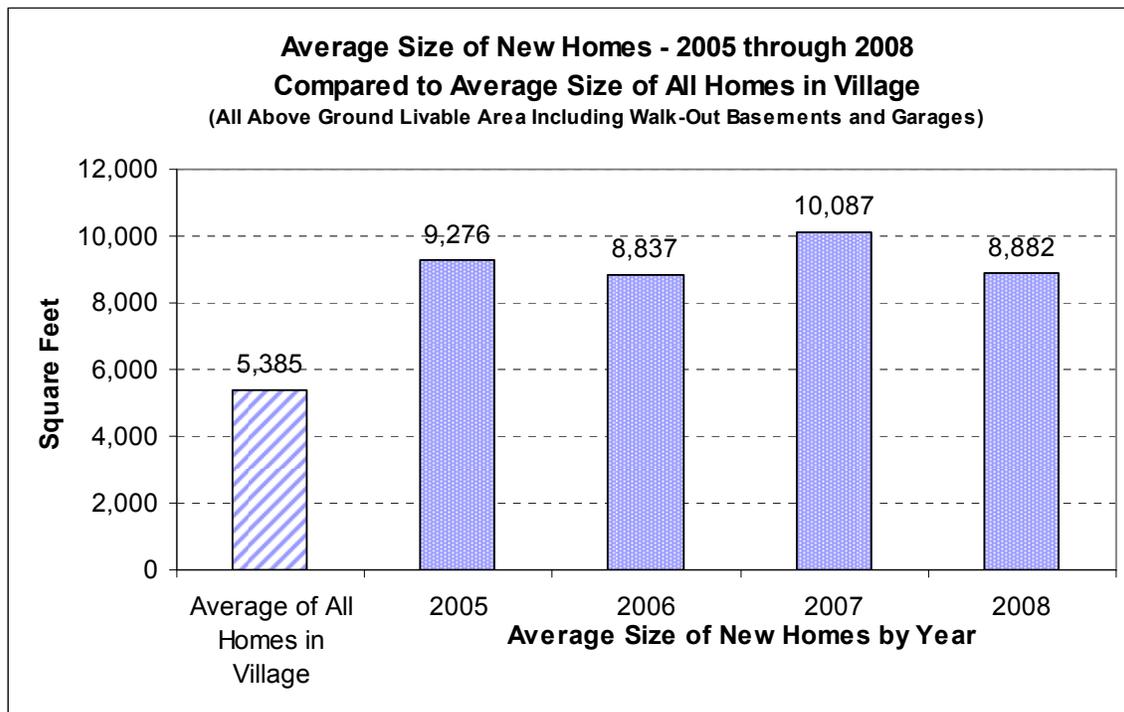
*Includes walkout basements
n = 2,159 Housing Units

House Size

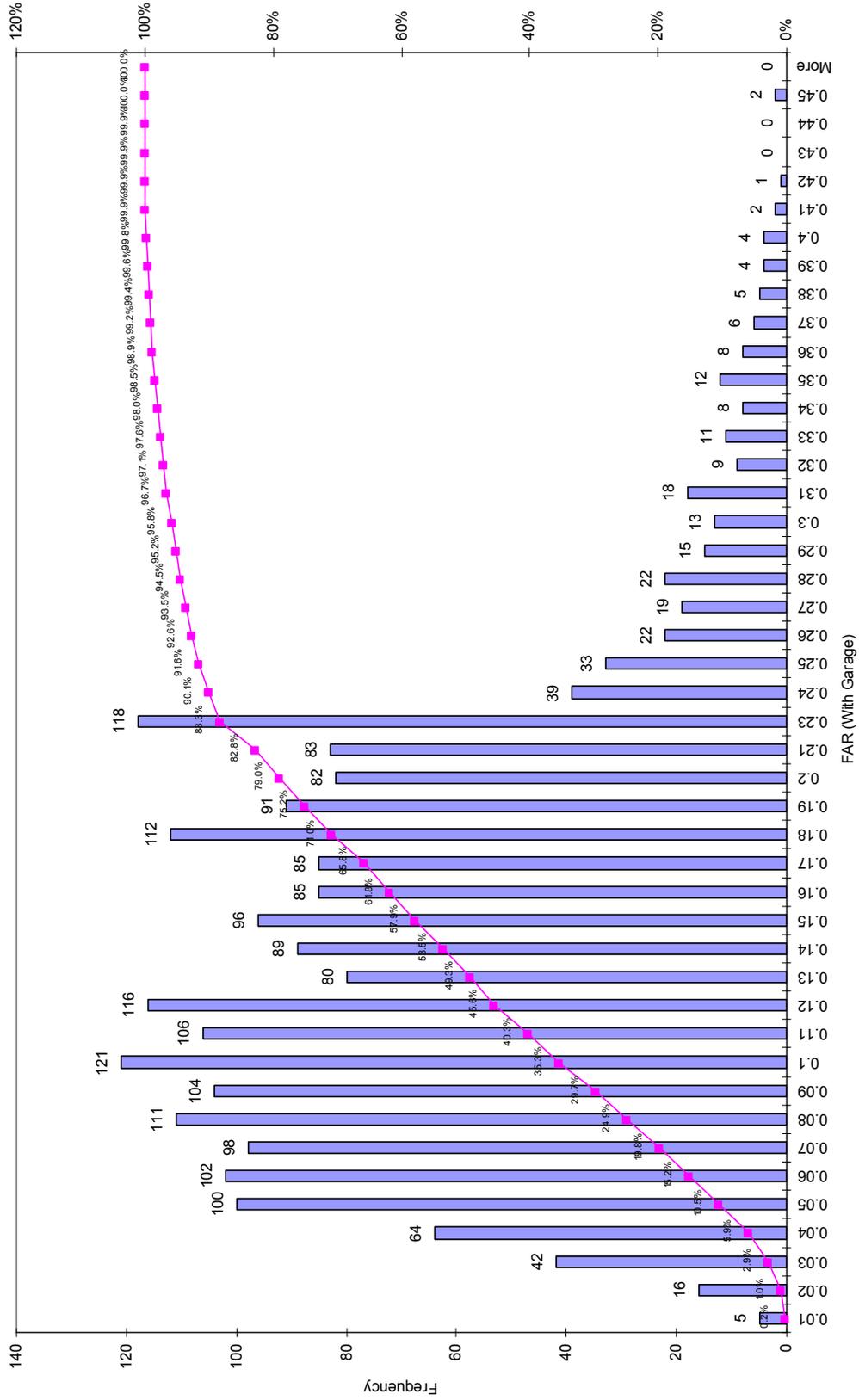
Low Value = 1,260 Sq. Ft.
High Value = 28,037 Sq. Ft.
Mean = 5,385 Sq. Ft.
Median = 4,165 Sq. Ft.

Floor Area Ratio

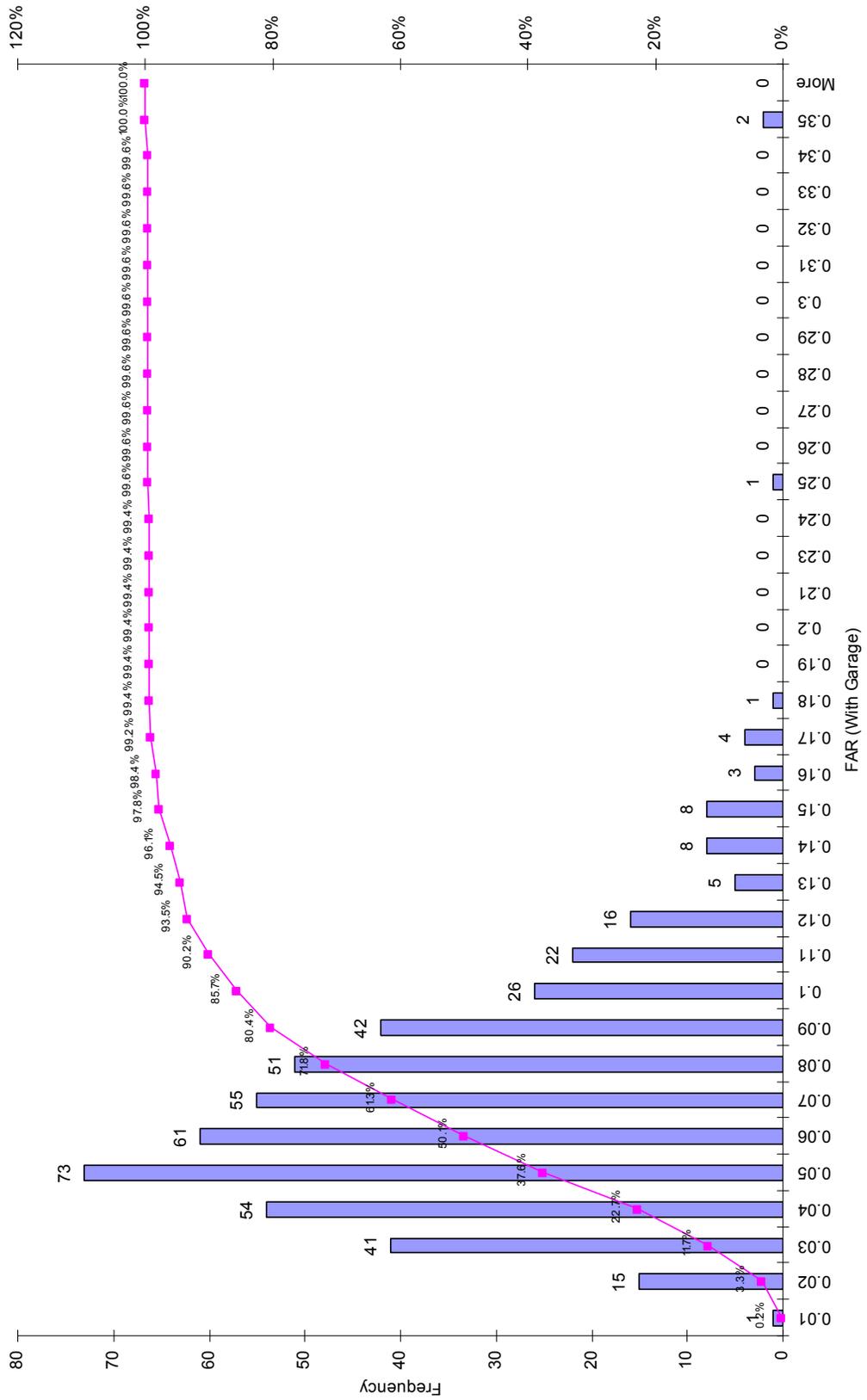
Low Value = .005 FAR
High Value = .449 FAR
Mean = .141 FAR
Median = .103 FAR



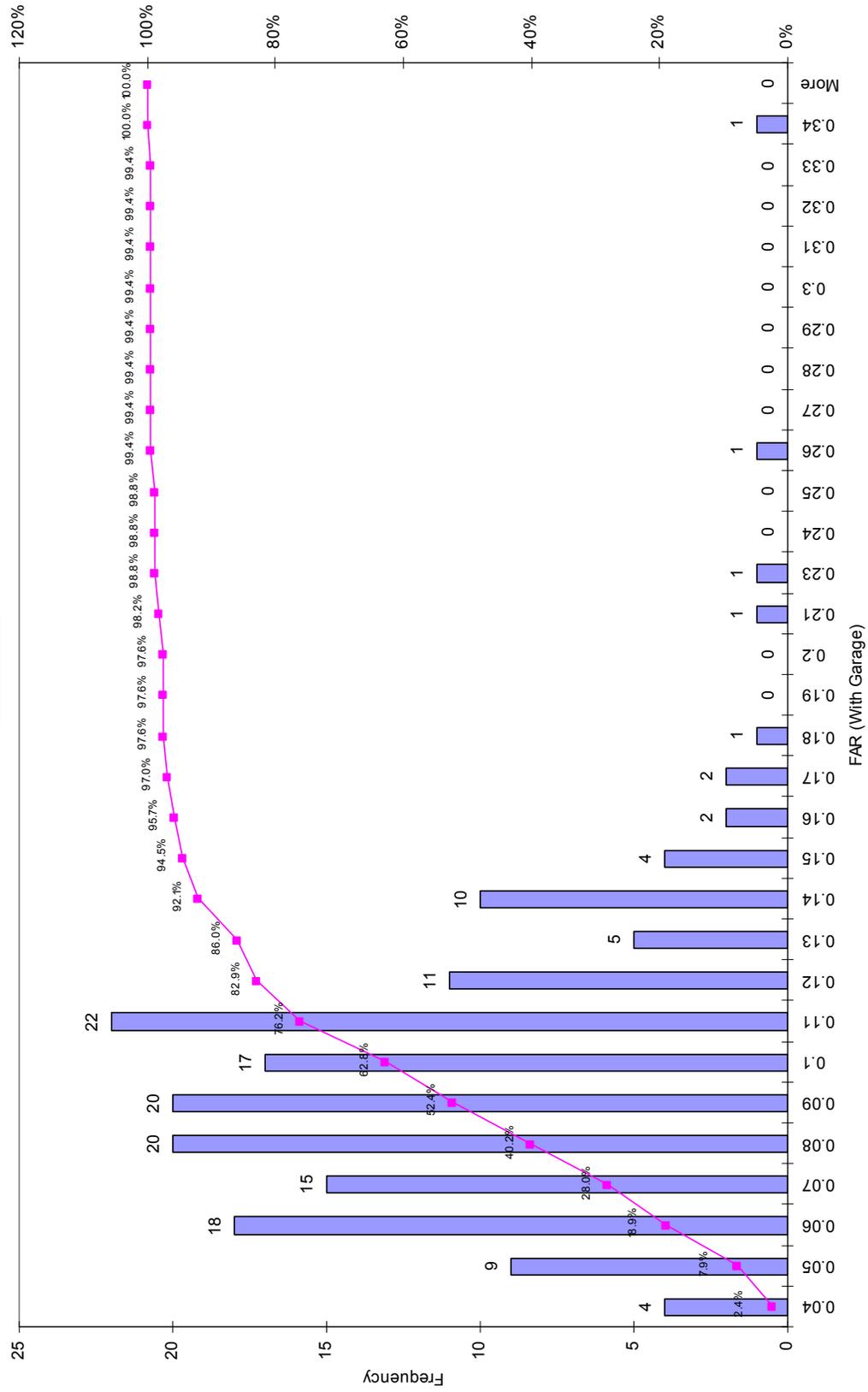
**Village Wide
FAR - With Garage**



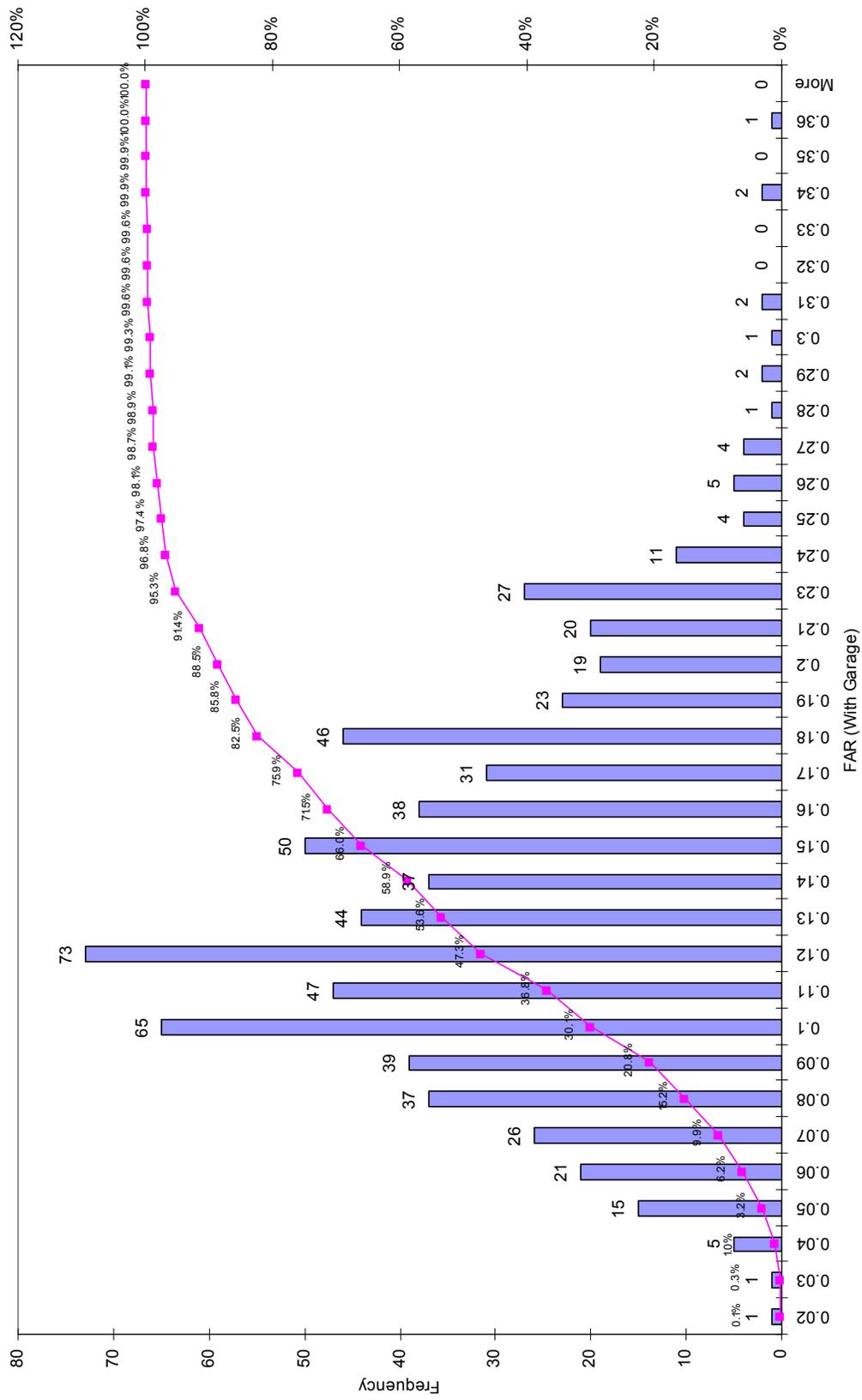
R-1, 2 1/2-Acre Residential District FAR - With Garage



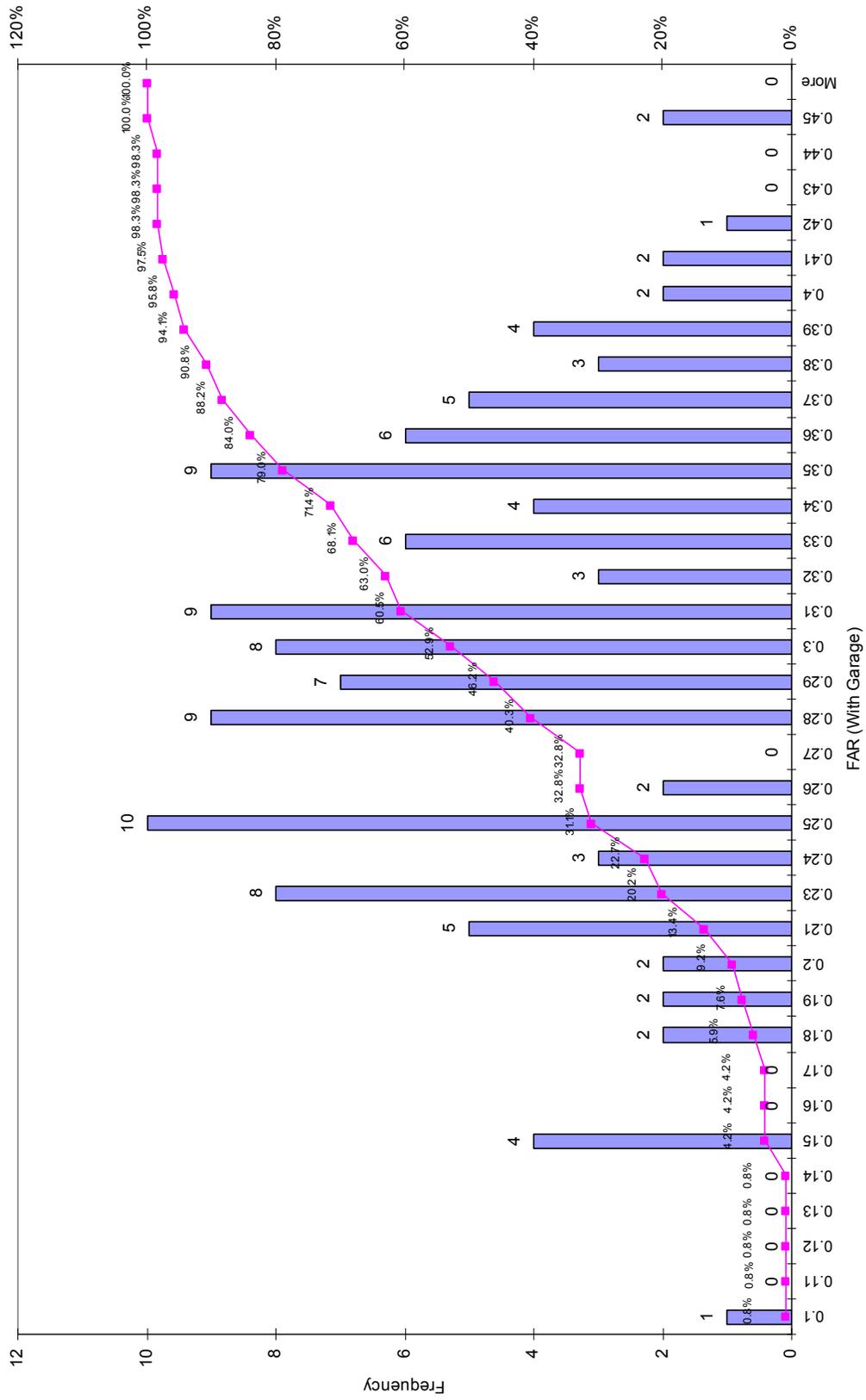
R-2, 1 1/4-Acre Residential District
FAR - With Garage



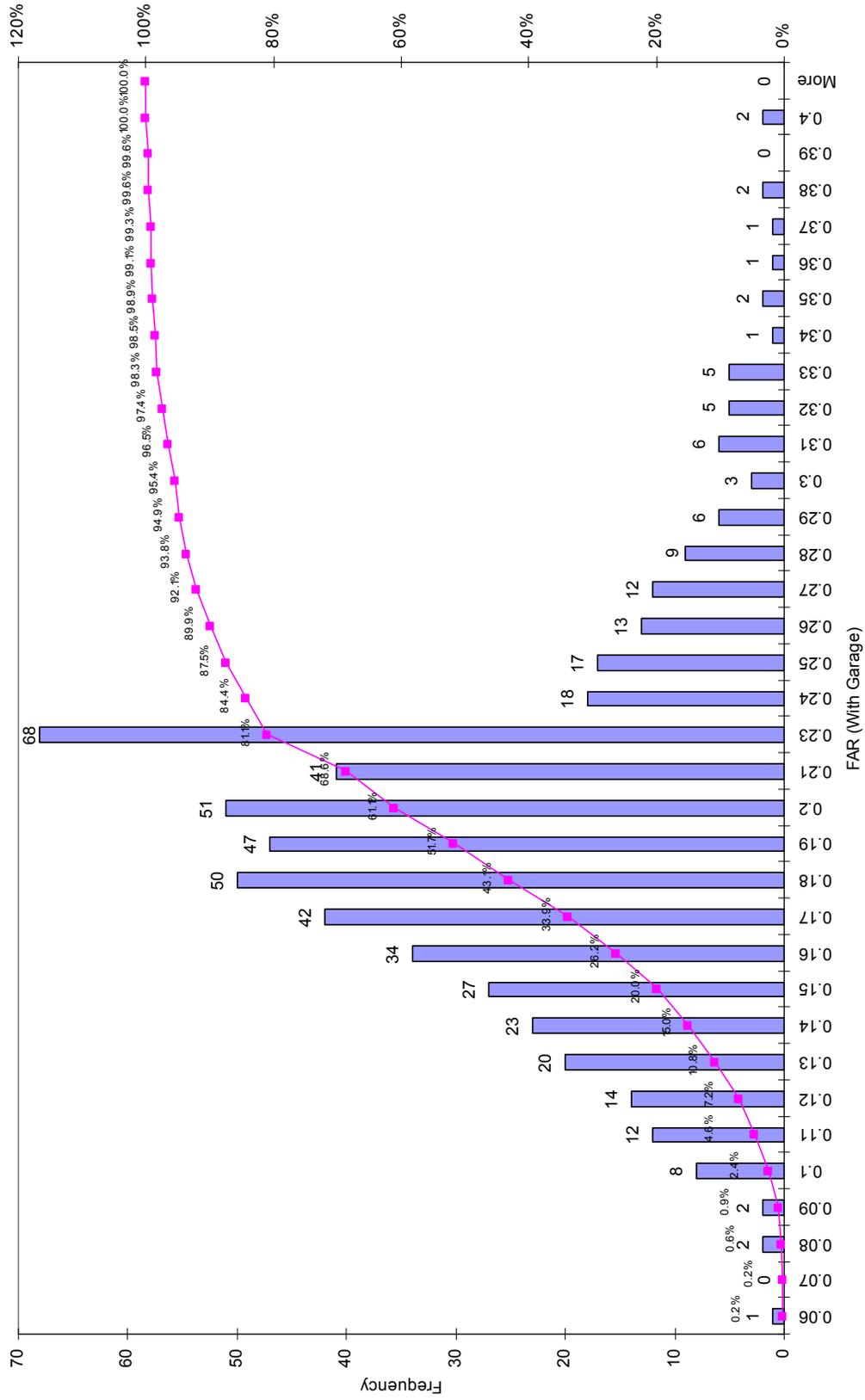
R-3, 1-Acre Residential District
FAR - With Garage



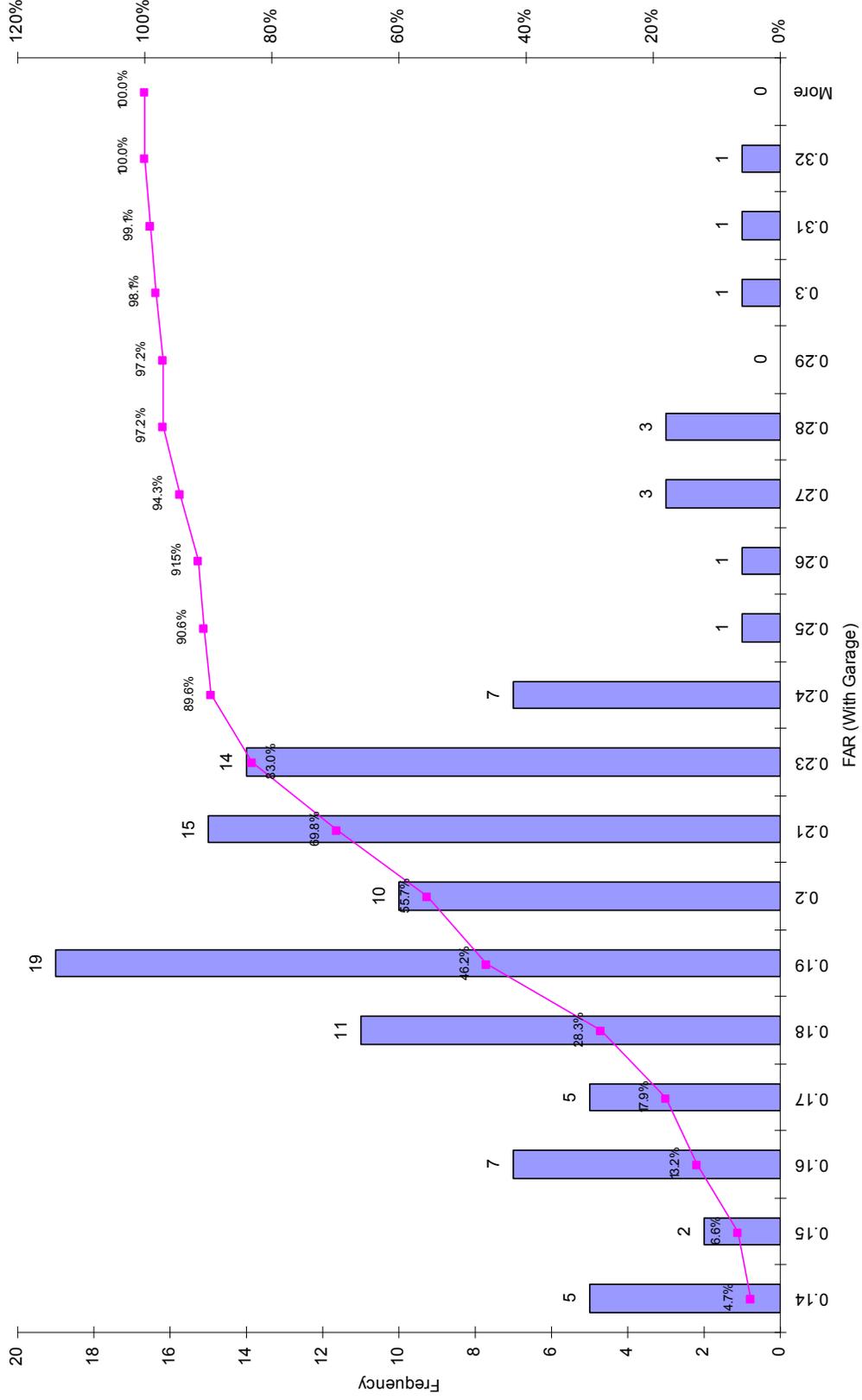
R-3A, Variable Lot Residential District
FAR - With Garage



**R-4, 1/2-Acre Residential District
FAR - With Garage**



R-5, 16,000-Square Foot Residential District
FAR - With Garage



FAR Data
New Single Family Residential Permits 2005-Present

| Permit Year | Street Number | Street Name | Living Area/Above Ground (sq. ft.) | Finished Basement (sq. ft.) | Unfinished Basement (sq. ft.) | Attached Garage (sq. ft.) | Net Lot Area (sq. ft.) | FAR (Living Area) | FAR (Living Area+Garage) | FAR (Living Area+Finished Basement) | FAR (Living Area+Finished Basement+Garage) |
|-------------|---------------|-------------------|------------------------------------|-----------------------------|-------------------------------|---------------------------|------------------------|-------------------|--------------------------|-------------------------------------|--|
| 2005 | 4298 | BELLAIRE | 4,898 | 2,550 | 1,222 | 952 | 24,913 | 0.20 | 0.23 | 0.30 | 0.34 |
| 2005 | 6304 | CHARRINGTON | 6,598 | 4,432 | 486 | 1,302 | 89,348 | 0.07 | 0.09 | 0.12 | 0.14 |
| 2005 | 25 | CHERRY HILLS PARK | 10,780 | 7,883 | | 676 | 103,309 | 0.10 | 0.11 | 0.18 | 0.19 |
| 2005 | 12 | CHERRY HILLS PARK | 13,958 | 7,420 | 44 | 1,324 | 103,567 | 0.13 | 0.15 | 0.21 | 0.22 |
| 2005 | 4000 | COLORADO | 6,958 | 3,211 | 1,125 | 1,250 | 96,301 | 0.07 | 0.09 | 0.11 | 0.12 |
| 2005 | 4710 | DOWNING | 7,242 | 2,808 | 1,130 | 1,096 | 36,650 | 0.20 | 0.23 | 0.27 | 0.30 |
| 2005 | 4949 | FAIRFAX | 11,861 | 5,677 | 304 | 1,421 | 100,498 | 0.12 | 0.13 | 0.17 | 0.19 |
| 2005 | 4956 | FILLMORE | 7,677 | 2,743 | 2,191 | 1,415 | 38,711 | 0.20 | 0.23 | 0.27 | 0.31 |
| 2005 | 3 | GOOSEBERRY | 6,307 | 2,433 | 1,621 | 1,465 | 28,233 | 0.22 | 0.28 | 0.31 | 0.36 |
| 2005 | 7 | GRAY OWL | 6,472 | 2,864 | 1,492 | 768 | 19,463 | 0.33 | 0.37 | 0.48 | 0.52 |
| 2005 | 5051 | LAFAYETTE | 7,747 | 3,350 | 372 | 1,256 | 38,074 | 0.20 | 0.24 | 0.29 | 0.32 |
| 2005 | 9 | LYNN | 10,976 | 4,182 | 220 | 1,186 | 116,649 | 0.09 | 0.10 | 0.13 | 0.14 |
| 2005 | 135 | MEADE | 7,169 | 3,604 | 199 | 1,574 | 94,011 | 0.08 | 0.09 | 0.11 | 0.13 |
| 2005 | 1001 | OXFORD | 8,060 | 2,561 | 1,098 | 1,209 | 34,880 | 0.23 | 0.27 | 0.30 | 0.34 |
| 2005 | 1601 | QUINCY | 7,363 | 3,232 | 1,949 | 1,539 | 107,854 | 0.07 | 0.08 | 0.10 | 0.11 |
| 2005 | 3 | RANDOM | 9,733 | 4,628 | 516 | 1,470 | 85,868 | 0.11 | 0.13 | 0.17 | 0.18 |
| 2005 | 16 | RANDOM | 11,138 | | | 2,138 | 86,108 | 0.13 | 0.15 | 0.13 | 0.15 |
| 2005 | 7 | SANDY LAKE | 5,824 | 1,746 | 194 | 961 | 21,339 | 0.27 | 0.32 | 0.35 | 0.40 |
| 2005 | 12 | SOUTH | 7,178 | 2,065 | 364 | 1,069 | 34,650 | 0.21 | 0.24 | 0.27 | 0.30 |
| 2005 | 1010 | STANFORD | 7,075 | 3,139 | 349 | 1,571 | 40,804 | 0.17 | 0.21 | 0.25 | 0.29 |
| 2005 | 4550 | UNIVERSITY | 5,801 | 3,123 | 42 | 1,250 | 31,673 | 0.18 | 0.22 | 0.28 | 0.32 |
| 2005 | 16 | VIKING | 7,983 | 3,103 | 1,170 | 1,940 | 34,742 | 0.23 | 0.29 | 0.32 | 0.37 |
| 2005 | 13 | VISTA | 5,200 | 2,995 | 1,997 | 1,110 | 106,171 | 0.05 | 0.06 | 0.08 | 0.09 |
| 2005 | 13 | WATERSIDE | 7,558 | 3,044 | 1,205 | 1,114 | 61,354 | 0.12 | 0.14 | 0.17 | 0.19 |
| 2006 | 5001 | ALBION | 7,964 | 1,147 | 287 | 1,271 | 55,906 | 0.14 | 0.17 | 0.16 | 0.19 |
| 2006 | 1011 | BELLEVIEW | 6,798 | 0 | 3,848 | 1,459 | 61,319 | 0.11 | 0.13 | 0.11 | 0.13 |
| 2006 | 5 | CHERRY HILLS | 8,350 | 3,503 | 389 | 1,344 | 61,683 | 0.14 | 0.16 | 0.19 | 0.21 |
| 2006 | 81 | CHERRY HILLS FARM | 5,525 | 2,751 | | 1,570 | 37,035 | 0.15 | 0.19 | 0.22 | 0.27 |
| 2006 | 10 | CHERRY LANE | 8,347 | 3,938 | 1,653 | 1,568 | 94,231 | 0.09 | 0.11 | 0.13 | 0.15 |
| 2006 | 3280 | CHERRY RIDGE | 8,107 | 3,143 | 349 | 1,078 | 44,929 | 0.18 | 0.20 | 0.25 | 0.27 |
| 2006 | 23 | COVINGTON | 6,253 | 3,319 | 555 | | 24,740 | 0.25 | 0.25 | 0.39 | 0.39 |
| 2006 | 3900 | DEXTER | 3,511 | 500 | 167 | 772 | 16,149 | 0.22 | 0.27 | 0.25 | 0.30 |
| 2006 | 15 | FOXTAIL | 4,987 | 1,615 | 870 | 1,364 | 17,681 | 0.28 | 0.36 | 0.37 | 0.45 |
| 2006 | 4999 | FRANKLIN | 9,270 | 0 | 4,030 | 1,326 | 50,685 | 0.18 | 0.21 | 0.18 | 0.21 |
| 2006 | 4160 | HUMBOLDT | 4,426 | 2,402 | 21 | 844 | 31,080 | 0.14 | 0.17 | 0.22 | 0.25 |
| 2006 | 4550 | LAFAYETTE | 10,177 | 4,735 | 249 | 1,473 | 34,825 | 0.29 | 0.33 | 0.43 | 0.47 |
| 2006 | 4601 | LAFAYETTE | 7,205 | 3,036 | 160 | 1,143 | 41,316 | 0.17 | 0.20 | 0.25 | 0.28 |
| 2006 | 15 | LYNN | 13,689 | 7,601 | 122 | 1,757 | 167,405 | 0.08 | 0.09 | 0.13 | 0.14 |
| 2006 | 3 | MARTIN | 8,257 | 2,917 | 2,883 | 1,416 | 64,765 | 0.13 | 0.15 | 0.17 | 0.19 |
| 2006 | 24 | MARTIN | 6,446 | 3,458 | 26 | 1,452 | 33,823 | 0.19 | 0.23 | 0.29 | 0.34 |
| 2006 | 37 | MARTIN | 8,046 | 3,383 | 1,280 | 1,067 | 41,189 | 0.20 | 0.22 | 0.28 | 0.30 |
| 2006 | 17 | RANDOM | 5,363 | 1,755 | 92 | 1,010 | 96,850 | 0.06 | 0.07 | 0.07 | 0.08 |
| 2006 | 4 | RAVENSWOOD | 5,522 | 2,409 | 704 | 1,708 | 107,520 | 0.05 | 0.07 | 0.07 | 0.09 |
| 2006 | 7 | REDHAWK | 6,213 | | 3,072 | 1,314 | 18,809 | 0.33 | 0.40 | 0.33 | 0.40 |
| 2006 | 2 | SANDY LAKE | 5,999 | 3,259 | 29 | 1,010 | 24,512 | 0.24 | 0.29 | 0.38 | 0.42 |
| 2006 | 16 | SANDY LAKE | 14,275 | 6,918 | 127 | 1,816 | 108,613 | 0.13 | 0.15 | 0.20 | 0.21 |
| 2006 | 77 | SEDGWICK | 5,524 | 2,886 | 31 | 1,210 | 52,668 | 0.10 | 0.13 | 0.16 | 0.18 |
| 2006 | 80 | SEDGWICK | 5,506 | 3,018 | 66 | 1,177 | 53,545 | 0.10 | 0.12 | 0.16 | 0.18 |
| 2006 | 2 | VIKING | 7,936 | 3,631 | 191 | 1,758 | 28,963 | 0.27 | 0.33 | 0.40 | 0.46 |
| 2006 | 4 | VILLAGE | 9,945 | 5,814 | 195 | 2,218 | 98,160 | 0.10 | 0.12 | 0.16 | 0.18 |
| 2006 | 12 | VISTA | 6,938 | 3,338 | 1,738 | 1,724 | 108,298 | 0.06 | 0.08 | 0.09 | 0.11 |
| 2006 | 9 | VISTA | 9,332 | 5,956 | 860 | 1,676 | 117,837 | 0.08 | 0.09 | 0.13 | 0.14 |
| 2007 | 4225 | BELLAIRE | 4,973 | 2,669 | 139 | 696 | 30,666 | 0.16 | 0.18 | 0.25 | 0.27 |
| 2007 | 1013 | BELLEVIEW | 8,693 | 4,967 | 155 | 811 | 45,480 | 0.19 | 0.21 | 0.30 | 0.32 |
| 2007 | 8 | CHERRY HILLS PARK | 20,872 | 17,822 | 2,043 | 3,252 | 172,807 | 0.12 | 0.14 | 0.22 | 0.24 |
| 2007 | 1 | CHERRY LANE | 7,158 | 3,111 | | 2,283 | 107,483 | 0.07 | 0.09 | 0.10 | 0.12 |
| 2007 | 3601 | DOWNING | 8,495 | 3,774 | 419 | 1,334 | 43,903 | 0.19 | 0.22 | 0.28 | 0.31 |
| 2007 | 4711 | DOWNING | 5,136 | 2,714 | | 1,095 | 36,748 | 0.14 | 0.17 | 0.21 | 0.24 |
| 2007 | 4 | MIDDLE | 4,782 | | 1,302 | 1,251 | 67,086 | 0.07 | 0.09 | 0.07 | 0.09 |
| 2007 | 1400 | OXFORD | 10,550 | 4,878 | 723 | 1,889 | 107,136 | 0.10 | 0.12 | 0.14 | 0.16 |
| 2007 | 5901 | PIEDMONT | 8,311 | 4,091 | | 3,024 | 85,731 | 0.10 | 0.13 | 0.14 | 0.18 |
| 2007 | 5080 | QUINCY | 7,495 | 1,738 | 1,528 | 1,440 | 162,180 | 0.05 | 0.06 | 0.06 | 0.07 |
| 2007 | 5909 | SOUTHMOOR | 4,387 | 2,143 | 101 | 804 | 18,715 | 0.23 | 0.28 | 0.35 | 0.39 |
| 2007 | 25 | SUNSET | 12,950 | 5,407 | | 1,326 | 224,857 | 0.06 | 0.06 | 0.08 | 0.09 |
| 2007 | 39 | VIKING | 9,148 | 3,730 | | 1,363 | 36,572 | 0.25 | 0.29 | 0.35 | 0.39 |
| 2007 | 4850 | WHITEHALL | 6,916 | 3,436 | 426 | 1,709 | 82,453 | 0.08 | 0.10 | 0.13 | 0.15 |
| 2007 | 4880 | LAFAYETTE | 7741 | 2146 | 2825 | 1611 | 62,629 | 0.12 | 0.15 | 0.16 | 0.18 |
| 2007 | 4940 | LAFAYETTE | 8314 | 2473 | 636 | 1,745 | 48,152 | 0.17 | 0.21 | 0.22 | 0.26 |
| 2007 | 1 | TENAYA | 8,741 | 3,058 | 516 | 1,176 | 110,609 | 0.08 | 0.09 | 0.11 | 0.12 |
| 2008 | 10 | BLACKMER | 13,809 | 4,402 | 1,115 | 2,264 | 104,900 | 0.13 | 0.15 | 0.17 | 0.20 |
| 2008 | 6 | CHERRYMOOR | 5,679 | 3,043 | 51 | 1,177 | 48,212 | 0.12 | 0.14 | 0.18 | 0.21 |
| 2008 | 8 | CHURCHILL | 12,802 | 9,213 | 955 | 1,620 | 103,950 | 0.12 | 0.14 | 0.21 | 0.23 |
| 2008 | 3980 | CLARKSON | 5,910 | | 2,043 | 1,162 | 29,589 | 0.20 | 0.24 | 0.20 | 0.24 |
| 2008 | 4330 | CLARKSON | 4,873 | | 2,484 | 1,137 | 29,676 | 0.16 | 0.20 | 0.16 | 0.20 |
| 2008 | 4001 | CLERMONT | 3,715 | 2,110 | 528 | 933 | 17,051 | 0.22 | 0.27 | 0.34 | 0.40 |
| 2008 | 3 | CREST | 6,426 | 1,874 | 2,053 | 643 | 63,524 | 0.10 | 0.11 | 0.13 | 0.14 |
| 2008 | 4905 | LAFAYETTE | 7,333 | 1,785 | 1,784 | 1,221 | 32,408 | 0.23 | 0.26 | 0.28 | 0.32 |
| 2008 | 7 | Layton | 4,790 | 60 | 2,505 | 1,010 | 33,440 | 0.14 | 0.17 | 0.15 | 0.18 |
| 2008 | 5780 | NASSAU | 4,280 | 1,251 | 944 | 816 | 13,676 | 0.31 | 0.37 | 0.40 | 0.46 |
| 2008 | 10 | PARKWAY | 4,962 | 150 | 1,683 | 950 | 87,756 | 0.06 | 0.07 | 0.06 | 0.07 |
| 2008 | 5 | RANDOM | 6,975 | 2,127 | 1,318 | | 96,537 | 0.07 | 0.07 | 0.09 | 0.09 |
| 2008 | 2 | RANDOM | 13,958 | 10,289 | 1,867 | 1,423 | 124,178 | 0.11 | 0.12 | 0.20 | 0.21 |
| 2008 | 1435 | TUFTS | 9,807 | 3,224 | 1,979 | 1,169 | 36,835 | 0.27 | 0.30 | 0.35 | 0.39 |
| 2008 | 30 | VIKING | 6,016 | 2,261 | | 1,182 | 40,337 | 0.15 | 0.18 | 0.21 | 0.23 |
| 2008 | 14 | VILLAGE | 12,076 | 2,609 | 1,957 | 1,992 | 100,115 | 0.12 | 0.14 | 0.15 | 0.17 |
| 2009 | 17 | SANDY LAKE | 6,729 | | 2,361 | 640 | 21,102 | 0.32 | 0.35 | 0.32 | 0.35 |
| 2009 | 131 | SUMMIT | 4,938 | 1,963 | | 970 | 19,679 | 0.25 | 0.30 | 0.35 | 0.40 |
| 2009 | 1015 | TUFTS | 6,838 | 1,932 | 793 | 1,400 | 47,783 | 0.14 | 0.17 | 0.18 | 0.21 |
| | | | | | | | MEAN | 0.16 | 0.18 | 0.21 | 0.24 |
| | | | | | | | MEDIAN | 0.14 | 0.17 | 0.20 | 0.21 |

Tab 4) – Incentive Systems

Description

Today's CHV Zoning Ordinance is simple, but allows significant latitude for property owners to develop their land in a way that can negatively impact neighbors and the broader community. The recent spate of new construction has brought into focus the limitations of the current CHV Zoning Ordinance. Neighbors complain of a loss of mature landscaping, privacy and access to daylight. Some do not like the scale of new homes and their impact on the global environment. On the other hand, some builders and landowners resist any change to the Zoning Ordinance that might impact their property values by limiting their ability to redevelop at currently allowable levels. An updated zoning ordinance using an incentive-based system might allow a compromise that could be embraced by these divergent points of view.

Incentive zoning is intended to provide a reward-based system to encourage development that meets established goals. Typically, a base level of prescriptive limitations on development will be established and a list of incentive criteria will be adopted by property owners at their discretion.

In Cherry Hills Village, the development goals discussed in this report could be wrapped around an incentive-based system using Floor Area Ratio. Instead of Zoning Ordinance mandates for daylight planes, mature landscaping, or sustainability, property owners could be incentivized to meet these goals in their redevelopment projects using increases in allowable floor area ratio.

Recommendation

- The RDSC is not recommending implementation of an incentive-based system at this time; however, the option is available to the City Council if it is found to be more palatable to Council and the community.
- An incentive-based system for CHV might start with a fairly low baseline allowable floor area ratio, and allow increases for meeting a menu of optional development goals including:
 - Daylight Plane and Setback
 - Neighborhood Context Review
 - Mature Landscaping Preservation
 - Sustainability
 - Grading Limitations
- As a starting point, the initial FAR could use the maximum floor area prescribed already in the CHV Zoning Ordinance for non-conforming lots based on lot size.
- Each of the above development goals could be incentivized by increasing the allowable floor area by an established percentage. The percentage increase for achieving each goal could be weighted based on Council and community priorities.

City-wide versus Neighborhood Specific Approaches

Although the overall approach to an incentive-based system could be adopted City-wide, its flexibility could allow weighting of specific criteria based on different constraints or issues in each neighborhood. With its flexibility, an incentive based system might be easily adapted to neighborhood review processes or covenants that are already in place.

Comparable Community Approaches

Incentive zoning has become more common throughout the United States during the last 20 years. In the US, incentive-based zoning is typically limited to specific categories within a broader prescriptive code. New Zealand's planning system, however, is grounded in effects-based Performance Zoning under the Resource Management Act 1991.

Pros and Cons

Pros:

- Incentive zoning offers a high level of flexibility, rationality, transparency and accountability.
- Incentive zoning avoids the arbitrary nature of the prescriptive approach, and better accommodates market principles and private property rights.
- During the RDSC public input process, many people highlighted “incentive” systems rather than prescriptive systems as a desirable approach for Cherry Hills Village development controls.

Cons:

- The development goals suggested in this report should not be optional. These goals should be accepted minimum standards for a community like ours at the beginning of the 21st century.
- Many redevelopment projects could easily ignore the development goals and still conform to an updated Zoning Ordinance.
- Incentive zoning can be complex to administer.
- The initial creation of the incentive structure in order to best serve planning priorities can be challenging and require extensive ongoing revision to maintain balance between incentive magnitude and value given to landowners.
- An incentive based system may require a high level of discretionary activity on the part of the City.