

ORDINANCE NO. 1867

**AN ORDINANCE OF THE CITY OF GOLDEN AMENDING
PORTIONS OF CHAPTER 18.40 OF THE GOLDEN MUNICIPAL
CODE PERTAINING TO SITE DEVELOPMENT
REQUIREMENTS**

WHEREAS, Chapter 18.40 of the Golden Municipal Code was enacted to establish regulations pertaining to site development in the City; and

WHEREAS, City Council wishes to amend certain provisions of Chapter 18.40 to better reflect the Comprehensive Plan and Community Sustainability Goals of the City.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Section 18.40.010, Intent and purpose shall be repealed and reenacted as follows:

18.40.010 Intent and purpose

These Site Development Regulations provide performance standards and design guidelines for the development and redevelopment of property. They seek to balance individual expense and limitations on preference with community benefits that are derived from safe, functional and aesthetically pleasing site improvements. Landscape and site design improvements contribute to safe surroundings for the community, enhance the livability of residential neighborhoods, improve the appearance of land and customer attraction to commercial areas, increase property values, enhance the compatibility of adjacent land uses, screen undesirable views, reduce air, light and noise pollution, and contribute to the image and appeal of the community for both residents and nonresidents. The overall goal is for new development and redevelopment achieve compliance with these standards and guidelines.

The goals of the Design Guidelines and Standards for the City include the following:

1. Respect the Existing Golden Context
 - Preserve the sense of a small-scale community surrounded by mountains.
 - Encourage development that allows for continued views of the surrounding environment, including North and South Table Mountain, and other natural features that are unique to the City of Golden.
2. Contribute to Neighborhood Identity
 - Facilitate the development of projects that establish individual identity while complementing the character of traditional design established within the existing neighborhood and the City.
3. Recognize and Maintain the Historic Value of Golden
 - Encourage development based upon Golden's different historic periods to compliment Golden's historic architecture and acknowledge its past industries.
4. Foster a Sense of Community
 - Development should be approachable, pedestrian-oriented, and interactive.
5. Promote Individuality

- Encourage distinct, interesting character through the use of quality building materials, architectural expression, and unique design.
- 6. Remain consistent with the Comprehensive Plan and Community Sustainability Goals
 - Accommodate growth through infill and development within the existing built environment of the City, and work to preserve open space.
 - Ensure redevelopment provides an intimate pedestrian atmosphere and walkable environment.
 - Encourage preservation of existing structures.
 - Provide a variety of modes of travel to access a diverse range of services and activities.
 - Reduce energy usage, solid waste, water consumption, and vehicle miles traveled.

Section 2 Section 18.40.100 (2) is hereby amended by the enactment of a new subsection c, as described below, along with the appropriate re-lettering of the subsequent items.

(c) Sustainability Menu submission form and documentation.

Section 3 Section 18.40.212 (3) Standards pertaining to drainage and grading shall be repealed and reenacted as follows:

(3) Stormwater quality measures shall be integrated into the design. Where open space areas are required the design must allow, at a minimum, the first inch of stormwater runoff (precipitation) to travel through swales, rain gardens, or other permeable surfaces. See the Stormwater Quality Management section of the Urban Drainage Criteria Manual Volume 3 for further explanation. Swales must be planted with xeric species, unless shown to be infeasible due to site specific conditions. All measures shall be designed to promote water quality of storm water run-off through the use of Best Management Practices, as defined by the Urban Drainage and Flood Control District and the City.

Section 4 Section 18.40.221 Guidelines pertaining to landscaping shall be repealed and reenacted as follows:

18.40.221 Guidelines

(1) Landscaping to be installed should be of a sufficient quantity and size to:

- (a) Help screen buildings from adjoining properties.
- (b) Screen parking areas from roads and neighboring properties.
- (c) Provide a landscaped area between residential properties and the street, including trees and other landscape materials.
- (d) Screen developments on slopes of over fifteen percent (15%).

(2) Trees should be located on a site to emphasize passive solar gain. Deciduous trees that shade in the summer and allow sunlight to pass through their limbs in the winter are recommended for the south side of the building. Vegetation on the east and west sides of the building should be chosen and placed to reduce summer sun from entering windows. Evergreen trees that buffer from cold winds, snow, and

ice, are recommended for the north facade of the building. Decisions should also take into account the effects on solar access with regard to neighboring properties.

- (3) Trees that must be removed on site due to demonstrated hardship should be mulched.
- (4) Plant materials may be integrated into groupings, and need not be uniformly distributed throughout the site. An ideal design would balance distribution with grouping.

Section 5 Section 18.40.222 (1) (j) Standards pertaining to landscaping specifications shall be repealed and reenacted as follows:

(j) Landscape shall be comprised of a minimum of 50% xeric species by area, designated by Golden's "Recommended Plant List", and shall use mulch to retain soil moisture.

Section 6 Section 18.40.222 Standards pertaining to landscaping specifications shall be amended by the enactment of new subsections (k) and (l) as follows:

(k) Landscape plan shall demonstrate that irrigation systems are designed to minimize overspray and water waste through use of automatic controllers, rain sensors, moisture sensors and, for non-turf areas, subsurface drip systems.

(l) Healthy existing mature trees (3" caliper or greater) shall be preserved on site unless sufficient hardship can be demonstrated. If trees must be removed, two must be planted (2.5" caliper or greater) for every one that is taken, in addition to compliance with all other tree requirements. No substitutions for trees allowed.

Section 7 Section 18.40.231 Guidelines pertaining to open space shall be amended by the enactment of a new subsection 5 as follows:

(5) Drainage systems should be designed to be multi-functional and integrated with open space as seamlessly as possible. Detention areas should be aesthetically pleasing as well as provide multiple use open space opportunities. Examples include creating level but sunken "percolation parks," and breaking up impervious surfaces to promote on-site infiltration that also provides water for landscaping areas.

Section 8 Section 18.40.241 Guidelines pertaining to parking lot design and internal circulation shall be repealed.

Section 9 Section 18.40.242 Standards pertaining to parking lot design and internal circulation shall be amended by the enactment of subsection (12) as follows:

(12) Buildings and parking areas shall provide safe and clearly visible pedestrian walkways from building entrances through site to adjacent properties, transit stops, trails and parkland.

Section 10 Section 18.40.251 (1) Standards pertaining to screening shall be repealed and reenacted as follows:

(1) All trash containers shall comply with the requirements of Chapter 5.03 of the Golden Municipal Code, and shall not be located in the public right of way, setback areas, or buffer areas as defined by Chapter 18.28 and 18.40.222. Trash enclosures shall be integrated into the site plan to

minimize enclosure visibility and accommodate truck access. Trash enclosures shall accommodate receptacles for both trash and recycling pick-up. Trash enclosures shall be constructed of durable materials and the color, texture, and architectural detailing shall be consistent with the overall site and building design.

Section 11 Section 18.40.260 Guidelines pertaining to walkways and bike/pedestrian paths shall be amended by the enactment of a new subsection (4) as follows:

(4) Development should encourage and provide access for users to utilize alternate forms of transit such as pedestrian walkways, bicycle, bus, or light rail. If the project is in close proximity to a transit route such as the City of Golden bicycle system, Regional Transportation District (RTD) bus route, or a light rail line, the project should facilitate easy access to the route (moved from 18.40.240).

Section 12 Section 18.40.262 (4) Standards pertaining to walkways and bike/pedestrian paths shall be repealed and reenacted as follows:

(4) Connections from walkways, transit stops, trails, parks, and bike paths in the public right-of-way to the building and through any parking lots shall be provided.

Section 13 Section 18.40.350 Sustainability Menu shall be enacted as follows:

18.40.350 Sustainability Menu

Applicants shall either choose items from the menu, below, to reach a minimum of 25 points in order to meet the City sustainability standards, or propose their own sustainable design elements for all or a portion of the 25 points needed. The City of Golden encourages innovation, and Planning Commission may award points for specific measures not on the menu.

| Menu Item | Points | Documentation Required |
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| Stormwater and Water Quality | | |
| 1. Utilize porous surfaces such as grass pavers and porous pavement for paved areas on site. Points awarded on a sliding scale, with 1 point for every 500 sf of pavement that is porous. | 1-10 | Applicant shall show porous paved areas on the site plan, as well as calculation of porous vs. non-porous pavement. Product specification sheet and maintenance plan must also be submitted with building plans. |
| 2. Plant a vegetated roof for a portion of the roof area. Points awarded on a sliding scale, with 1 point for every 10% of vegetated roof area. | 1-10 | A vegetated roof plan shall be submitted with landscape plan that shows what will be planted, how it will be irrigated and a roof area calculation. |
| 3. Exceed open space requirement by 25% or more. Only landscaped areas are counted toward this additional 25%. | 2 | Site plan shall show area of open space as well as calculation to demonstrate how it exceeds requirement by 25%. |
| Transportation | | |
| 1. Provide double the minimum of the required amount of bicycle parking on site. | 1 | Must demonstrate locations and amount of bicycle parking on site plan. |
| 2. Provide number of shower units for a minimum of 2% of all full time equivalent employees. | 1 | Building plans shall show location of shower facility, number of showers and calculation of showers to projected number of full time equivalent employees. |
| 3. Build development within ¼ mile of public bus stop or ½ mile of light rail stop, as measured using a pedestrian's walking distance. | 3 | Applicant must provide map to scale that demonstrates site boundaries, identifies location of transit stop, and shows walking path and distance between them. Map shall also identify potential barriers for pedestrians. |

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| 4. Provide, maintain and install a bus shelter if a stop is in or adjacent to the right-of-way. | 2 | Site Plan shall demonstrate location and type of pedestrian amenities, as well as location of bus stop if applicable. Product specification sheets are also required. |
| 5. Provide preferred parking for 5% of parking spaces to serve car/van pool vehicles. | 1 | Site Plan shall designate location and amount of preferred parking, and product image of proposed signage also required. |
| 6. Install electric plug-in stations for hybrid and electric vehicles for 3% of the total vehicle parking spaces on site. | 2 | Demonstrate location and number of stations on site plan, as well as provide product specification sheets. |
| 7. Restrict parking on site to the minimum number of spaces allowed by code. Only standard aisles and spaces allowed unless under exclusive easement. | 3 | Site plan shall show parking layout and number of spaces provided, as well as calculation of minimum required. |

| Energy Efficiency | | |
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| 1. Increase energy efficiency of structure by 15% over currently adopted IECC code requirement for 3 points. Thereafter, points awarded on a sliding scale with 1 point for every 5% increase in energy efficiency, up to 10 points. | 3-10 | Complete REScheck or COMcheck Compliance Certificate for interior and exterior lighting, building envelope, and mechanical equipment, and provide proof of energy modeling that demonstrates projected energy efficiency. |
| 2. Offset traditional energy usage with renewable energy production on site. There will be 1 point awarded for each 4% reduction in energy use, ending with 25 points for a net zero building that produces as much power as it consumes. | 4-25 | Applicant must demonstrate the projected energy usage of the structure and calculate the percentage of that power that will reliably be produced on site. Building Department staff will verify the model and projected renewable energy component. |
| 3. Plant at least 20% additional trees than otherwise required to maximize shade in summer (deciduous east, west, south), provide a wind break in winter (evergreens to north) and reduce the urban | 3 | Landscape plan shall demonstrate location and type of trees to be planted, and show the number of trees required versus number proposed. |

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| heat island effect in parking areas and throughout the site. | | |
| 4. Place 50% of parking either under cover with a roof that has a minimum SRI (Solar Reflectance Index) of 29, or beneath finished living space in order to reduce urban heat island effect. | 4 | Site and building plans shall detail covered parking along with method and proof of SRI achieving SRI requirement. |
| 5. Construct the building and/or roof to be elongated on an east-west axis, with south facing windows that receive sunlight between the hours of 9:00 A.M. and 3:00 P.M. (sun exposure) during the heating season. | 3 | Demonstrate by using solar path diagram, and identifying percentage of south facing window area. |
| 6. Provide separate meters for tenant occupied spaces for electricity. For natural gas, provide separate meters for tenant spaces 10,000 sf. or more. | 2 | Building plans shall display location and number of meters. |
| Community Preservation and Revitalization | | |
| 1. Preserve an existing structure when increasing square footage or creating additional structures. Points awarded on a sliding scale with 1 point for the first 1,000 sf and then 1 for every 1,000 sf thereafter, up to a maximum of 10 points. | 1-10 | Site plan and building plans shall both reflect the building square footage being preserved on site. |
| 2. Add affordable housing units (as defined by HUD) to a project. Points awarded on a sliding scale, with 2 points awarded for every affordable unit created up to a maximum of 10 points. Must also fulfill requirements under Transportation #3 and Energy Efficiency #1 of this menu to receive points. | 2-10 | Demonstrate at site plan review and at building permit review with details on size and price points of units. Deed restriction is required, and proof shall be provided in order to get c/o. |
| 3. Choose an infill site, which can be no greater than one half acre in size, and is defined here by having paved or developed lots adjacent, or across a right-of-way, on at least two sides of the property. | 3 | Demonstrate at site plan review by showing contextual view of adjacent developed lots. |
| 4. Choose a brownfield site, defined by the EPA as the "presence or potential presence of a hazardous substance, pollutant, or | 5 | Demonstrate at site plan review with documentation that shows the type and amount of site contamination. |

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| contaminant,” | | Remediation plans shall be required at building permit. |
| 5. Provide community garden plots for a minimum of 15% of multifamily units to foster local food production. Plots must be a minimum of 20 square feet each. | 2 | Landscape plan shall show location, size and number of garden plots, and provide evidence that garden plots are easily accessible, of appropriate slope, and contain adequate sunlight and an available water source. |
| 6. Provide compost bin location on the property with contract for pick-up service. | 1 | Site plan shall show location of compost bin, and proof of contract for pick-up service required at building permit. |
| Miscellaneous | | |
| 1. Planning Commission may reward applicants for sustainable design elements not covered by this menu. Consideration will be given for scale, efficiency or innovation, and points will be awarded at the discretion of the Planning Commission. | Varies | Documentation requirement shall be tailored to proposed plan. In order to qualify for points, an applicant must be able to demonstrate that the proposed project attains a measurable achievement in one of the other four categories of menu items. |
| 2. Sustainability Menu requirements and associated point system shall be waived if project achieves LEED certification. | N/A | Provide LEED registration and completed LEED checklist for site plan review. Construction drawings and LEED templates required for building permit. |

Section 14 Section 18.40.442 Standards shall be enacted as follows:

18.40.442 Standards

- (1) Covered, secured and free bicycle parking shall be provided for a minimum of 15% of multifamily units, factoring two bikes per unit. Space that is specifically called out for this function within a garage is also applicable.

Section 15 Section 18.40.512 Standards shall be amended by the enactment of a new subsection (2) as follows:

- (2) Notwithstanding the provision of Section 18.28.210, buildings conforming to all applicable Guidelines in Subsections 18.40.511 (3), (4) the Director or Planning Commission may reduce the front setback from a street or streets to as little as ten (10) feet, provided that the streetscape requirements of Subsection 18.40.222 (2) are met.

Section 16 All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

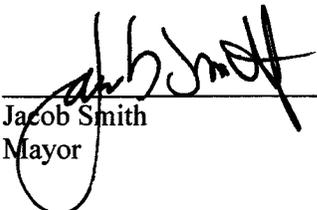
Section 17 The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 18 This ordinance is deemed necessary for the protection of health, welfare and safety of the community.

Section 19 The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Introduced, read, passed and ordered published the 11th day of March, 2010.

Passed and adopted upon second reading and ordered published this 8th day of April, 2010.



Jacob Smith
Mayor

Ordinance No. 1867



Susan Brooks

Susan Brooks
City Clerk, MMC

APPROVED AS TO FORM:

David S. Williamson

David S. Williamson
City Attorney

I, Andrea L. Banks, Deputy City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular business meeting of the City Council of said city, held on the 11th day of March, 2010, and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held on the 8th day of April, 2010, and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published in the aforesaid newspaper, as the law directs on the 8th day of April, 2010.

Witness my hand and official seal of the City of Golden, Colorado, this 9th day of April, 2010.



ATTEST:

Andrea L. Banks

Andrea L. Banks, Deputy City Clerk of
the City of Golden, Colorado