

PROPOSED CODE AMENDMENTS	
High Priority	
Amendment/Issue	Comments
Exterior Lighting Standards	<ul style="list-style-type: none"> Section 26-503 establishes states that exterior lighting must be designed so that “substantially all of the directly emitted light falls within the property boundaries.” It may be helpful to set specific maximum levels in footcandles depending on land use/adjacent uses. Potentially consider changing the height limit of 18 feet for exterior pole lights to be higher.
CMRS	<ul style="list-style-type: none"> CMRS regs may be out of date compared with current technology and best practice, eg roof-mounted height.
Accessory Dwelling Units (ADU) and lot sizes for duplexes in the R-2 zone district	<ul style="list-style-type: none"> Accessory dwelling units (ADU) are generally smaller, self-contained residential units built on the same lot as an existing single family home. A common ADU is a carriage house (unit above a large detached garage). Some properties in older neighborhoods in Wheat Ridge already have ADUs that were constructed prior to adoption of the zoning code. ADUs are increasingly common in cities to encourage infill reinvestment, allow for diverse family housing situations in an aging population, and to increase housing affordability. The current code does not allow these types of units, where they may be appropriate in some areas of the City. The R-2 zone district requires a 12,500 SF lot size and 100 foot lot width for duplexes and many duplexes do not meet this requirement, making them legal nonconforming structures. These limits could be adjusted to make the duplexes conforming and encourage reinvestment in them.
Regulation of Microbreweries	<ul style="list-style-type: none"> The zoning code currently does not address microbreweries or breweries, which often are a blend of manufacturing/production and retail uses. These businesses are becoming more prevalent and it would be helpful to clearly define a microbrewery use and where it is allowed and not allowed.
Sign Code Updates	<ul style="list-style-type: none"> Create standards for electronic/LED signs so that they are not too bright Consider allowing A-frame signs in the right-of-way or other code changes that correspond with the 38th Avenue Corridor Plan Clarify and create regulations for some temporary sign categories: human signs, tear drop banners, etc. Remove some temporary signs, such as inflatables, from a permit requirement or create a separate planning permit.

PROPOSED CODE AMENDMENTS	
Medium Priority	
Amendment/Issue	Comments
Updates to Mixed Use Zone District, including regulations for accessory structures	<ul style="list-style-type: none"> The mixed use zones do not have any specific design or development standards for accessory structures. Similar to other zone districts, the mixed use zones could be amended to include setbacks, size limits, and design standards specific to accessory structures Allow gardens as usable open space

Medium Priority Continued	
Membrane Accessory Structures in Residential Districts <i>NOTE: requires Building Division involvement. Could be an admin policy.</i>	<ul style="list-style-type: none"> • Membrane structures are framed structures, typically of some type of fabric. A common use is to provide shelter for vehicles in a side or back yard. • The current code does not adequately address membrane structures as an accessory building. • The structure needs to be defined in the zoning code and regulated as a temporary use, but not a permanent one.
Tree Protection Ordinance	<ul style="list-style-type: none"> • Many of the established neighborhoods in the City are blessed with a substantial tree canopy. • There are no regulations currently that protect any and all trees from being removed from any site during redevelopment, and any required replacement of these trees. • Many communities have successfully enacted tree protection ordinances to address this. • New regulations could allow removal of trees where infeasible to retain them, but new trees of certain caliper must be provided elsewhere on site. Further consultation is needed with the Parks Department.

PROPOSED CODE AMENDMENTS	
Low Priority	
Amendment/Issue	Comments
Update Code to Support Sustainability Goals	<ul style="list-style-type: none"> • In general, the code was written prior to current trends that help promote sustainable communities. Updates and revisions could address: <ul style="list-style-type: none"> ○ Alternative energy (e.g. geothermal, wind, and solar power) ○ Landscape requirements/tree protection • Some alternative energy uses were added to the code through the I-E zone district zoning code amendment.
Vested Rights <i>NOTE: Involves City Attorney</i>	<ul style="list-style-type: none"> • Vested rights are defined a number of ways. Essentially, they address the rights to develop and use a property under the conditions of an approved development plan, whether a zone change, subdivision, or site plan approval. • Vested property rights often occur earlier in the entitlement process in other communities than what is set forth in the City's zoning code. • For instance, approval of a final development plan for a zone change would constitute a vested right in many jurisdictions. This is not the case in the City, where an applicant could go through an approval process, including public hearings, and apply for a building permit and still not obtain a vested right. • The current vested property rights provisions do not provide much certainty for a property owner/developer who might incur substantial expense to go through an entitlement process, and still not have a vested property right.
Historic Preservation Review Body	<ul style="list-style-type: none"> • City Council passed an ordinance eliminating reference to the Wheat Ridge Historic Society this year and their review authority, as it was not a city-appointed body. • This creates a void in the zoning code for review on historic preservation matters. • New language may include standards for appointing members of this body and a clearly defined role.

Low Priority Continued	
Extended Stay Lodging	<ul style="list-style-type: none"> • Extended Stay Lodging is currently not defined as a land use in the zoning code. • This land use exists where hotel/motel properties are intended for long term lodging, or existing hotels/motels transition into allowing more long term accommodations. • While these properties may provide a valuable service, some have become problematic. The City has experienced crime and property maintenance issues on some of these properties. • In order to address this issue, 1) a definition needs to be written which first defines the land use, and 2) the code needs to adequately regulate this as a land use.
R-3 (Residential-Three) Zone Changes	<ul style="list-style-type: none"> • The current code has a restriction on the ability to consolidate lots in the R-3 zone district for the purposes of multi-family development. • In order to encourage high quality multi-family development at certain locations in the City, more flexibility may be needed with this regulation. • The goal is to use this tool to protect predominately single family neighborhoods while allowing flexibility for desirable projects. • Consider allowing neighborhood commercial uses on collector streets in the R-3 district so that appropriately-scaled neighborhood services can be provided in walking distance of residence
Legal Protest Provisions	<ul style="list-style-type: none"> • The City's Charter contains a provision that for any zone change, a legal protest triggers a supermajority (3/4) vote by the decision-making body as opposed to a simple majority. • A legal protest is one that is signed by 20 percent or more of the property owners in the area. • Staff will evaluate this legal protest provision to potentially make it less restrictive. • Ultimately, any changes will require a vote./change to the City Charter.

COMPLETED CODE AMENDMENTS

Amendment/Issue	Comments
Subdivision Design Standards and Public Improvements (Section 26-110) Effective May 16, 2014 Ordinance No. 1547	<ul style="list-style-type: none"> Subdivision design standards in a zoning code can help ensure logical block and lot layouts when new subdividing and platting occur, as well as road and pedestrian connectivity. The current subdivision design standards provide little guidance for the City to ensure proper design when these plats occur. Section 26-110 on public improvements needs to be updated to match recent changes to Chapter 5 on the same topic.
Sustainability/Public Notice Requirements Effective May 16, 2014 Ordinance No. 1548	<ul style="list-style-type: none"> Section 26-109 establishes public noticing requirements. Certified letters are expensive and get returned more frequently than first class mail. Amend to remove certified mailing requirement, allow for full legal notice on web, and fix the inconsistencies in the posted notice (10 v 15 days before a public hearing).
Updates to Architectural and Site Design Manual (ASDM) Effective July 16, 2012 Ordinance not required	<ul style="list-style-type: none"> The ASDM is five years old and needs updates, including: <ol style="list-style-type: none"> Separate design standards for heavy commercial/light industrial uses Updated architectural standards Improved formatting and organization <i>Note: not a code amendment but requires City Council input</i>
Planned Development Regulations and Rezoning Criteria Effective July 27, 2012 Ordinance No. 1515	<ul style="list-style-type: none"> The planned development (PD) regulations and rezoning would be updated for consistency and to create a streamlined, clearer process for applicants pursuing a PD. This change will create separate criteria for specific plans that are not a rezoning.
Revisions to Sight Triangle Regulations Effective Sept 14, 2012 Ordinance No. 1518	<ul style="list-style-type: none"> Update how sight triangles are measured. This will include new, more user-friendly graphics.
Modify Industrial (I) District Effective Oct 26, 2012 Ordinance No. 1523	<ul style="list-style-type: none"> Assess Industrial (I) district's allowed and special uses are still appropriate and add contemporary uses (e.g. office/flex) that support employment uses Enable the option for a straight rezoning to new Industrial-Employment district
Public and Charter Schools Effective Oct 26, 2012 Ordinance No. 1524	<ul style="list-style-type: none"> Amend use chart and definitions to clarify that public and charter schools are permitted in any zone district but must follow site plan review.
Survey Requirements <i>An administrative policy addressing this issue was adopted in January 2012</i>	<ul style="list-style-type: none"> The City has no formal policies on what level of survey work is required in conjunction with building permits and land use case processing. Staff will develop a formal policy on when surveys are required in order to ensure compliance with applicable setbacks and height standards
Modify/Clarify Building Permit Process Completed Spring 2012	<ul style="list-style-type: none"> Streamline the building permit handouts and other materials so that the permitting process is succinct and understandable
Revise Subdivision Technical Submittal Requirements Effective Oct 28, 2011 Ordinance No. 1503	<ul style="list-style-type: none"> Ensure consistency between Public Works submittal requirements and procedures and language in zoning code for subdivision platting.
Updated Streetscape Design Manual Adopted March 28, 2011	<ul style="list-style-type: none"> The Architectural and Streetscape Design Manual originally adopted in 2011 contains outdated street typologies and is difficult to implement due to a lack of objective standards

Ordinance No. 1481	<ul style="list-style-type: none"> • The new Streetscape Design Manual will remove the architectural standards and establish clear, objective standards for streetscape design in the City, with a focus on priority corridors • Adopting clearer standards will help clarify development requirements for potential development applications
Urban Agriculture Uses and Activities Adopted May 23, 2011 Ordinance No. 1491	<ul style="list-style-type: none"> • The current code is largely silent on activities related to urban agriculture and where they are allowed, including: <ul style="list-style-type: none"> ○ Community gardens ○ Farmers markets ○ Yard sharing • Updating the zoning code to address these issues would provide clarification for staff and interested citizens.
Create Mixed Use Zone Districts and Reduce Reliance on Planned Developments Adopted Sept 13, 2010 Ordinance No. 1471	<ul style="list-style-type: none"> • The current code has very limited allowance for a mix of land uses on one property or within one building unless a planned development (PD) district is utilized. • All zone changes to nonresidential zoning require a PD process. Each PD has its own set of standards that are independent of the zoning code. • While there are benefits to the PD approach, Wheat Ridge has over-relied on this method – resulting in a negotiation process for each development, with no predictability or certainty in the end result. Tracking all approved PDs is a challenge for the City and the development community. • Base mixed use districts would allow desired development types, such as residential apartments over ground floor retail, that are identified in the NRS and Envision Wheat Ridge (the City’s comprehensive plan). • Mixed use zone districts would provide for a predictable, consistent, and less timely option to create the forms of high-quality development desired in target areas, such as Wadsworth Blvd and the Ward Road station area.
Create Transit Oriented Development (TOD) Overlay District Adopted Sept 13, 2010 through mixed use zoning ordinance Ordinance No. 1471	<ul style="list-style-type: none"> • An overlay district can address a geographic area with unique characteristics such as the future commuter rail station at 52nd and Ward • Transit Oriented Development (TOD) is a development pattern that encourages access to public transit, increases public transit ridership, and promotes mixed land uses and pedestrian-friendly environment. • TOD emphasizes pedestrian-friendly development rather than automobile dependent patterns. There are some examples throughout Denver and around existing light rail lines (e.g. Englewood City Center) • TOD district-specific standards may include increased allowance for density, reduced parking, and other incentives for desirable development.
Accessory Structures in Commercial Districts Adopted August 8, 2010 Ordinance No. 1468	<ul style="list-style-type: none"> • No accessory structures (e.g., storage shed, garage) are allowed by right in commercial districts. • A Planned Building Group process must be undertaken, with a minimum size of 1,000 square feet for the structure. • More allowance may be needed for such structures to accommodate the needs of businesses.
Zoning District Boundary Discrepancies Effective March 13, 2009 Ordinance No. 1430	<ul style="list-style-type: none"> • Many properties in the city have “split zoning” – meaning more than one zone district boundary on the property. Some zoning boundaries even run through buildings. This makes development/redevelopment very difficult without a rezoning on these properties. • The code was revised to allow an administrative process for adjusting zoning boundaries so that they are more consistent with property lines
Floodplain Administrator Decision-Making Authority Effective March 13, 2009	<ul style="list-style-type: none"> • Many properties in Wheat Ridge lie within floodplain boundaries, thus limiting the ability to make improvements to the property with any type of structure. • Many of these properties have existing buildings on them. • The floodplain administrator (Public Works Director) has limited authority to

Ordinance No. 1431	<p>make administrative determinations/waivers to certain standards for floodplain permits.</p> <ul style="list-style-type: none"> • This makes improvements to property in floodplain areas difficult where it clearly will not have a detrimental impact on the floodplain. • The goal is to allow flexibility for minor improvements such as fences in the floodplain.
<p>City-Initiated Zone Changes Effective March 27, 2009 Ordinance No. 1434</p>	<ul style="list-style-type: none"> • The code was revised to reduce restrictions on City-initiated rezonings • City-initiated zone changes of property to nonresidential districts can be a very proactive activity to create incentives for redevelopment by the private sector.
<p>Planned Development Amendments Effective March 27, 2009 Ordinance No. 1433</p>	<ul style="list-style-type: none"> • Each planned development (PD) in the City contains its own set of development standards (e.g., site characteristics). • As market conditions change or new development/redevelopment is proposed within planned developments, these changes may not fit within the approved PD – which requires an amendment involving public hearings and essentially the same process as a rezoning. • The code was revised to ease the requirements for amending planned developments so that they may more easily adapt over time to changing land uses, development patterns, and market conditions.
<p>Residential Density in Planned Developments Effective May 1, 2009 Ordinance No. 1440</p>	<ul style="list-style-type: none"> • Planned developments are land use applications that involve a process with public hearings. The intent of this process is to allow flexibility and a master-planned approach to certain developments. • The code was updated to allow a maximum density of 21 units per acre in planned developments, which matches the maximum density allowed by the City charter. • Increasing the density allowance in planned developments to match the charter at 21 dwelling units per acre may encourage desirable development at strategic and appropriate locations in the City.
<p>Residential Development Standards Effective Aug 31, 2009 Ordinance No. 1448</p>	<ul style="list-style-type: none"> • Minimum required front setbacks in most residential districts were reduced from 30 feet to 25 feet to matching neighborhood context and encourage pedestrian friendly neighborhoods • Residential development standards related to accessory buildings were revised to provide more consistency and flexibility in the treatment of principal versus accessory buildings.
<p>Parking Regulations Effective Sept 28, 2009 Ordinance No. 1454</p>	<ul style="list-style-type: none"> • The former parking regulations established high minimum requirements and did a poor job of allowing for creative shared parking, mixed use parking, and parking reductions. • The code was revised to establish lesser parking ratios and create allowances for parking reductions. These changes may encourage redevelopment, create more pedestrian-friendly environments, and make it easier for redevelopment to occur.

