



CASE #LR19-006, COMPREHENSIVE PLAN AMENDMENT – URBAN RESIDENTIAL DENSITIES

Planning Case Manager: Alan White
Loretta Daniel, Long Range Planning Manager
Jan Yeckes, Planning Division Manager

December 12, 2019

PROPOSAL:

Staff is proposing this amendment to expand the density range in the Urban Residential / Single Family Detached and Attached land use category in the 2018 Arapahoe County Comprehensive Plan. For Single Family Detached, the recommended density range is proposed to be increased from one to six (1-6) units per acre to one to eight (1-8) units per acre. For Single Family Attached and small Multi-Family, the density range is proposed to be increased from six to twelve (6-12) units per acre to eight to sixteen (8-16) units per acre. Single Family Attached and small Multi-Family development will be considered at a density of twelve to sixteen (12 to 16) units per acre providing that certain criteria are met.

The full text of the proposed amendment is included with the Resolution attached to this staff report.

STAFF RECOMMENDATION:

Staff recommends **approval** of Case Number LR19-006 based on the findings outlined in this report.

I. BACKGROUND INFORMATION

Request

This proposed amendment was initiated by Planning Division staff as provided in Chapter VI of the Comprehensive Plan. Because this amendment modifies densities recommended for the Urban Residential land use category, it has a material effect on the goals, policies and maps of the Comprehensive Plan. Under these circumstances, the amendment is considered a major amendment requiring a public hearing.

Result if approved

This legislative action, if approved, would increase the recommended densities in the areas designated as Urban Residential on the Urban Area Land Use Plan map. The proposed densities align with the lot sizes and densities of the residential zone districts recently added to the Land Development Code. Many of the areas designated Urban Residential are already built out, so this amendment potentially affects far fewer areas than appear on the Urban Area Land Use Plan map.

II. DISCUSSION

1. *Study Sessions*

Staff conducted study sessions with the Planning Commission on this proposed amendment on September 17, 2019, October 15, 2019, and December 3, 2019. The study sessions included discussions of densities and lot sizes, along with examples of developments in the region built at the densities or on lots comparable to those proposed in this amendment. There was also discussion of how the increased densities might assist in the provision of a range of housing options in the county, including affordable housing.

Planning Commission requested an inventory and analysis of the number of parcels that could potentially be affected by this amendment. Parcels were identified using aerial photography and Assessor's data relating to land and improvement values. Areas not included in the inventory were those covered by subarea plans (they would not be affected by this amendment as recommended densities are established in the subarea plans), those areas designated under the Multi-Family land use category, large PUD's still under development, and the rural area east of E-470. The inventory also did not take into consideration that employment and regional commercial areas as shown on the Urban Area Land Use Plan map might be proposed for residential uses in the future.

Of all the unincorporated enclaves that appear on the Urban Area Land Use Plan map, there are relatively few parcels that might be considered for infill development. Most of the unincorporated enclaves are established residential subdivisions and are not likely to undergo wholesale redevelopment. A majority of the parcels that are likely to be pursued for development are along South Platte Canyon Road.

Based on staff's analysis, staff is recommending the proposed amendment for the following reasons:

1. The existing density recommendations in the Comprehensive Plan were carried over from the 2001 Comprehensive Plan. Development trends, buyer preferences and changing demographics (e.g., aging of the population) have combined to create demand for smaller lots and townhomes.
2. The increase in the Urban Residential - Single Family Detached density "cap" from six to eight units per acre provides consistency between the Comprehensive Plan and the recently adopted residential zone districts in the Land Development Code (LDC) which allow for smaller single-family detached residential lots (i.e., 5,000 and 3,600 square feet). Eight units per acre is also the density at which single-family detached projects can be made affordable, according to information in the County's recently completed *Housing Needs Assessment*.
3. The increase in the Urban Residential - Single Family Attached density limit would provide consistency between the Comprehensive Plan and the newly adopted R-2-B zone district (minimum lot size of 2,000 square feet per unit for townhomes, resulting in a density of 14 to 15 units per acre).

4. The Urban Residential Single Family Attached density amendment would affect less than 10 parcels or areas, as identified by staff at this time, and each of these parcels would need to be rezoned to accommodate single-family attached developments. Approval of this amendment does not circumvent the Planning Commission’s role in reviewing rezonings on a case-by-case basis.
5. The amendment would provide developers and property owners with flexibility in providing a range of housing options.
6. Under the current densities, a development in the range of 12 to 16 units per acre would require an amendment to the Urban Area Land Use Plan map to the Multi-Family land use category. The increase in the Single Family Attached density up to 16 units per acre might discourage proposals to amend the Urban Area Land Use Plan map for multi-family development, developers instead opting for single-family attached development. In addition, the Multi-Family land use category does not have an upper limit to the recommended density and once that designation is changed on the Urban Area Land Use Plan map, any approved map amendment would provide opportunities for densities at 13 or more units per acre.
7. Multi-family projects would still require Planned Unit Development zoning under the LDC. Any multi-family project proposed on the parcels designated as Urban Residential would not only require review of a GDP and/or SDP by Planning Commission, they would require a Comprehensive Plan amendment as well because they are all currently designated as Urban Residential, not Multi-Family.

2. Referrals:

Staff sent out referral letters to 104 key agencies requesting that referral responses be submitted during the outside referral comment period, from December 11 to December 24, 2019. Of the 104 agencies contacted, fourteen responded with no comments or objections. Referral comments from agencies that responded with specific comments, if any, will be sent to the Commission prior to the hearing and will be presented at the hearing.

Comments are summarized below.

Byers Water and Sanitation District	No comments
Eglewood School District	No comments
South Suburban Parks and Recreation District	No comments
Denver Wastewater	No comments
Byers School District	No Comments
Aurora School District	No Comments
Buckley AFB	No Comments
City of Centennial	No Comments
City of Sheridan	No Comments
Sheriff – Community Resources	No Comments
Sheriff - Patrol	No Comments

Regional Economic Advancement Partnership (REAP)	No Comments
Unincorporated Arapahoe County Economic Development	No Objections
Willows Water District	No Comments

III. STAFF FINDINGS

Staff has reviewed the amendment and referral comments as detailed in this report. Based on review of applicable goals and policies as stated in the Comprehensive Plan, Staff finds:

1. That the proposal to amend the 2018 Arapahoe County Comprehensive Plan was properly noticed in accordance with the applicable requirements of state law and the Comprehensive Plan and that the Planning Commission has jurisdiction to hear and decide the proposal;
2. That the proposed amendment advances the goals and policies of the 2018 Comprehensive Plan by providing opportunities for developments to offer a broader range of housing choices;
3. That the proposed amendment achieves consistency with the residential zone districts contained in the Arapahoe County Land Development Code; and
4. The Arapahoe County Planning Commission has the authority to amend provisions of the Comprehensive Plan as proposed by this amendment.

IV. STAFF RECOMMENDATION

Based on the four (4) findings described above, Staff recommends **approval** of this Amendment request.

V. DRAFT MOTIONS

Motion for Approval: *(This motion is consistent with the staff recommendation.)*

In the case of LR19-006 Comprehensive Plan Amendment – Urban Residential Densities, the Planning Commission has read the proposed plan amendment and staff report and has considered additional information presented during the public hearing. We do find ourselves in agreement with Staff findings one (1) through four (4) set forth in the Staff report dated December 12, 2019, and therefore **approve** the amendment.

Motion for Denial: *(This motion is not consistent with the staff recommendation.)*

In the case of LR19-006 Comprehensive Plan Amendment – Urban Residential Densities, the Planning Commission has read the proposed plan amendment, staff report, and attachments and has considered additional information presented during the public hearing. We do **not** find ourselves in agreement with Staff findings set forth in the Staff report dated December 12, 2019, and therefore **deny** the amendment **based on the following findings:**

1. *(State new or amended findings to support a motion for denial)*

Motion to Continue:

In the case of LR19-006 Comprehensive Plan Amendment – Urban Residential Densities, I move to **continue** the **[public hearing for] [action on]** this item to **[Date, 2020]**, date certain, 6:30 p.m., at this same location, **[to obtain additional information] [to further consider information presented during the public hearing]**.

Attachments:

Resolution Number 20-0001

Planning Commission of Arapahoe County, Colorado
Resolution to Amend the 2018 Arapahoe County
Comprehensive Plan
LR19-006 Comprehensive Plan Amendment – Urban Residential
Densities

Resolution Number 20-0001

RESOLUTION NO. 20-0001. It was moved by Planning Commissioner _____ and seconded by Planning Commissioner _____ to adopt the following Resolution:

WHEREAS, the Planning Commission is authorized by Colorado Revised Statutes 30-28-108 to adopt a Comprehensive Plan for the unincorporated areas of Arapahoe County by resolution and make amendments thereto over time; and

WHEREAS, the Planning Commission adopted the Arapahoe County Comprehensive Plan on January 9, 2018 with an effective date of February 12, 2018 pursuant to Resolution 18-001; and

WHEREAS, the Planning Commission has received a recommendation from County staff to amend the Comprehensive Plan by amending the densities recommended for the Urban Residential / Single Family Detached and Attached land use category; and

WHEREAS, County staff referred the proposed amendment to the Colorado Department of Local Affairs as required by Colorado Revised Statutes and received no comments; and

WHEREAS, County staff referred the proposed amendment to referral agencies and received no comment; and

WHEREAS, the Planning Commission accepted and considered public comment during a public hearing conducted during a regularly scheduled meeting held on January 7, 2020; and

WHEREAS, the public hearing was noticed by publication in *The Villager*, a newspaper of general circulation in Arapahoe County, on December 19, 2019; in the *I-70 Scout*, a newspaper of general circulation in eastern Arapahoe County, on December 17, 2019; and on the County's website beginning December 20, 2019; and

WHEREAS, the Planning Commission reviewed the staff report and the proposed findings contained therein, and conducted a public hearing and considered all testimony and public comment as was presented at the public hearing on the proposed Comprehensive Plan amendment; all of which are contained in and part of the Record for the proposed Comprehensive Plan amendment, Planning Case No. LR19-006; and

WHEREAS, the Planning Commission hereby makes the following Findings in support of this Resolution:

1. That the proposal to amend the 2018 Arapahoe County Comprehensive Plan was properly noticed in accordance with the applicable requirements of state law and the Comprehensive Plan and that the Planning Commission has jurisdiction to hear and decide the proposal;
2. That the proposed amendment advances the goals and policies of the 2018 Comprehensive Plan by providing opportunities for developments to offer a broader range of housing choices;
3. That the proposed amendment achieves consistency with the residential zone districts contained in the Arapahoe County Land Development Code; and
4. That the Arapahoe County Planning Commission has the authority to amend provisions of the 2018 Comprehensive Plan as proposed by this amendment.

NOW THEREFORE BE IT RESOLVED, by the Planning Commission of Arapahoe County, State of Colorado:

1. That the 2018 Comprehensive Plan, as amended, is hereby amended as proposed in Planning Division Case No. LR19-006 to change the densities recommended for Urban Residential / Single Family Detached and Attached land use category as contained in Attachment A.
2. That the Secretary to the Planning Commission is hereby directed to maintain this Resolution in the files of the Public Works and Development Department. The Staff Report to the Planning Commission, documenting the amendment to be made, and all attachments and exhibits are a part of this Record.

The Vote Was:

Commissioner Brockelman, ___; Commissioner Chaffin, ___; Commissioner Latsis, ___; Commissioner Miller, ___; Commissioner Rieck, ___; Commissioner Sall, ___; Commissioner Wollman, ___.

Jane Rieck, Planning Commission Chair

Date signed

I, Jan Yeckes, **Secretary to the Arapahoe County Planning Commission**, do hereby certify that the above and foregoing Resolution is a true copy of the Resolution of the Planning Commission of Arapahoe County, Colorado adopted on January 7, 2020.

Jan Yeckes, Secretary to Planning Commission

Date signed

ATTACHMENT A

Revise density range in the Urban Residential / Single Family Detached and Attached Land Use Category in Chapter III, Development Framework and Land Use, page 28 as follows:

Uses

- Primary: Single Family Detached, Single Family Attached (duplexes, triplexes, four-plexes, townhomes, and row houses, each with private entrance) and small Multi-Family units.
- Secondary: Support services (e.g., Neighborhood Commercial centers, parks and recreation facilities, places of worship, schools)

Characteristics

- The average gross density (dwelling units per gross acre) will vary. For Single Family Detached, density will range from ~~one to six (1-6)~~ **one to eight (1-8)** units per acre. For Single Family Attached and small Multi-Family, density will range from ~~six to twelve (6-12)~~ **eight to sixteen (8-16)** units per acre. Small multi-family units may be attached floor to ceiling (stacked units). **Single Family Attached and small Multi-Family development will be considered at a density of 12 to 16 units per acre if the following criteria are met:**
 1. **The property has a shape or topography that constrains normal development practices.**
 2. **The project provides a suitable transition from existing adjacent lower-density residential land uses, such as:**
 - a. **Increased setbacks at common property lines;**
 - b. **Limiting maximum building heights adjacent to common property lines to two stories. Building heights may increase with increased distance from the common property lines;**
 - c. **Locating required open space or detention along common property lines; or**
 - d. **Other creative or similar transitioning methods.**
 3. **The project avoids placing long building frontages along common property lines.**
 4. **The project integrates into the existing neighborhood by providing sidewalk, trail, bike lane, open space or other linkages.**
 5. **The project is in conformance with the County's Residential and Small Lot Residential Development Design Guidelines and Standards as established in the Land Development Code.**