

## January 16, 2013 Working Group Meeting Summary of Public Comments

Two neighborhood working group meetings were held on January 16, 2013 with 22 in attendance. The agenda for the meetings included a staff overview presentation of potential new Land Use Code changes relating to implementation of the recommended strategy options from the Eastside & Westside Neighborhoods Character Study.

Summary of all written and verbal comments received by staff:

### 1. & 2. Where do you live? Do you own or rent?

- Of the 23 people attending the meeting, two did not own or live in the two neighborhoods and 21 are residents or owners within the two neighborhoods.

### 3. Do you have comments and feedback on the potential revisions to existing maximum floor area ratio (FAR) standards?

- Allow home owner to distribute more of the sq.ft. to the back of the lot such as a carriage house or mother-in-law unit for lots under 10,000 sq.ft.
- Overall, I really like this change. It seems to be still very gracious to new builders while reigning in some of the crazy willy nilly stuff that's been going on.
- Look forward to calculating how new standards would affect my plans to demolish my one car garage and build a two car garage.
- Like the proposed for std's
- Like measurements from ground level vs. raised. Appreciate the revision to FAR in keeping with the character of adjacent homes.
- Moving in right direction – looks good to me but photo examples would be nice. Add actual FAR for lots over 5,000 sq.ft. to table.
- When figuring ratios, is preservation of solar access of adjacent properties (rear yards) taken into consideration?
- What is the height of a basement that is included in FAR measurement?
- How is irregular lot sizes/lot configurations handled?
- How much flexibility is allowable?
- Clarify how the garage is counted – would get a 250 SF exception for a detached garage.
- How is this different from the previous FAR? Concerned about process and this being done too quickly, no time for review.
- What about shifting more square footage to the back of the lot (i.e. into carriage house) – may be better for adjacent properties than having a larger house or addition near the front of the lot
- How many lots would fit into the under 40' width exception?
- You've reduced FAR, which is probably ok on larger lots of 9,000 sf or 10,000 sf but concerned about impact on smaller lots, especially when you add in the impacts of the solar access requirements.
- Overall FARs are lower, but construction still tends to fall within this formula.
- Should the FAR of 0.33 for the back half of the lot be retained or removed – given these lower FARs?
- Do large patios and decks count toward FAR?

- The two hits for implementing less FAR based on .25 + 1000 sf AND counting ceiling over 14' is excessive. I suggest adopting one or the other. For example on a 10,000 sq ft lot w/ a cathedral ceiling over 14' for a 400sq ft home, the allowable FAR is roughly 60% of current standards.  $10,000 (.25) + 1000 = 3500 - 400$  (cathedral greater than 14') = 3100 sq ft. Current standard (NCM) is 5000sq ft.  $3100/5000 =$  roughly 60%

#### **4. Do you have comments and feedback on the potential standards for solar access?**

- Suggest a lower front home and put more sq.ft. in a back unit/addition or detached carriage house.
- For the most part, I like this one as well. Case study four freaks me out a little because the folks to the north keep their sunshine, but the folks to the south lose privacy and have a big wall along their yard. I also don't want a bunch of awkward, slanty houses in the neighborhood.
- Looks good – like the setback/height adjustment plan.
- Great ideas! There should be a standard for lots under 40 ft. wide such as 15 ft. max height at min. side yard setback and 12 ft. at 40 ft. and over. Keep 1 ft. to 1 ft. increase in max height for each additional setback. Not 2 ft. for 1 ft. setback. Second story additions that result in over 2,500 sq.ft. should fall under the new façade standards for solar access, not 3,000 sq.ft.
- Access to light/sun is a key criteria for a livable space for me.
- I like access rules but don't want lots of asymmetrical roof lines or asymmetrical side lot setbacks.
- Do solar access requirements apply to major remodels as well as new construction? Will this create asymmetrical buildings (rooflines)?
- Does solar access address or include trees (evergreens)? They also shade adjacent buildings; should also look at evergreen placement in new landscaping
- Does solar access address or require solar panels or collectors?
- Would solar apply to narrow lots? Would apply only those lots less than 40' wide?
- Concerned about solar with corner lots because they have wider setbacks so lot is more difficult to build on, especially when lot is also narrow...
- What is side wall height limit for solar access?
- Solar access will push houses to the south side – this is one solution, but there may be other ways to address on lots
- Could a variance be requested to solar access?
- Keep the exception to the offset standards for the lot's w/ 40' or less of street frontage, only measure the 40' as "build able lot area" - The portion of the lot remaining after subtracting required offsets. For an interior lot, this would be 30' in this example:  $40 - 2(5$  (side setbacks)) = 30' For a corner lot:  $40 - 15$  (street side setback) - 5 (interior side setback). Also, does a house w/ street frontage on a northern road have to comply w/ this standard. If so, why? Are we trying to ensure the street has sufficient solar access? An exception should be made to corner lots or alley lots w/ streets and alleys on their northern side. Lastly, neighbors should be able to come to consensus on when to apply these standards. This is an agreement between two individual property owners. The City's blanket approach to solar protection will not consider the intricacies of each situation. Two interested parties are much better at realizing an appropriate solution than cookie cutter standards.

#### **5. Do you have comments and feedback on the potential additional façade standards?**

- This all looks good to me.
- Looks good.
- Generally these standards are an improvement.
- How about apply in relation to the specific buildings on adjacent lots – be sure to apply to major remodels.
- Can a façade/porch encroach into the setback?
- This seems like good regulation. Changing the facade every 40' is adequate.

## 6. What additional evaluation do you feel is necessary?

- A second story deck is a different animal from a first floor deck. I think it should be counted somehow.
- Open decks need to be counted in FAR and /or the impacts on neighbor's privacy.
- To reiterate the 40' lot frontage exception to solar access. A 50' corner lot is just as prohibitive as a 40' interior lot regarding buildable area. 40 - two 5' side setbacks = 30 buildable dimension and 50 (corner lot) - 15' setback on street and 5' setback on interior lot = 30 buildable dimension.

## 7. Do you have other comments and feedback?

- There should be notification for neighbors for new building and demolition even when it doesn't require a variance. These can be "big deals" even when they follow the current rules. Neighbors shouldn't be taken by surprise. I think you all have done a great job. You seem to be thorough, considerate and fair. I really appreciate all you've done.
- Expand notification in a timely manner for variance requests and especially for demolition/deconstructions.
- Please don't use flat roof houses for examples in your case studies – they aren't realistic. Can you provide photos of Boulder or other places where solar access standards apply? Also, what Boulder is doing to respond to solar access problems that result in asymmetrical roof lines? We'll have some problems – might as well address it now.
- How to get information out about requirements like these – maybe through REALTORS – so people know before they buy.
- Suggest city modify requirements for elevations to be submitted on projects to require elevations that show context (block face where house is and opposite block face) – would be more useful.
- Suggest looking at building permits from past 5 years to see how many would/would not meet these standards (like what Ben Manvel did before).
- How were houses on Wood Street allowed? Variances?
- Compare previous proposal to current proposal and show how they are different and similar or the same.
- Standards only apply to single-family not multi-family. Why does NCM have greater allowance?
- Does City Council attend these meetings (open house, etc.) on this project?
- Suggest a comparison table be made to show what was passed before and what is proposed now.
- These standards don't completely address compatibility – the future design guidelines/standards will also help with compatibility.
- Suggest that input with your neighbors can help reduce surprises and result in better design (mentioned variance for the turret on Whitcomb Street).
- Like the use of "privacy" as a term for what we're trying to protect.
- If you want to retain the "neighborhood character" provisions should be made to consider adjoining properties in all directions that border a house. For example maximum height should be based on the highest adjoining property. Provisions should be in place for many of these variables, i.e. setbacks, FAR, maximum building height.