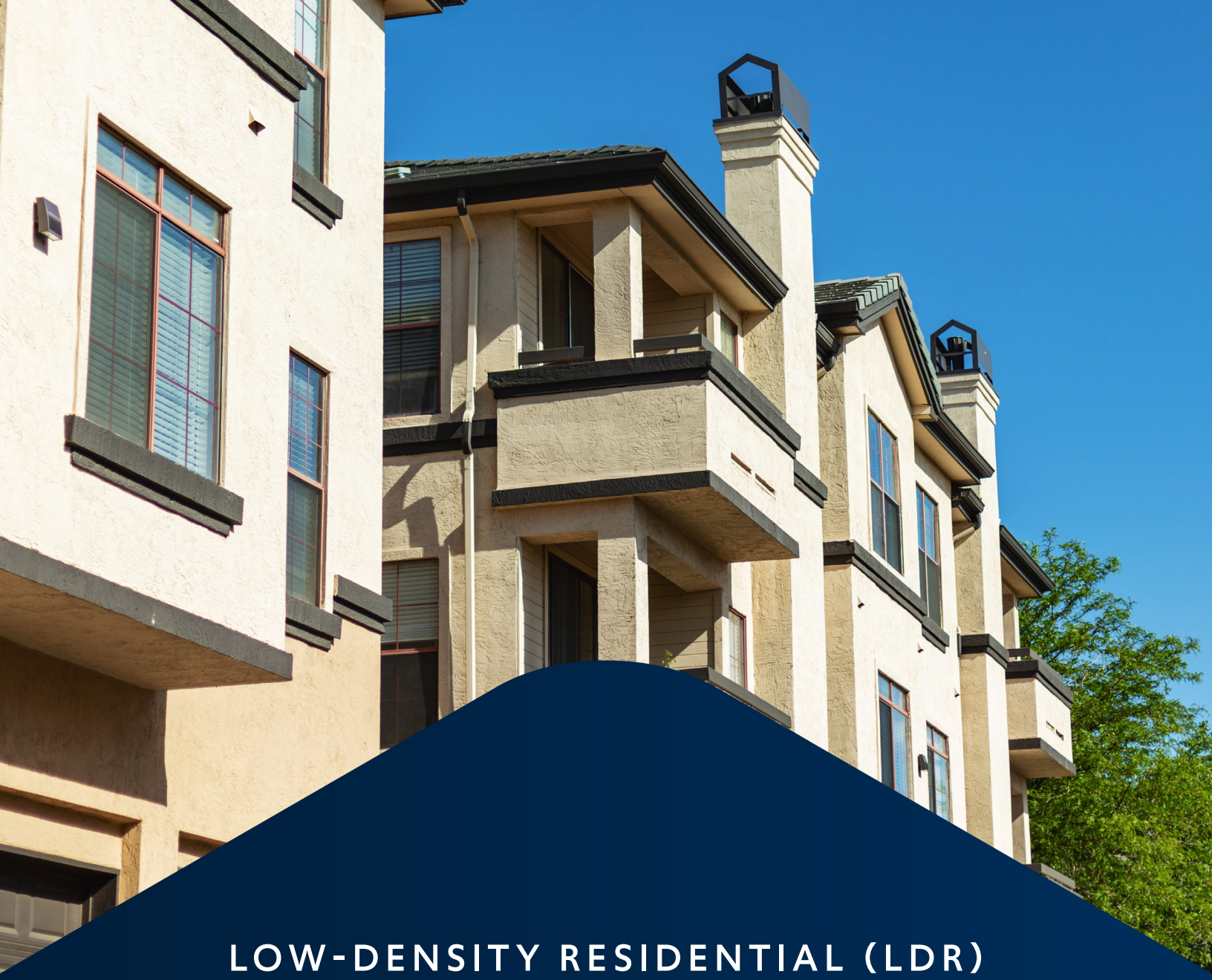


LOW-DENSITY RESIDENTIAL (LDR) ZONING TEMPLATE FOR

2-4 Unit Dwellings

COMMON SENSE INSTITUTE

Civic Results

Low-Density Residential (LDR) Zoning Template for 2-4 Unit Dwellings

1. Purpose

1.1. General

The purpose of this Chapter is to authorize (1) the construction of new freestanding residential buildings containing one, two, three, or four dwelling units, and (2) the conversion of existing freestanding single-household dwellings to accommodate two, three, or four residential units (collectively referred to as Low-Density Residential, or LDR, development), on small individual lots, or on parcels of land containing defined areas for multiple LDR buildings, subject only to compliance with objective standards clearly related to the protection of public health and safety, with post-zoning/post-subdivision approval being granted administratively rather than through a discretionary decision-making process, in order to reduce the time, expense, and uncertainty of the development approval process.

1.2. Relationship to Other Development Regulations

The following sections of this [development code] shall continue to apply to LDR development authorized by this Chapter, unless modified as listed below. In case of direct conflict between any standard in a different Chapter of this [development code] or in a related regulation and the standards in this Chapter, the provisions in this Chapter shall apply.

1.2.1. List of Sections of the [development code] and any exceptions to standards in that Section otherwise applicable to LDR developments.

2. Low-Density Residential (LDR) Zone District

2.1. Creation

The Low-Density Residential Zone District (R-LD) is hereby created. The provisions of this Chapter shall apply in those areas designated as (R-LD) on the [official zoning map].

2.2. Permitted Primary Uses of Land

2.2.1. Detached single-household dwelling (SHD).

2.2.2. Low-Density Residential building (LDR), as defined in Section 6 below.

2.2.3. Park or open space.

2.2.4. [OPTION] Community garden.

2.2.5. [OPTION] Community center.

2.2.6. [OPTION] Recreation facility.

2.3. Permitted Accessory Uses of Land

2.3.1. One internal Accessory Dwelling Unit containing between 500 and 800 square feet of gross floor area, located within the exterior walls of each SHD, and subject only to those standards permitted by C.R.S. 29-35-101 et. seq.

2.3.2. [OPTION] One external Accessory Dwelling Unit containing between 500 and 800 square feet of gross floor area, located outside the exterior walls of each SHD, but on the same lot or Designated Development Site (as defined in Section 6) and subject only to those standards permitted by C.R.S. 29-35-101 et. seq

3. Site Location and Dimensional Standards

3.1. Site Location Standards

Residential development within an R-LD zone district may not be located in the following areas as shown on a map adopted by [community]:

3.1.1. Flood risk areas as shown on adopted maps of the Federal Emergency Management Agency (FEMA).

3.1.2. Wildfire hazard areas as shown on the most recent Wildfire Risk Map or the Wildland Urban Interface Risk maps maintained by the Colorado State Forest Service.

3.1.3. Any map of steep slope areas, geologic hazard areas, seismic hazard areas, or other areas on which other forms of residential development are prohibited.

3.2. Minimum Lot Dimensions

3.2.1. Initial Development

The following standards shall apply when (1) new lots are created or existing lot boundaries are modified in the R-LD zone district on or after the effective date of this Chapter, and (2) the area or lots being created or modified do not already contain residential structures.

3.2.1.1. Lots for SHD uses with or without ADUs

Each lot shall contain at least [1,000] square feet of gross lot area, plus any additional lot area required to meet the minimum on-site open space requirements of Section 3.3 and the minimum building location and separation requirements of Section 4.1.[1]

3.2.1.2. Lots for LDR development

Each lot for a two-unit structure shall contain [1,200] square feet, each lot for a three-unit structure shall contain [1,400] square feet, and each lot for a four-unit structure shall contain [1,600] square feet of gross lot area, plus any additional lot area required to meet the minimum on-site open space requirements of Section 3.3 and the minimum building location and separation requirements of Section 4.1.

3.2.1.3. [OPTION] Multiple structures on a single lot

Up to [5] detached SHD structures or [5] LDR structures may be located on a single residential development lot, provided that a separate Designated Development Site is identified for each primary residential structure in a document approved administratively by [community], and each Designated Development Site is adequate to meet the minimum size requirements of Sections 3.2.1.1 or 3.2.1.2, as applicable, the minimum on-site open space requirements of Section 3.3, and the building separation requirements of Section 4.1.

3.2.1.4. [OPTION] Minimum lot size adjustments

One or more detached SHD or LDR lots or Designated Development Sites within a development in the R-LD zone district may contain a gross area up to 20 percent smaller than that required by Section 3.2.1.1 or 3.2.1.2, as applicable, provided that at least an equal or greater number of lots or Designated Development Sites within the same residential development in the same R-LD zone district contain gross floor areas up to 20 percent larger than that required by Section 3.2.1.1. or 3.2.1.2, as applicable, so that the total gross area of all residential development lots or Designated Development Sites in that development is not reduced.

3.2.2. Existing Development

If the R-LD zone district is applied to lots that (1) were created before the effective date of this Chapter, or (2) already contain primary residential structures (with or without ADUs), then the minimum lot size of each lot shall be that existing on the effective date of this Chapter, unless and until the boundaries of the existing lots are modified to comply with Section 3.2.1 above.

[1] Note: Colorado law does not permit local governments to require a larger lot size for single-family dwelling units that have an external or detached ADU compared to the minimum lot size for a single-family dwelling without an ADU.

3.3. Minimum On-Site Open Space

3.3.1. Initial Development

The following standards shall apply when (1) new lots are created or existing lot boundaries are modified in the R-LD zone district on or after the effective date of this Chapter, and (2) the lots being created or modified do not already contain residential structures.

3.3.1.1. Lots for detached SHD uses with or without ADUs

Each lot containing an SHD (with or without an ADU) shall contain an open space containing at least [150] square feet of gross lot area, with no dimension of such open space being smaller than [6] feet.

3.3.1.2. Lots for RLD development

Each lot containing a two-unit structure shall contain an open space of [180] square feet, each lot containing a three-unit structure shall contain an open space of [210] square feet, and each lot containing a four-unit structure shall contain an open space of [240] square feet of gross lot area, with no dimension of such open space being smaller than [6] feet.

3.3.1.3. [OPTION] Minimum open space adjustments

The minimum on-site open space requirements of Section 3.3.1.1 and 3.3.1.2 may be reduced by [50] percent per lot in an R-LD development, provided that each one square foot of the reduction is replaced by at least one square foot of community open space in a designated park or open space located so that the nearest corner of the community park or open space is within [660] feet of the nearest corner of each lot where the on-site open space has been reduced.

3.3.2. Existing Development

If the R-LD zone district is applied to lots that (1) were created before the effective date of this Chapter, or (2) already contain primary residential structures (with or without ADUs), then the minimum open space for each lot shall be that existing on the effective date of this Chapter unless and until the lots are reconfigured to comply with the requirements of Section 3.2, at which time the minimum open space for each lot shall be that required to comply with the building location and separation requirements in Section 4.1 below plus [30] square feet for a two-unit structure, [60] square feet for a three-unit structure, or [90] square feet for a four-unit structure.

4. Building Design and Development Standards

4.1 Building Location and Separation

The following standards apply to each lot in the R-LD zone district, or to each Designated Development Site in an R-LD zone district, as applicable.

4.1.1. Front Setbacks

The minimum front setback of an SHD or LDR structure shall be [5] feet, provided that the front setback of any portion of the lot or Designated Development Site designed or designated for parking of vehicles in front of the primary structure shall be [15] feet.

4.1.1.1. [OPTION] Contextual Front Setbacks Required

If a primary residential structure existing on the effective date of this Chapter is later modified or replaced, and [75] percent or more of the primary residential structures on the same block face contain front setbacks larger than that required by Section 4.1.1 (the context lots), then any modification or replacement of the structure shall have a front setback not smaller than the smallest front setback of a context lot.

4.1.2. Side and Rear Setbacks

The minimum side and rear setbacks of each structure shall be those required by the fire safety code or the on-site storm drainage design requirements applicable in [community], whichever are larger, provided that the side and rear setbacks for an external ADU on a site containing an SHD shall not exceed those permitted by C.R.S. 29-35-102(18).

4.1.2.1 [OPTION] Minimum Side and Rear Setback Adjustment

The minimum side lot line setback required by Section 4.1.2 do not need to be satisfied on each individual lot, but may instead be treated as minimum building separation standards that can be met by providing the required distance entirely or partially on one of two contiguous lots, provided that each lot owner is provided an easement at least [5] feet in width to maintain any portion of a primary or accessory building located less than [5] feet from a side or rear lot line.

4.2. Maximum Building Heights

The maximum height for each primary structure in the R-LD zone district shall be [38] feet.

4.3. [OPTION] Building Design Standards

4.3.1. Initial Development

When new primary residential structures are constructed on vacant lots, no more than [3] SHD or LDR primary structures with the same façade design shall appear on contiguous lots along the same block face. At least every [fourth] SHD or LDR located on each block face shall differ from the adjacent SHD or LDR in design or appearance. The difference in design or appearance may be achieved through changes in façade design or articulation, window or door location or orientation, primary or accent colors or materials, the use of a different façade appearance option offered by the applicant for that model of dwelling, at the option of the applicant, or through any other form of differentiation approved by the Director pursuant to Section 5.4.2.

4.3.2. Existing Development

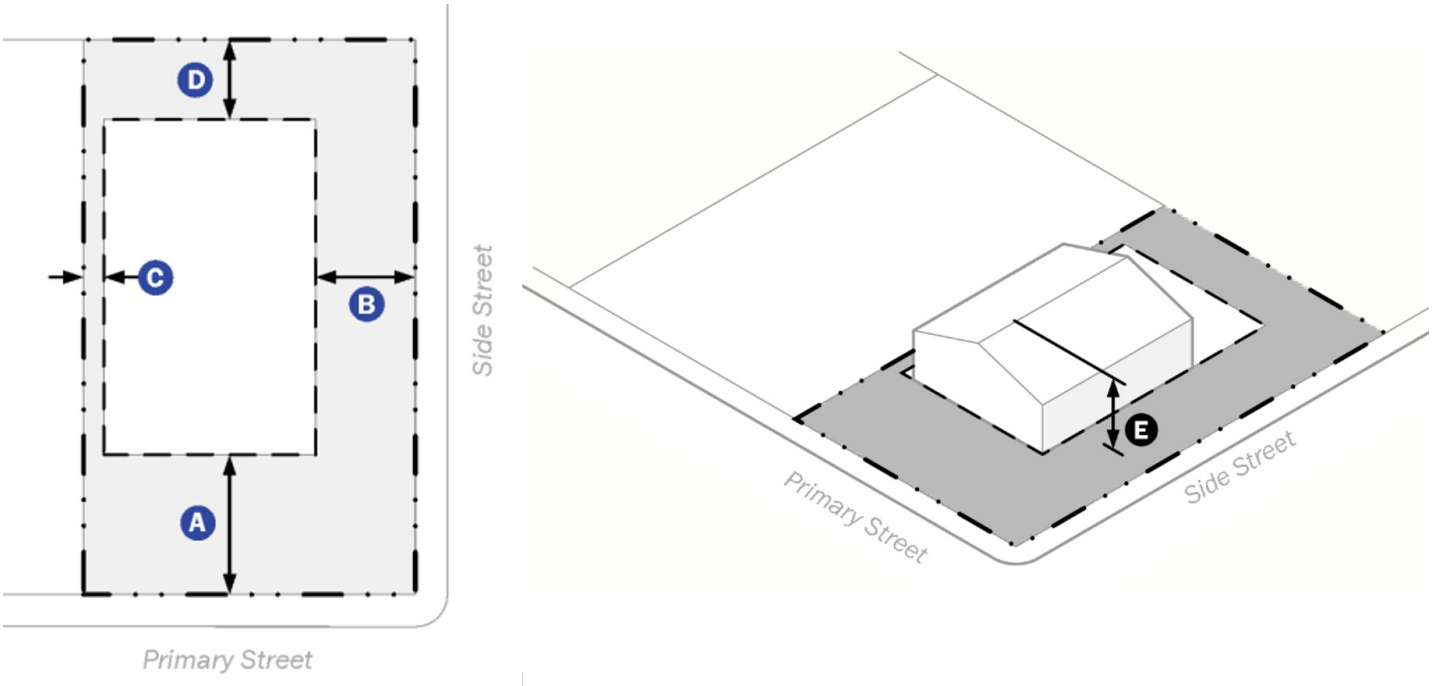
When the R-LD district is applied to lots that already contain primary residential structures (with or without ADUs), no additional building design standards shall apply, but the structure must continue to comply with any building design standards already applicable to the structure.

4.3.2.1. [OPTION] Pitched Roofs Required

If a primary residential structure existing on the effective date of this Chapter is later modified or replaced, and [75] percent or more of the primary residential structures on the same block face contain pitched roofs that slope down to two or more facades of the structure, then any modification or replacement of the existing structure shall include a roof with a pitch of 3:12 or greater sloping down to at least two facades of the structure.

4.4. [OPTION] R-LD Building Form

Each single-family detached dwelling shall comply with the R-LD building form shown below.



A: Except as stated in note B, [5] feet, provided that the front setback of any portion of the lot designed or designated for parking of vehicles in front of the garage shall be [15] feet.

[OPTION] If a primary residential structure existing on the effective date of this Chapter is later modified or replaced, and [75] percent or more of the primary residential structures on the same block face contain front setbacks larger than that required by Section 4.1.1 (the context lots), then any modification or replacement of the structure shall have a front setback not smaller than the smallest front setback of a context lot.

B: Except as stated in note C, the minimum side setbacks of an SHD or LDR structure shall be those required by the applicable fire safety code or the applicable on-site storm drainage design requirements, whichever are larger, provided that the side setbacks for an external ADU shall not exceed those permitted by C.R.S. 29-35-102(18).

C: [OPTION] The minimum side lot line setback required by Note B do not need to be satisfied on each individual lot, but may instead be treated as minimum building separation standards that can be met by providing the required distance entirely or partially on one of two contiguous lots, provided that each lot owner is provided an easement at least [5] feet in width to maintain any portion of a primary or accessory building located less than [5] feet from a side or rear lot line or the side or rear of a designated development area.

D: The minimum rear setbacks of an SHD or LDR structure shall be those required by the applicable fire safety code or the applicable on-site storm drainage design requirements, whichever are larger, provided that the rear setbacks for an external ADU shall not exceed those permitted by C.R.S. 29-35-102(18).

E: [38] feet.

[OPTION] If a primary residential structure existing on the effective date of this Chapter is later modified or replaced, and [75] percent or more of the primary residential structures on the same block face contain pitched roofs that slope down to two or more facades of the structure, then any modification or replacement of the existing structure shall include a roof with a pitch of 3:12 or greater sloping down to at least two facades of the structure.

4.5. Dwelling Unit Size

4.5.1. Minimum Dwelling Unit Size

The minimum size of each dwelling unit in an SHD or LDR primary structure shall be that required by the adopted version of the International Residential Code, based on the types of rooms and the number of bedrooms included in that dwelling.

4.5.1.1. [OPTION] Reference to State or Local Regulations

If [community] has not adopted any version of the International Residential Code, the minimum size of each dwelling unit in an SHD or LDR primary structure shall be that required by the applicable building code applied by the Office of the Colorado State Architect for manufactured, modular, or tiny homes. If no such building code is applicable to the proposed type of SHD or LDR structure, then the minimum size of each primary residential structure shall be that adopted by the nearest Colorado county or municipal government that has adopted a residential building code with a minimum size requirement for an SHD or LDR structure.

4.5.2. [OPTION] Maximum Dwelling Unit Size

The maximum size of each new dwelling unit in an SHD or LDR structure constructed after the effective date of this Chapter is [1,000] square feet of gross floor area. This limit shall not apply when a primary SHD structure existing on the date of this Chapter is modified to accommodate an LDR use.

4.6. Parking

No on-site parking shall be required on individual residential lots or parcels, and no shared off-site parking areas shall be required to provide parking for SHD and RLD structures.

4.7. [OPTION] Landscaping

4.7.1. Initial Development

Each block face shall contain at least one street tree for every [35] feet of street frontage. Each such tree shall be selected from [community's] adopted list of approved tree species, or if there is no such list, then from a list regionally specific list of very low to moderate water use species.

4.7.2. Existing Development

When an existing SHD structure is modified or replaced to accommodate an LDR use, at least one tree for every [35] feet of street frontage shall be planted along the street frontage. This requirement shall not apply if installation of street frontage tree(s) with [35] spacing is not possible due to the location of existing trees. Each such tree shall be selected from [community's] adopted list of approved tree species, or if there is no such list, then from a list regionally specific list of very low to moderate water use species.

4.8. [OPTION] Maximum Occupancy

The maximum occupancy of each dwelling unit in an SHD or LDR structure shall be as shown in the following table.

Maximum Occupancy of Dwelling Unit	Minimum size of rooms			
	Living Room (if a separate room)	Dining Room (if a separate room)	Combined Living/Dining Room [1]	Bedrooms [2]
One or Two	120 sq. ft.	No requirement	120 sq. ft.	70 sq. ft. plus 50 sq. ft. for each bedroom occupant after the first one
Three to Five	120 sq. ft.	80 sq. ft.	200 sq. ft.	
Six or More	150 sq. ft.	100 sq. ft.	250 sq. ft.	

Notes

[1] Applies only if the room is designed to function as a combination living room/ dining room

[2] Living, dining, and combined living/dining room areas that exceed the minimums required may not be used to compensate for shortages in minimum bedroom areas. Each dwelling unit shall comply with minimum size requirements for each bedroom and the occupancy of that bedroom regardless of whether the size of living, dining, and combined living/dining room areas exceed required minimums.

5. Administrative Approval Procedures for SH developments

5.1 Administrative Approvals

5.1.1. Initial Development

If the application is for initial development of SHD and/or LDR structures on land that has not been subdivided or in which residential development lots do not comply with the Site Dimensional Standards in Section 3, then following rezoning of the land into the R-LD zone district, and the approval of one or more subdivision plats reflecting the Site Dimensional Standards in Section 3, all approvals of SHD and LDR development shall be administrative and shall not require additional public hearings or approvals from an appointed or elected body.

5.1.2. Existing Development

If the application applies to lots that that (1) were created before the effective date of this Chapter, or (2) already contain primary residential structures (with or without ADUs), then following rezoning of the land into the R-LD zone district, all approvals of SHD and LDR development shall be administrative and shall not require additional public hearings or approvals from an appointed or elected body.

5.2. [OPTION] Pre-Application Meeting

The applicant shall attend one pre-application meeting with the Director or designated staff to review the proposed location, layout, and proposed land uses in the R-LD development. If the design(s) of the proposed SHD or LDR primary residential structures is known, this meeting can also discuss the compliance of those proposed designs with the Building Design and Development Standards in Section 4 and the need for any administrative amendments of those standards pursuant to Section 5.4.2.

5.3. Application

5.3.1. Full Development Application

The applicant shall file a complete application with the [planning department], including all required documentation necessary to review compliance with all applicable development standards, together with all application review fees and development impact fees adopted by [community].

5.3.1.1. [OPTION] Phased Development Application

At the applicant's option, the application may cover all of a proposed R-LD development or only a portion of the proposed development. If the applicant discloses the full extent of the proposed development but chooses to submit an application for only a portion of the development, the development standards applicable to later phases disclosed at the time of the first application shall be those applicable in this Chapter.

5.3.2. Review for Completeness

The Director shall promptly review the application and shall notify the applicant of any missing or inadequate materials within [7] days after receipt. This [7] day review and notification procedure shall apply each time the applicant submits additional or revised materials until the Director notifies the applicant that all required materials have been submitted.

5.4. Review, Adjustment, and Final Decision

5.4.1. Review for Compliance

Once the Director has confirmed that the application is complete, the application will be reviewed for compliance with the standards in this Chapter and with all applicable standards for R-LD development listed in Section 1.2, as those standards may have been modified by Section 1.2.

5.4.2. Adjustment of Certain Standards

If the Director determines that the application does not meet some or all of the requirements of Sections 3.2 (Minimum On-Site Open Space), 4.1 (Building Location), 4.3 (Building Design Standards), 4.4 (R-LD Building Form), or 4.7 (Landscaping), as applicable, the Director may adjust those standards to accommodate an alternative included in the application provided that the Director determines that the proposed alternative:

5.4.2.1. Is consistent with the purposes of this Chapter;

5.4.2.2. Provides equal or superior visual appearance of the SHD or RLD structures, or the development as a whole, when viewed from public rights-of-way and adjacent public parks or open spaces;

5.4.2.3. Provides equal or superior privacy and buffering of any impacts on each primary residential structure from activities on adjacent residential properties;

5.4.2.4. Provides equal or superior quality of open spaces or access for residents to those open spaces; and

5.4.2.5. [OPTION] Provides equal or superior variation in the appearance of SHD and LDR primary structures when viewed from within the development and from adjacent public or private streets and adjacent parks and open spaces.

5.4.3. Final Decision

A final decision of approval, conditional approval, or denial shall be made within [90] days after receipt of a complete application. Any conditions attached to the approval shall only be those required to bring the proposed development into compliance with the standards in this Chapter and other adopted and applicable development standards, as those standards may have been modified pursuant to Sections 1.2 and 5.4.2 above. An application shall only be denied if the application fails to comply with the standards in this Chapter and other adopted and applicable development standards listed and/or modified in Section 1.2 and cannot be made to comply with those standards through the approval of alternatives permitted by Section 5.4.2 and acceptable to the Director.

6. Definitions

6.1. Accessory Dwelling Unit

A dwelling unit that is located internal to, or attached to, or separated from the primary dwelling unit on a property, that (a) provides complete independent living facilities for one or more individuals; (b) is located on the same lot or designated development area as the primary dwelling unit, and (c) includes facilities for living, sleeping, eating, cooking, and sanitation.

6.2. Block Face

The lands abutting one side of a street and lying between the two nearest intersecting or intercepting streets, railroad rights-of-way, watercourses, or areas of un-subdivided land.

6.3. Community Center

A building, together with accessory structures and uses, used for recreational, social, educational, or cultural activities by and for the benefit of community groups and individuals, and that is not operated for profit.

6.4. Community Garden

A public or not-for-profit area for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family, who share the crops.

6.5. Department

The [Community Planning Department].

6.6. Designated Development Site

A portion of a lot or parcel whose boundaries are shown on a document in form and substance acceptable to [Director] and designated for (a) construction of an SHD or LDR primary residential structure, and (b) if the SHD footprint does not contain an ADU, then an attached or freestanding ADU, and in which such structures can be located and constructed in compliance with all requirements of this Chapter.

6.7. Detached Single-Household Dwelling

A single-unit detached dwelling, constructed before or after the effective date of this Chapter, which may at the applicant or owner's option include an Accessory Dwelling Unit within the footprint of the primary structure. This definition includes primary residential structures built entirely or partially in an off-site facility and installed or assembled on site, as well as those constructed on site.

6.8. Director

The person responsible for managing or directing the activities of the [Community Planning Department].

6.9. Low-Density Residential Structure

A primary residential structure containing two-, three-, or four- residential dwelling units. This definition includes primary residential structures built entirely or partially in an off-site facility and installed or assembled on site, as well as those constructed on site.

6.10. Recreation Center

A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, and that is not operated for a profit.