

Development Review Staff Report



Administrative Hearing: February 7, 2019



Project Name and Number:

700 Remington – Carriage House, FDP180025

Location:

700 Block of Remington Street

Property Size:

7,000 square feet

Existing Land Use:

Extra Occupancy Rental House

Applicant:

Robert Benham

Staff:

Kai Kleer, Associate Planner

Staff Recommendation:

Approval

Summary of Request:

This is a request for a change of use to convert an existing accessory building into a carriage house located at 700 Remington Street, parcel #97013218001. No exterior modifications are proposed to either existing buildings on this lot. The property is located in the Neighborhood Conservation Buffer zone district and is subject to a Type 1 (Administrative) hearing.

Executive Summary:

The 700 Remington Street – Carriage House, Final Development Plan complies with the applicable requirements of the City of Fort Collins Land Use Code with exception of 4.9(D)(1) *Density*, more specifically:

- A. The F.D.P. complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- B. The F.D.P. complies with relevant standards located in Article 3 – General Development Standards.
- C. The Modification of Standard to section 4.9(D)(1) *Density* meets the applicable requirements of Section 2.8.2(H)(4).
- D. The F.D.P. complies with relevant standards located in Division 4.9, N-C-B Neighborhood Conservation, Buffer District of Article 4 – Districts provided that the modification to 4.9(D)(1) *Density* is approved.

Surrounding Zoning and Land Uses:

	North	South	East	West
Zoning	N-C-B	N-C-B	N-C-M	N-C-B
Land Use	Multi-family residential Kensington Place (26-unit apartment building)	Multi-family residential (4-plex)	Duplex	Multi-family residential Schroeder House/Laurel Apartments (4-plex)

Property History:

- This is a single-family residence that was built in 1905 with a detached garage (interchangeably referred to as accessory building in this staff report) on the rear portion of the site.
- In 1995 the street-fronting home was converted into a bed and breakfast, known originally as Flynn's Inn and later as Laurel Street Inn.
- In 1996 the detached garage was remodeled to convert the garage into habitable space that included a work loft, office, gas fireplace, ½ bathroom, meeting room, and storage area. The detached garage was used as space to conduct business for the bed & breakfast.
- In 1996 the Landmark Preservation Commission designated the property as a historic landmark.
- In 2002 the accessory building was converted into a hair salon.
- In 2010 the principle street-fronting single-family residence was approved as an Extra Occupancy Rental House.
- City tax records indicate that the accessory building discontinued use as a hair salon 01/15/2014. Additionally, Larimer County sales information indicates that the property was sold later that year on 12/30/2014.
- On April 18, 2018, the City responded to a complaint and the accessory building was found to have unpermitted residential occupancy.
- This development application is intended to bring an existing building into compliance with the City of Fort Collins Land Use code in order to subsequently apply for building permit to convert the accessory building into a single-family residence.

Modification of Standards

COMPLIANCE WITH SECTION 4.9(D)(1) OF THE LAND USE CODE – MODIFICATION OF STANDARD

Modification Description:

The applicant requests a modification to Section 4.9(D)(1) to reduce the minimum lot size for a street-fronting single-family residence and carriage house from 10,000 square feet (5,000 square feet for each single-family detached dwelling) to 7,000 square feet.

Land use code Standard Proposed to be Modified (areas underlined and bolded for emphasis):

Land Use Code 4.9(D)(1):

Density. Minimum lot area shall be equivalent to the total floor area of the building(s), but not less than five thousand (5,000) square feet. For the purposes of calculating density, "total floor area" shall mean the total gross floor area of all principal buildings as measured along the outside walls of such buildings, including each finished or unfinished floor level, plus the total gross floor area of the ground floor of any accessory building larger than one hundred twenty (120) square feet, plus that portion of the floor area of any second story having a ceiling height of at least seven and one-half (7½) feet located within any such accessory building located on the lot. (Open balconies and basements shall not be counted as floor area for purposes of calculating density).

Land Use Code Modification Criteria

"The decision maker may grant a modification of standards only if it finds that the granting of the modification would not be detrimental to the public good, and that:

- (1) the plan as submitted will promote the general purpose of the standard for which the modification is requested equally well or better than would a plan which complies with the standard for which a modification is requested; or*
 - (2) the granting of a modification from the strict application of any standard would, without impairing the intent and purpose of this Land Use Code, substantially alleviate an existing, defined and described problem of city-wide concern or would result in a substantial benefit to the city by reason of the fact that the proposed project would substantially address an important community need specifically and expressly defined and described in the city's Comprehensive Plan or in an adopted policy, ordinance or resolution of the City Council, and the strict application of such a standard would render the project practically infeasible; or*
 - (3) by reason of exceptional physical conditions or other extraordinary and exceptional situations, unique to such property, including, but not limited to, physical conditions such as exceptional narrowness, shallowness or topography, or physical conditions which hinder the owner's ability to install a solar energy system, the strict application of the standard sought to be modified would result in unusual and exceptional practical difficulties, or exceptional or undue hardship upon the owner of such property, provided that such difficulties or hardship are not caused by the act or omission of the applicant; or*
 - (4) the plan as submitted will not diverge from the standards of the Land Use Code that are authorized by this Division to be modified except in a nominal, inconsequential way when considered from the perspective of the entire development plan and will continue to advance the purposes of the Land Use Code as contained in Section 1.2.2.*
- Any finding made under subparagraph (1), (2), (3) or (4) above shall be supported by specific findings showing how the plan, as submitted, meets the requirements and criteria of said subparagraph (1), (2), (3) or (4)".*

Summary of Applicant's Justification

The Applicant requests that the Modification be approved and provides the following justification based upon Criterion 4 (that the proposed reduction in lot area is nominal and inconsequential when considered from the perspective of the entire development plan).

Applicant's Justification for Criterion 4:

- No exterior building alterations are proposed as part of this change of use.
- The previously permitted hair salon and bed & breakfast were more intense and created more of an impact on the adjacent properties than what is proposed.
- The proposal aligns with the intent of the Old Town Neighborhoods Plan which states the Neighborhood Conservation, Buffer District serves as a transition area between heavier commercial uses and that, "locating new accessory units internal to existing homes or using rear carriage houses helps to maintain the visual character of the neighborhoods while permitting additional units that could be used for aging-in-place, family care, or that are more attainable for those earning median incomes."

Staff Finding:

Staff finds that the request for the Modification of Standard to Section 4.9(D)(1) is justified by the applicable standards in 2.8.2(H)(4):

- A. The granting of the Modification is not detrimental to the public good; and
- B. The project will only diverge from the standard to be modified in a nominal and inconsequential way when considered from the perspective of the entire development plan, because of the following:

Development Review Staff Report



1. The modification is not detrimental because the proposed development fits within the anticipated and historic pattern of the neighborhood without significant impacts. The purpose of this standard is to maintain and stabilize the character of the Old Town Neighborhoods. The Buffer District requires a 5,000 square foot lot size to specifically regulate density. In this particular instance the property could alternatively increase its residential density by converting the property into a duplex or multi-family residence without needing a modification of 4.9(D)(1).
2. It should also be noted that since the adoption of the Old Town Neighborhoods Plan in 2017, staff is scheduled to process a Land Use Code change to the Neighborhood Conservation, Buffer District that would eliminate the 5,000 square foot minimum lot size as required by 4.9(D)(1).
3. On November 14, 2018, the City of Fort Collins Landmark Preservation Commission passed the Downtown and Transition Area Land Use Code revisions with a 5-1 vote. The dissenting vote was unrelated to this particular code change (see Attachment 3 for excerpt of minutes).
4. At the Planning and Zoning Board Regular Meeting on November 15, 2018, the Downtown and Transition Area Land Use Code Updates were approved unanimously 6:0 (see Attachment 4 for excerpt of minutes). The proposed code changes are scheduled to be heard by City Council on February 19, 2019 for First Reading and on March 5, 2019 for final adoption (see Attachment 5 for proposed code amendment).
5. The development plan will continue to advance the purposes of the Land Use Code as contained in Section 1.2.2 including:
 - Fostering the safe, efficient and economic use of the land, the city's transportation infrastructure and other public facilities and services.
 - Encouraging patterns of land use which decrease trip length of automobile travel and encourage trip consolidation.
 - Ensuring that development proposals are sensitive to the character of existing neighborhoods.
 - Encouraging a wide variety of housing opportunities at various densities that are well-served by public transportation for people of all ages and abilities.

Article 4 - Land Use Code Requirements:

SUMMARY

There are no proposed changes to the home that fronts on Remington Street or the accessory building as part of this application.

The plan proposes to add two additional off-street parking spaces (five total) on the rear of the site. The proposed spaces will take access from the existing alley.

LUC 4.9 Applicable Code Standard	Requirements for: Division 4.9 - Neighborhood Conservation, Buffer District (N-C-B)
(B) Permitted Uses	The proposed carriage house is a permitted use in the N-C-B zone district. The land use code refers to a carriage house interchangeably as a single-family detached dwelling.
(D) Land Use Standards	
(1) Density	<p>The minimum lot size required for each single-family dwelling is 5,000 square feet. This property is approximately 7,000 square feet in size and does not meet the required 10,000 square feet minimum that would be required for the addition of the proposed carriage house.</p> <p>The applicant is seeking a Modification of Standard for this density requirement stating that the plan as submitted will not be detrimental to the public good, and that it will diverge from the standards of the Land Use Code that in a nominal,</p>

	inconsequential way when considered from the perspective of the entire development plan, and will continue to advance the purposes of the Land Use Code as contained in Section 1.2.2.
(E) Development Standards	
(3) Carriage House and Habitable Accessory Buildings	
(a) Carriage House	<p>Water and sewer lines have been previously extended from the principal building and will remain in place as part of this application.</p> <p>Carriage houses are required to have a minimum of one (1) off-street parking space. The proposal provides four parking spaces for the existing extra-occupancy rental and one additional space for the proposed carriage house. The five off-street parking spaces provided meet the minimum requirements of this standard.</p>
(6) Access	Whenever a lot has frontage along an alley, any new off-street parking must obtain access from such adjoining alley. The proposed plan will continue to access off-street parking from the alley.

Article 3 – Land Use Code Requirements

SUMMARY

Since there are no physical changes proposed to the structure, there are no applicable standards in Article 3 for the change of use of an existing building.

The proposed project will provide five off-street parking spaces and five bicycle parking spaces, sufficient to bring both extra occupancy rental house and carriage house into compliance with current regulations.

Applicable Code Standard	Requirements for: Division 3.2 – Site Planning and Design Standards
(K)(1)(c), (j) Required Off-Street Parking	<p>Single-family detached dwellings require one (1) off-street parking space on lots with greater than 40 feet of street frontage. The proposal is contained on a lot with greater than 40 feet of street frontage and satisfies the requirement off one off-street parking space.</p> <p>The street fronting home is an approved extra occupancy rental house and requires 0.75 parking spaces per tenant. The home can accommodate up to 4 tenants therefore requiring a minimum of 3 off-street spaces. The plan as proposed provides five off-street parking spaces between both buildings and will exceed the off-street parking requirements.</p>

Compliance with Comprehensive Plan:

OLD TOWN NEIGHBORHOODS PLAN

The proposed carriage house is located within the Old Town Neighborhoods Plan, adopted in 2017 and covers 1,150 acres around the City's Downtown. The plan was a multi-year planning effort that included the input from 21 public workshops, meetings and events, 10 stakeholder group meetings, and thousands of interactions, comments and survey responses. The Plan states:

Development Review Staff Report



Transition Areas

"Neighborhood Conservation, Buffer District. Neighborhood transitions are areas where residential blocks abut more intense commercial and institutional land uses near Downtown/CSU. The Neighborhood Conservation Buffer (NCB) district exists along many neighborhood edges and includes standards to enhance compatibility between the neighborhoods and larger nearby buildings or intense land uses. While NCB zoning is synonymous with neighborhood transition areas, any nearby areas with intense land uses or larger structures can represent a transition." (p. 16)

"...transition-area occurs along Remington Street from Pitkin Street on the south to Laurel Street on the north. This area features a mixture of single-family homes, duplexes, and small multifamily structures and professional offices. Many of the units in this area are renter-occupied, with a large population of CSU students." (p. 16)

Accessory Dwelling Units

"Some residents highlighted that accessory dwelling units like carriage houses or in-law apartments could be a way to help long-term residents age-in-place, care for family members, or increase the supply of smaller, more affordable units. However, current development standards restrict smaller accessory units from being constructed except only on the largest of neighborhood lots." (p. 27)

Policy NCC 4

"Provide more options for allowing accessory dwelling units within the established single-family neighborhoods.

The Old Town Neighborhoods Plan includes a recommendation to revise or develop Land Use Code standards and requirements for accessory dwelling units (ADU) in the neighborhood conservation zone districts. Both neighbors and Boards and Commissions indicated interest in enhancing flexibility for accessory units, such as carriage houses or new subordinate, internal units. These units can be utilized as smaller dwellings for existing residents to age-in-place, family care, or more attainable units for those earning median incomes, while maintaining the traditional visual character of the neighborhoods..."

"Although stakeholders expressed strong interest in ADU flexibility, additional outreach will be required to identify the specific level of flexibility or changes desired. Preliminary feedback and ideas discussed during the Old Town Neighborhoods Plan process included the following elements, which may help form a basis for follow-up outreach and implementation. Potential code changes include:

- Reduce the minimum lot size required for carriage houses in the NCM and NCB zone districts from 10,000 square feet to 9,500 square feet.
- Define internal accessory dwelling units as a new land use permitted in the NCM and NCB zone districts.
- Limit internal ADUs to 40% of the maximum size of the existing unit to ensure subordination.
- Allow only one type of ADU per lot.
- Require both the primary dwelling and ADU to meet existing design standards for floor area ratio.
- Require additional parking for internal ADUs.
- Questions remain about whether greater flexibility for ADUs should apply to the NCL zone district; further evaluation and feedback is necessary." (pp. 65-66)

Since the adoption of the Old Town Neighborhoods Plan, staff is scheduled to process a code change to the Neighborhood Conservation, Buffer District to eliminate the 5,000 square foot minimum lot size as required by 4.9(D)(1). On November 14, 2018, the Landmark Preservation Commission passed the code revisions in a 5-1. The dissenting vote was unrelated to this particular code change (see attachment 5).

Development Review Staff Report



Public Comments:

No public comment on the development project has been received at this time. Any communication received between the public notice period and hearing will be forwarded to the Hearing Office to be considered when making a decision on the project.

Neighborhood Meeting:

A neighborhood meeting is not required for Administrative (Type 1) projects, therefore, a neighborhood meeting was not held for this project.

Findings of Fact/Conclusion:

In evaluating the request for the 700 Remington St – Carriage House Final Development Plan, FDP180025, staff makes the following findings of fact:

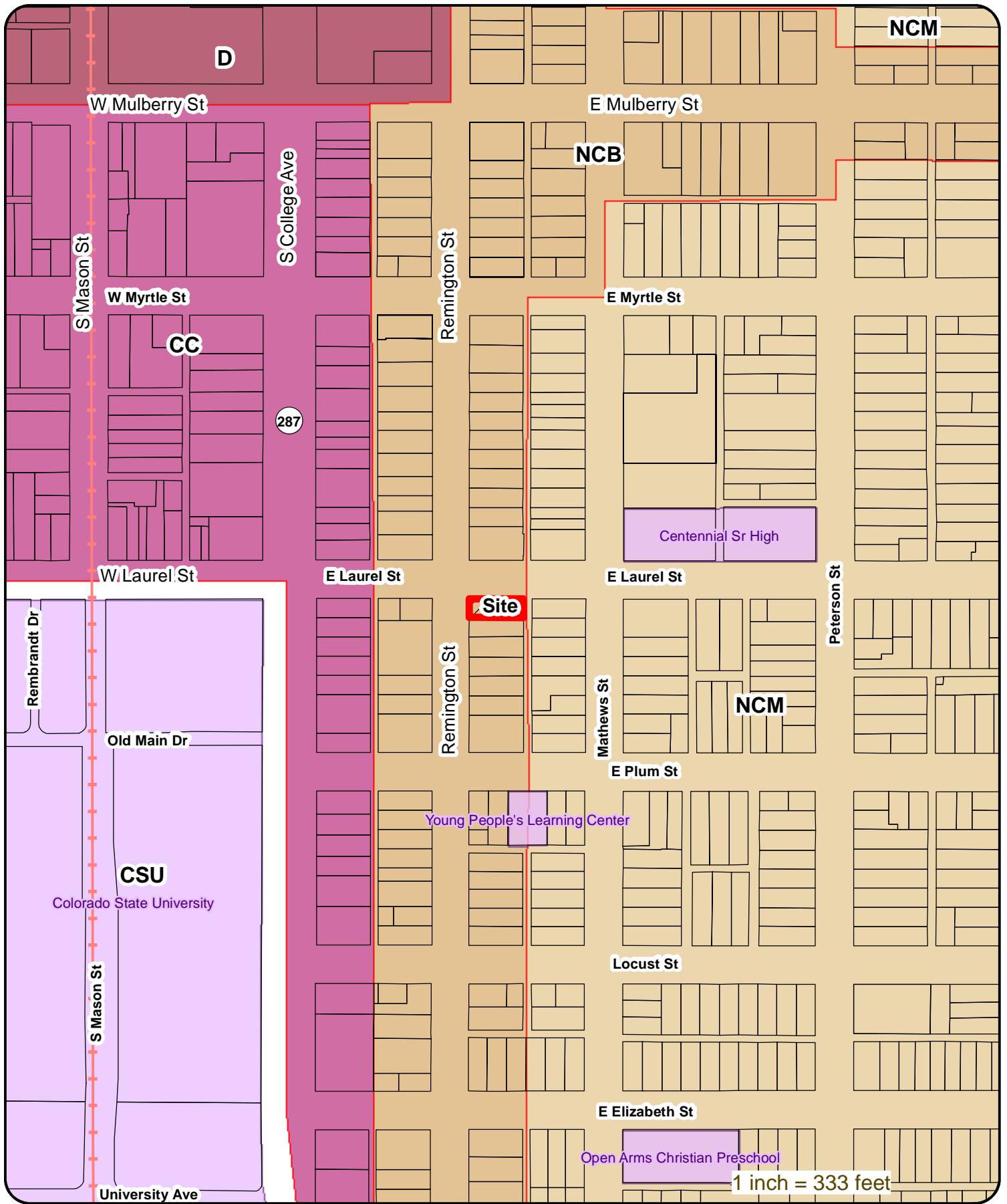
- A. The F.D.P. complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- B. The F.D.P. complies with all relevant standards located in Article 3 – General Development Standards.
- C. The F.D.P. complies with all relevant standards located in Division 4.9, N-C-B Neighborhood Conservation, Buffer District of Article 4 – Districts with the exception of 4.9(D)(1) *Density*.
- D. The Modification of Standard to section 4.9(D)(1) *Density* meets the applicable requirements of Section 2.8.2(H)(4): The granting of the modification is not detrimental to the public good and will only diverge from the standard in a nominal and inconsequential way when considered from the perspective of the entire development plan, because the development provides a building and lot pattern that is consistent with the pattern of the neighborhood established with the policies of the subarea plan, and the development will continue to advance the purposes of the Land Use Code as contained in Section 1.2.2 including:
 - Fostering the safe, efficient and economic use of the land, the city's transportation infrastructure and other public facilities and services.
 - Encouraging patterns of land use which decrease trip length of automobile travel and encourage trip consolidation.
 - Ensuring that development proposals are sensitive to the character of existing neighborhoods.
 - Encouraging a wide variety of housing opportunities at various densities that are well-served by public transportation for people of all ages and abilities.

Recommendation:

Staff recommends approval of the Modification of Standard and Final Development Plan for the 700 Remington St – Carriage House, FDP180025 based on the Findings of Fact in the previous section of this report.

Attachments:

1. Vicinity & Zoning Map
2. Planning Set (site, floor and elevation plans)
3. Landmark Preservation Commission Minutes
4. LPC Draft Code Excerpt
5. Planning & Zoning Board Minutes
6. P&Z Draft Code Excerpt
7. Modification Request



700 Remington Street - Change of Use Vicinity & Zoning Map



700 REMINGTON STREET

-

FORT COLLINS, CO

12/12/2018

alm2s Project No. 1829



ABBREVIATIONS

@	AT	(N)	New
A.F.F.	Above Finished Floor	N.I.C.	Not in Contract
A.H.U.	Air-Handling Unit	N.T.S.	Not to Scale
B.O.	Bottom Of	NOM.	Nominal
B.M.	Benchmark	O.A.	Overall
C.J.	Control Joint	O.C.	On Center
C.M.U.	Concrete Masonry Unit	O.D.	Outside Diameter
C.U.	Condensing Unit	O.H.	Overhead
CAB.	Cabinet	PLLAM.	Plastic Laminate
CER.TL.	Ceramic Tile	P.T.	Pressure-Treated
CONT.	Continuous	P.TL.	Paper Towel Dispenser
D.F.	Drinking Fountain	PLYWD.	Plywood
DBL.	Double	PNT.	Paint
D.S.	Downspout	R.D.	Roof Drain
DWG.	Drawings	R.O.	Rough Opening
E.C.	Electrical Conduit	R.T.U.	Roof - Top Unit
E.F.	Exhaust Fan	REINF.	Reinforce or Reinforcing
E.J.	Expansion Joint	RESIL.	Resilient (flooring or base)
E.W.C.	Electric Water Cooler	REQ'D	Required
EA.	Each	RLG.	Rolling
E.P.PT.	Epoxy Paint	RND.	Round
EQ.	Equal	RW.	Redwood
EXIST or (E)	Existing	S.AC.TL.	Suspended Acoustical Tile
EXT.	Exterior	S.C.	Solid Core (wood)
F.D.	Floor Drain	S.D.	Soap Dispenser
F.E.	Fire Extinguisher	S.S.	Stainless Steel
F.V.	Field Verify	SAIL.CRS.	Sailor Course (masonry)
FIN.	Finish	STL.	Sheet
FLR.	Floor	T.P.	Toilet Paper Dispenser
FTG.	Footing	TEMP.	Tempered (glass)
GALV.	Galvanized	T.O.	Top Of
GYP.BD.	Gypsum Wallboard	TYP.	Typical
HC	Handicapped	U.N.O.	Unless Noted Otherwise
H.C.	Hollow Core (Wood)	V.C.T.	Vinyl Composition Tile
HDR.	Header	V.	Vent
H.M.	Hollow Metal	VERT.	Vertical
HORIZ.	Horizontal	V.T.R.	Vent Thru Roof
I.D.	Inside Diameter	V.WC.	Vinyl Wallcovering
INS.STL.	Insulated Steel	W/	With
INT.	Interior	W/O	Without
M.O.	Masonry Opening	WD.	Wood
MANUF.	Manufacturer		
MTL.	Metal		

ARCHITECTURAL SYMBOLS

Property Line	---	1 A1	Wall Elevation
Existing Contour	- - - - 10 - - - -	1 A1	Detail
New Contour	- - - - 10 - - - -	1 A1	Building Section
Easement / Setback	- - - - -	1 A1	Wall Section
Sanitary Sewer	SS	1 A1	Grid Line
Water Line	W		
Gas Line	G		
Storm Drain	SD		
Datum	⊕		
Spot Elevation	⬮		
Window Type	Ⓐ		
Drawing Title	DWG TTL		
Drawing Number	1 A1		
Sheet Number	1 A1		
Scale	1/4" = 1'-0"		
Room Name	ROOM NAME		
Room Number			

NOTES:

All 3D details are used for clarification purposes for corresponding 2D plans, sections, and elevations and should not be solely used for construction purposes without referencing said 2D details.

BUILDING DATA

LEGAL DESCRIPTION: NORTH 50 FEET OF LOT 33,
BLOCK 137 FORT COLLINS, COLORADO
ZONING: NCB
LOT SIZE: 140'X50'
LAND AREA: 7,000 S.F. / 0.16 AC
BUILDING AREA: MAIN HOUSE : 1,255 S.F.
CARRIAGE HOUSE: 466 S.F.
COVERED POARCH: 215 S.F.
TOTAL: 1,936 S.F.

OPEN SPACE: 5,064 S.F.
DENSITY : 0.16 AC/ 2 = 0.08 AC PER UNIT

OWNERS CERIFICATION

THE UNDERSIGNED DOES/DO HEREBY CERTIFY THAT I/WE ARE THE LAWFUL OWNERS OF THE REAL PROPERTY DESCRIBED ON THIS SITE PLAN AND DO HEREBY CERTIFY THAT I/WE ACCEPT THE CONDITIONS AND RESTRICTIONS SET FORTH ON THE SITE PLAN

OWNER (SIGNED) _____ DATE _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____ A.D., 20____ BY _____
(PRINT NAME)

AS _____
MY COMMISSION EXPIRES: _____
WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

VICINITY MAP



DRAWING INDEX

ARCHITECTURE	
SP-1	SITE PLAN
SP-2	SITE DETAILS
A-1	FLOOR PLANS
A-2	BUILDING ELEVATIONS
A-3	CARRIAGE HOUSE

SITE

PLANNING CERTIFICATE

APPROVED BY THE DIRECTOR OF CUMMUITY DEVELOPMENT AND NEIGHBORHOOD SERVICES OF THE CITY OF FORT COLLINS, COLORADO ON THIS _____ DAY OF _____, 20____

Director Signature _____

712 WHALERS WAY SUITE, B-100
FORT COLLINS, CO 80525
(970) 223-1820
www.alm2s.com

OWNER REPRESENTATIVE:

Jeff Benham
1523 Peterson St.
Fort Collins, CO 80521
(970) 581-6634



712 WHALERS WAY SUITE, B-100
FORT COLLINS, CO 80525
(970) 223-1820
www.alm2s.com

700 REMINGTON STREET
FORT COLLINS, CO

NOT FOR CONSTRUCTION

SP-1

LAND USE TABLE

LEGAL DESCRIPTION:	N 50FT OF LOT 3, BLK 137, FC, CO
ZONING:	NCB
LOT SIZE:	140' X 50'
LAND AREA:	7000 S.F. / 0.16 AC
BUILDING FOOTPRINT AREA:	MAIN HOUSE: 1,255 S.F. CARRIAGE HOUSE: 466 S.F. COVERED PORCH: 215 S.F. TOTAL: 1,936 S.F.
OPEN SPACE:	5,064 S.F.
GROSS RESIDENTIAL DENSITY:	0.16 AC / 2 UNITS = 0.08 ac per unit
NET RESIDENTIAL DENSITY:	0.16 AC / 2 UNITS = 0.08 ac per unit

PROPOSED GROUND SURFACE FINISH CALCULATIONS

DESCRIPTION	AREA	%
BUILDING FOOTPRINT	1,936 S.F.	28 %
PERVIOUS TURF GRASS, WOOD MULCH	1,908 S.F.	27 %
SEMI-PERVIOUS GRAVEL ROADBASE	2,125 S.F.	30 %
NON-PERVIOUS STONE PAVING	914 S.F.	13 %
NON-PERVIOUS CONCRETE PAVING	117 S.F.	2 %
TOTAL IMPERVIOUS AREA	2,967 S.F.	42 %
TOTAL	7,000 S.F.	100 %

EXISTING GROUND SURFACE FINISH CALCULATIONS

DESCRIPTION	AREA	%
BUILDING FOOTPRINT	1,936 S.F.	28 %
PERVIOUS TURF GRASS, WOOD MULCH	2,088 S.F.	30 %
SEMI-PERVIOUS GRAVEL ROADBASE	1,510 S.F.	21 %
NON-PERVIOUS STONE PAVING	1,349 S.F.	19 %
NON-PERVIOUS CONCRETE PAVING	117 S.F.	2 %
TOTAL IMPERVIOUS AREA	3,402 S.F.	49 %
TOTAL	7,000 S.F.	100 %

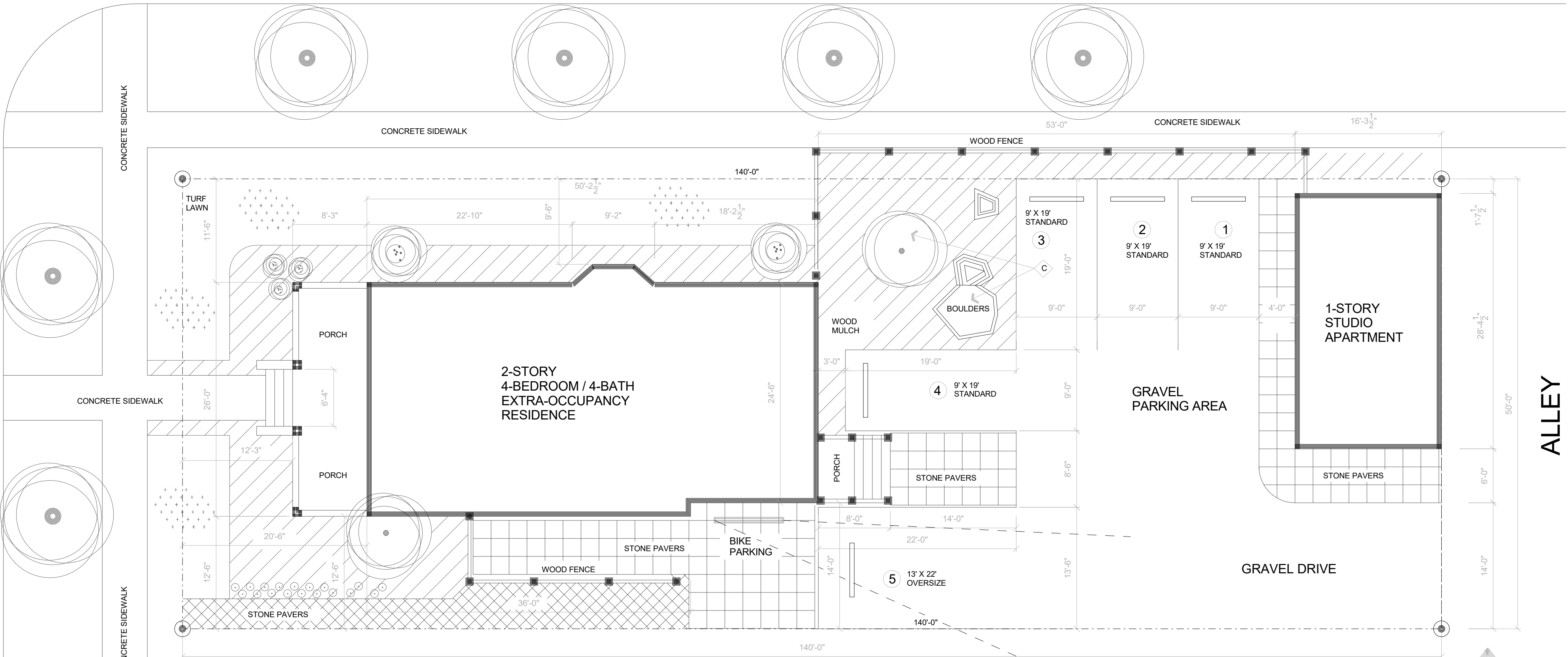
LANDSCAPE NOTES

- A TREE, ROCKS, AND DIMENSIONAL STONE PAVERS TO BE SALVAGED AND RELOCATED AS-PER THE NEW PROPOSED PARKING AREA SHOWN ABOVE.
- B ROCK MULCH AND RANDOM STONE PAVERS TO BE REMOVED THIS AREA AND REPLACED WITH DIMENSIONAL STONE PAVERS AS SHOWN ON PLAN ABOVE.
- C RELOCATED TREE AND ROCK BOULDERS.

LEGEND

GRASS TURF	
PERENNIAL FLOWERS	
MULTI-STEM SHRUB	
PRECAST CONCRETE WHEEL STOP	
EXISTING TREE EXISTING TREES TO BE PRESERVED AND PROTECTED	
24" X 24" DIMENSIONAL STONE PAVERS	
RANDOM DIMENSION STONE PAVERS	
WOOD BARK MULCH	

LAUREL STREET

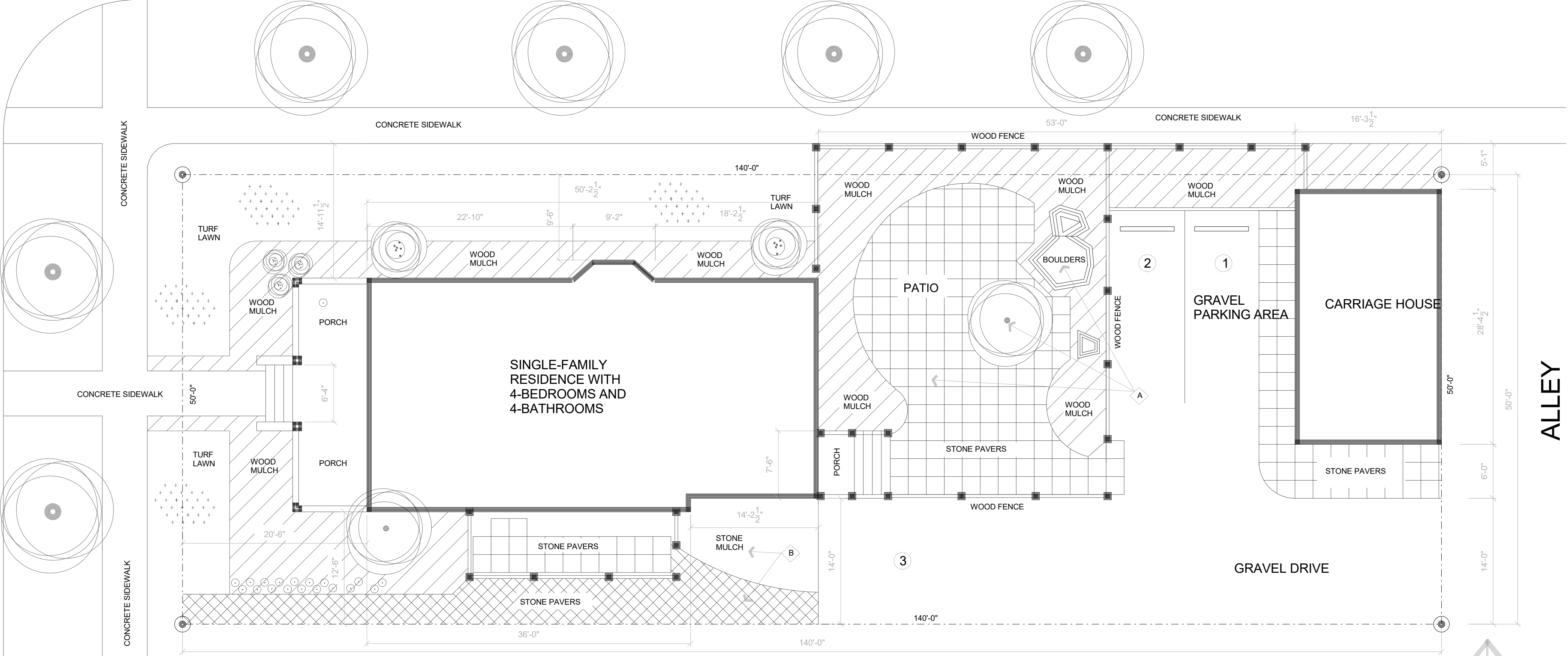


PROPOSED SITE PLAN

scale: 1/8" = 1'-0"

NORTH

LAUREL STREET



EXISTING SITE PLAN

scale: 1/8" = 1'-0"

NORTH

© alm2s 2017

0 1/2 1 2

NO	ISSUE	DATE
PROJECT	DATE	1829 12/12/2018
DRAWN	DATE	SPM

SITE PLAN

PRINTED 12/12/2018 9:23:37 AM FILE NAME: 0000-SP-01-SP-01

D

C

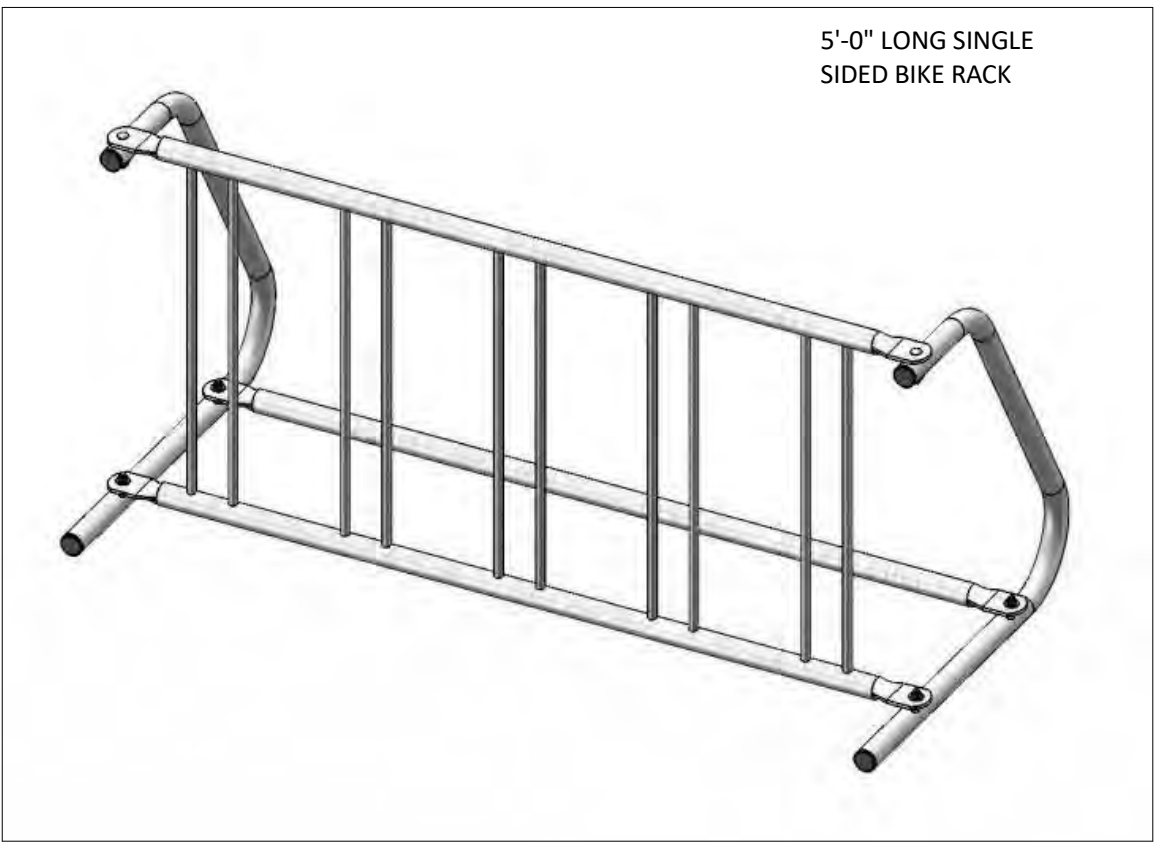
B

A

TREE PROTECTION NOTES:

1. ALL EXISTING TREES WITHIN THE LIMITS OF THE DEVELOPMENT AND WITHIN ANY NATURAL AREA BUFFER ZONES SHALL REMAIN AND BE PROTECTED UNLESS NOTED ON THESE PLANS FOR REMOVAL.
2. WITHIN THE DRIP LINE OF ANY PROTECTED EXISTING TREE, THERE SHALL BE NO CUT OR FILL OVER A FOUR-INCH DEPTH UNLESS A QUALIFIED ARBORIST OR FORESTER HAS EVALUATED AND APPROVED THE DISTURBANCE.
3. ALL PROTECTED EXISTING TREES SHALL BE PRUNED TO THE CITY OF FORT COLLINS FORESTRY STANDARDS. TREE PRUNING AND REMOVAL SHALL BE PERFORMED BY A BUSINESS THAT HOLDS A CURRENT CITY OF FORT COLLINS ARBORIST LICENSE WHERE REQUIRED BY CODE.
4. PRIOR TO AND DURING CONSTRUCTION, BARRIERS SHALL BE ERECTED AROUND ALL PROTECTED EXISTING TREES WITH SUCH BARRIERS TO BE OF ORANGE FENCING A MINIMUM OF FOUR (4) FEET IN HEIGHT, SECURED WITH METAL T- POSTS, NO CLOSER THAN SIX (6) FEET FROM THE TRUNK OR ONE-HALF (½) OF THE DRIP LINE, WHICHEVER IS GREATER. THERE SHALL BE NO STORAGE OR MOVEMENT OF EQUIPMENT, MATERIAL, DEBRIS OR FILL WITHIN THE FENCED TREE PROTECTION ZONE.
5. DURING THE CONSTRUCTION STAGE OF DEVELOPMENT, THE APPLICANT SHALL PREVENT THE CLEANING OF EQUIPMENT OR MATERIAL OR THE STORAGE AND DISPOSAL OF WASTE MATERIAL SUCH AS PAINTS, OILS, SOLVENTS, ASPHALT, CONCRETE, MOTOR OIL OR ANY OTHER MATERIAL HARMFUL TO THE LIFE OF A TREE WITHIN THE DRIP LINE OF ANY PROTECTED TREE OR GROUP OF TREES.
6. NO DAMAGING ATTACHMENT, WIRES, SIGNS OR PERMITS MAY BE FASTENED TO ANY PROTECTED TREE.
7. LARGE PROPERTY AREAS CONTAINING PROTECTED TREES AND SEPARATED FROM CONSTRUCTION OR LAND CLEARING AREAS, ROAD RIGHTS-OF-WAY AND UTILITY EASEMENTS MAY BE "RIBBONED OFF," RATHER THAN ERECTING PROTECTIVE FENCING AROUND EACH TREE AS REQUIRED IN SUBSECTION (G)(3) ABOVE. THIS MAY BE ACCOMPLISHED BY PLACING METAL T-POST STAKES A MAXIMUM OF FIFTY (50) FEET APART AND TYING RIBBON OR ROPE FROM STAKE-TO-STAKE ALONG THE OUTSIDE PERIMETERS OF SUCH AREAS BEING CLEARED.
8. THE INSTALLATION OF UTILITIES, IRRIGATION LINES OR ANY UNDERGROUND FIXTURE REQUIRING EXCAVATION DEEPER THAN SIX (6) INCHES SHALL BE ACCOMPLISHED BY BORING UNDER THE ROOT SYSTEM OF PROTECTED EXISTING TREES AT A MINIMUM DEPTH OF TWENTY-FOUR (24) INCHES. THE AUGER DISTANCE IS ESTABLISHED FROM THE FACE OF THE TREE (OUTER BARK) AND IS SCALED FROM TREE DIAMETER AT BREAST HEIGHT AS DESCRIBED IN THE CHART BELOW:

<i>Tree Diameter at Breast Height (inches)</i>	<i>Auger Distance From Face of Tree (feet)</i>
0-2	1
3-4	2
5-9	5
10-14	10
15-19	12
Over 19	15



BIKE RACK

1
SP-2
NTS

700 REMINGTON STREET
-
FORT COLLINS, CO

NOT FOR CONSTRUCTION

NO	ISSUE	DATE
PROJECT		1829
DATE		12/12/2018
DRAWN	Author	

SITE DETAILS

SP-2



712 WHALERS WAY SUITE, B-100
FORT COLLINS, CO 80525
(970) 223-1820
www.alm2s.com



712 WHALERS WAY SUITE, B-100
FORT COLLINS, CO 80525
(970) 223-1820
www.alm2s.com

700 REMINGTON STREET
-
FORT COLLINS, CO

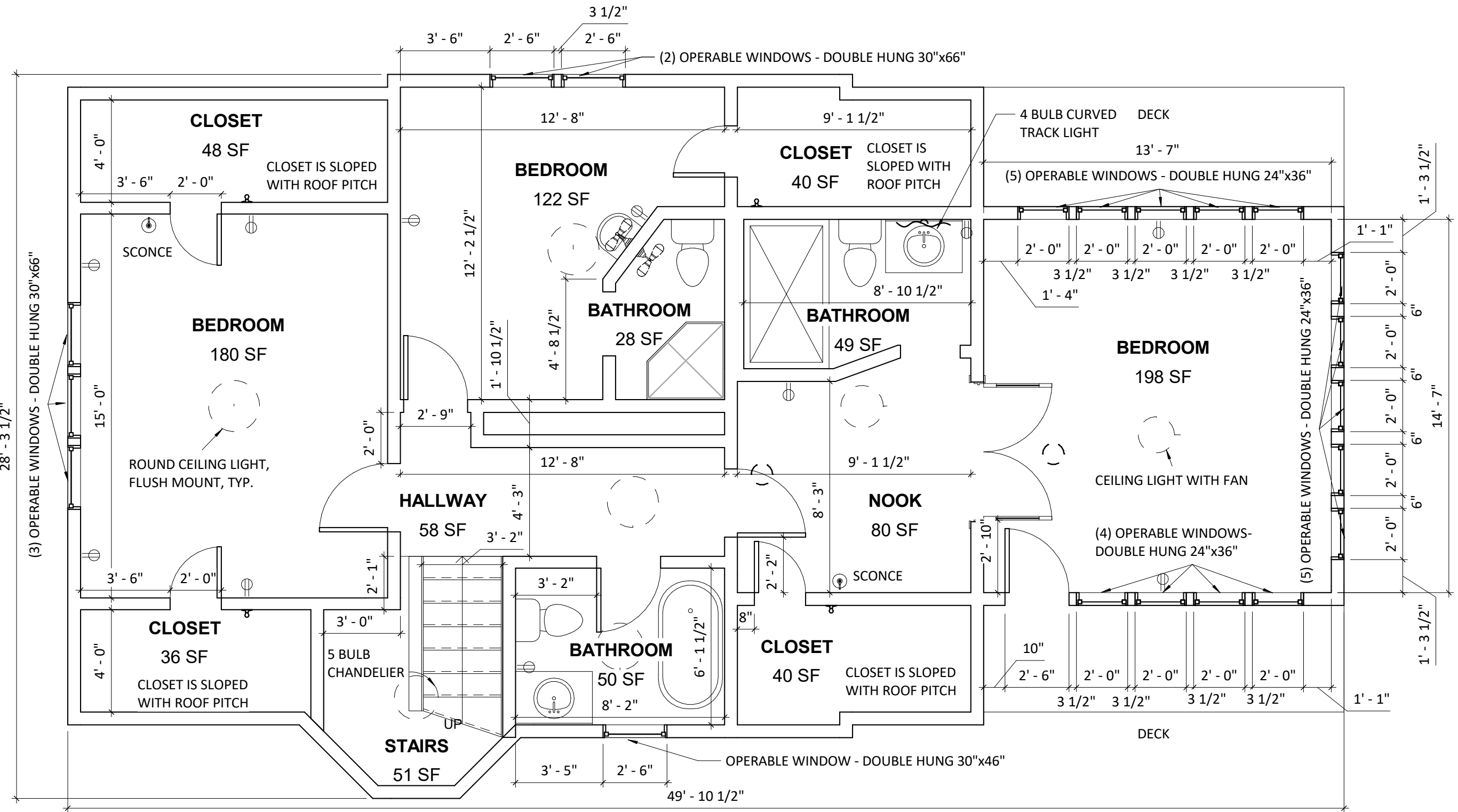
NOT FOR CONSTRUCTION

NO	ISSUE	DATE
PROJECT	1829	
DATE	12/12/2018	
DRAWN	SPM	

FLOOR PLANS

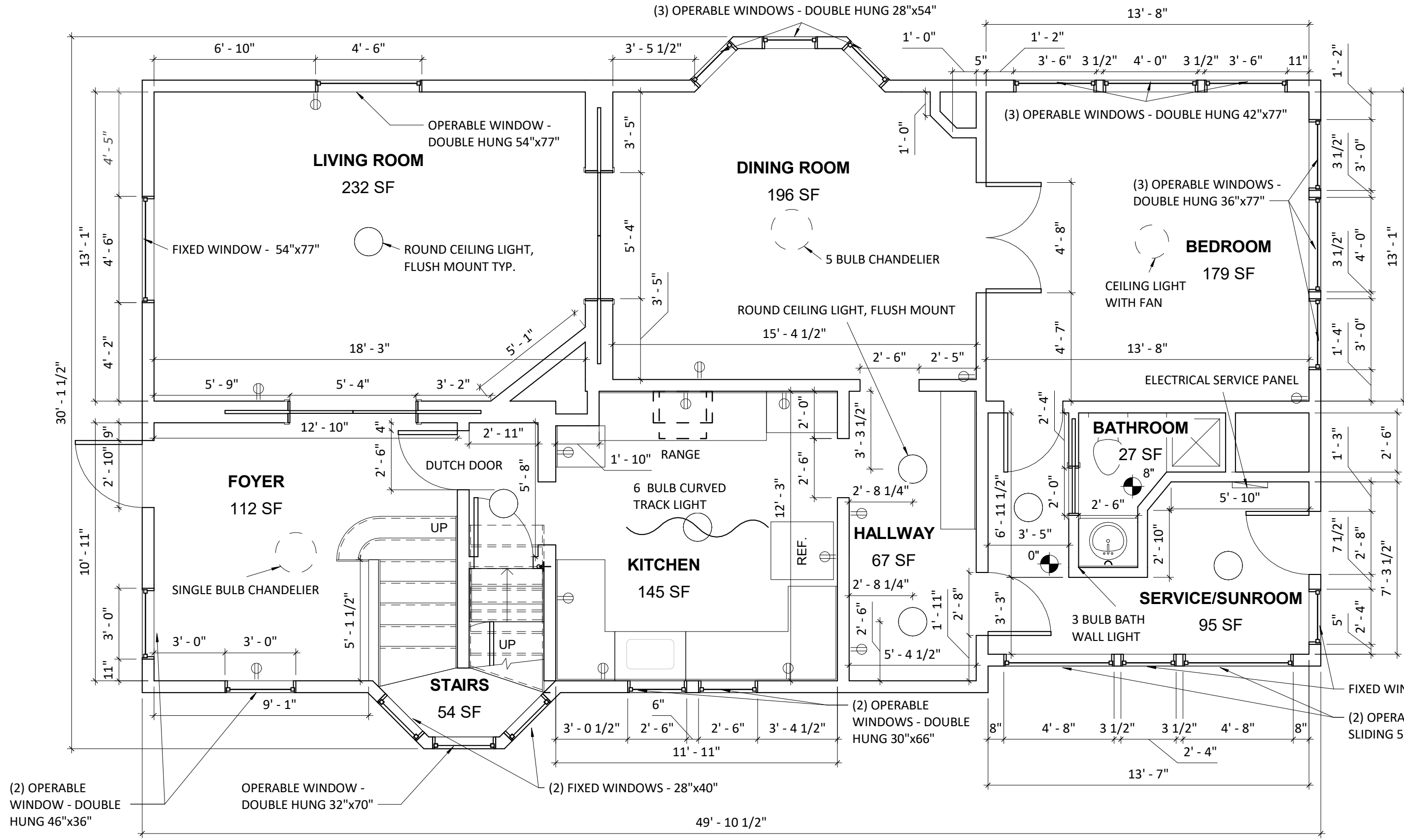
A-1

PRINTED 12/12/2018 9:25:35 AM
FILE NAME: 0000-Project-SQ-01

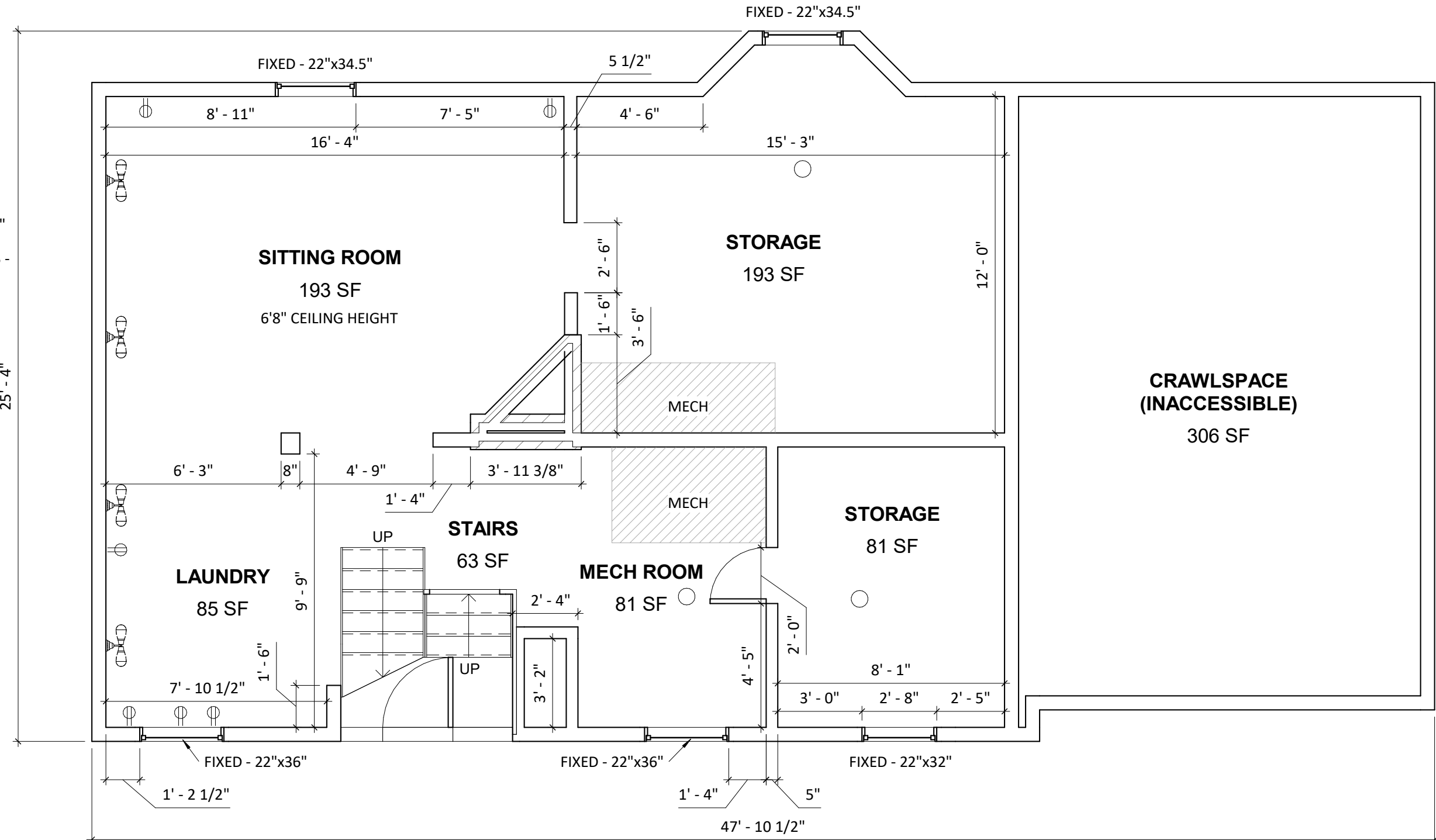


SECOND FLOOR LEVEL
SCALE: 1/4" = 1'-0"

LEVEL	HABIT.	NON-HABIT	TOTAL
BASEMENT	183 SF	937 SF	1,120 GROSS SQ. FT.
FIRST FLOOR	864 SF	439 SF	1,303 GROSS SQ. FT.
SECOND FLOOR	580 SF	565 SF	1,145 GROSS SQ. FT.
TOTAL	1,627 SF	2,366 SF	3,568 GROSS SQ. FT.



FIRST FLOOR LEVEL
SCALE: 1/4" = 1'-0"



BASEMENT LEVEL
SCALE: 1/4" = 1'-0"

© alm2s 2017
0 1/2 1 2'



2
A-2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



4
A-2 WEST ELEVATION
SCALE: 1/4" = 1'-0"



1
A-2 EAST ELEVATION
SCALE: 1/4" = 1'-0"



3
A-2 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



712 WHALERS WAY SUITE, B-100
FORT COLLINS, CO 80525
(970) 223-1820
www.alm2s.com

700 REMINGTON STREET
-
FORT COLLINS, CO

NOT FOR CONSTRUCTION

© alm2s 2017



NO.	ISSUE	DATE
PROJECT	1829	
DATE	12/12/2018	
DRAWN	SPM	

BUILDING ELEVATIONS

A-2

FILE NAME: 0000-Project-Set-04
PRINTED: 12/12/2018 9:12:36 AM

NEW 6" H ADDRESS
NUMERALS



5
A-3
CARRIAGE HOUSE NORTH ELEVATION
SCALE: 1/4" = 1'-0"

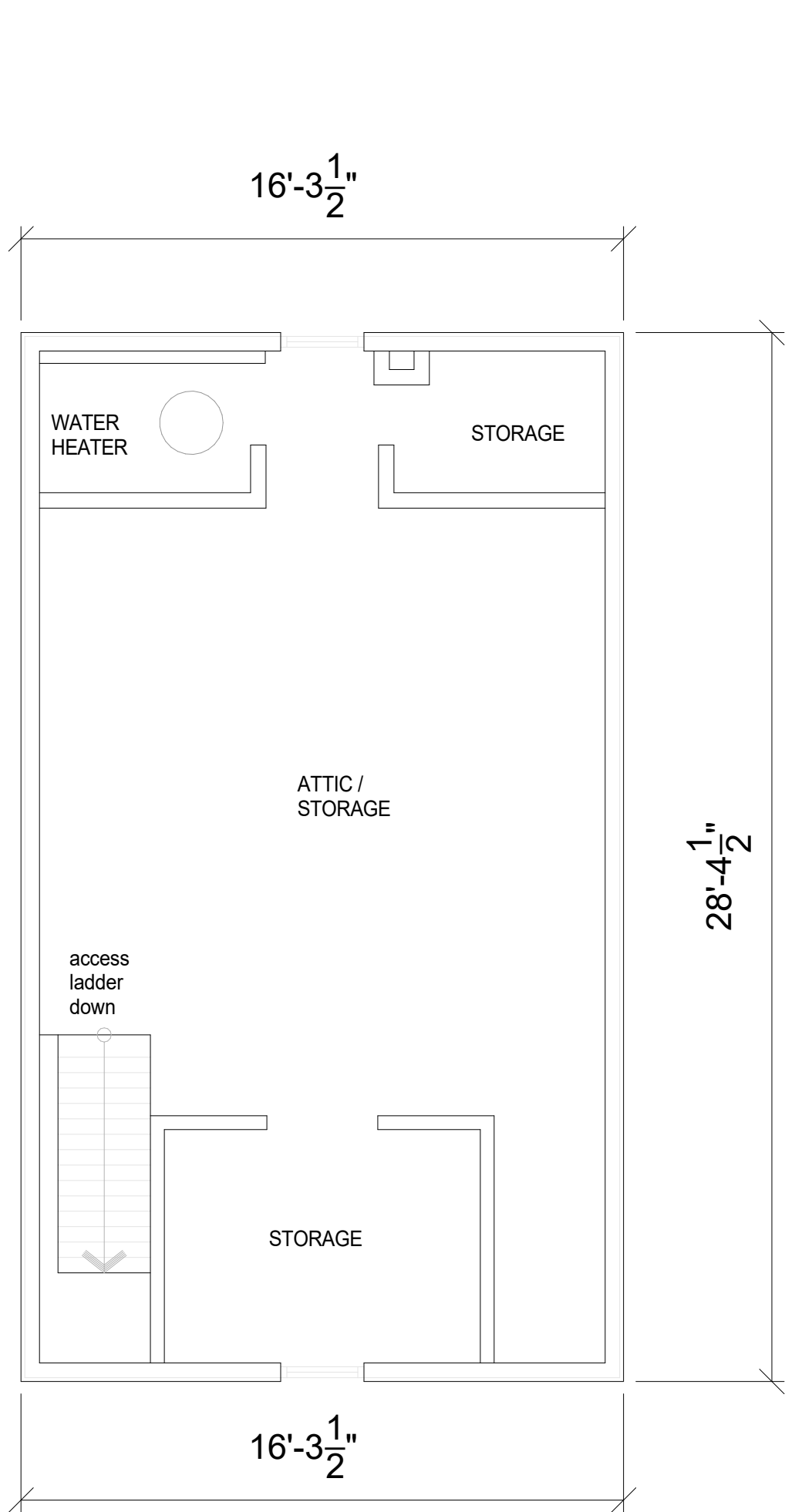


4
A-3
CARRIAGE HOUSE SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

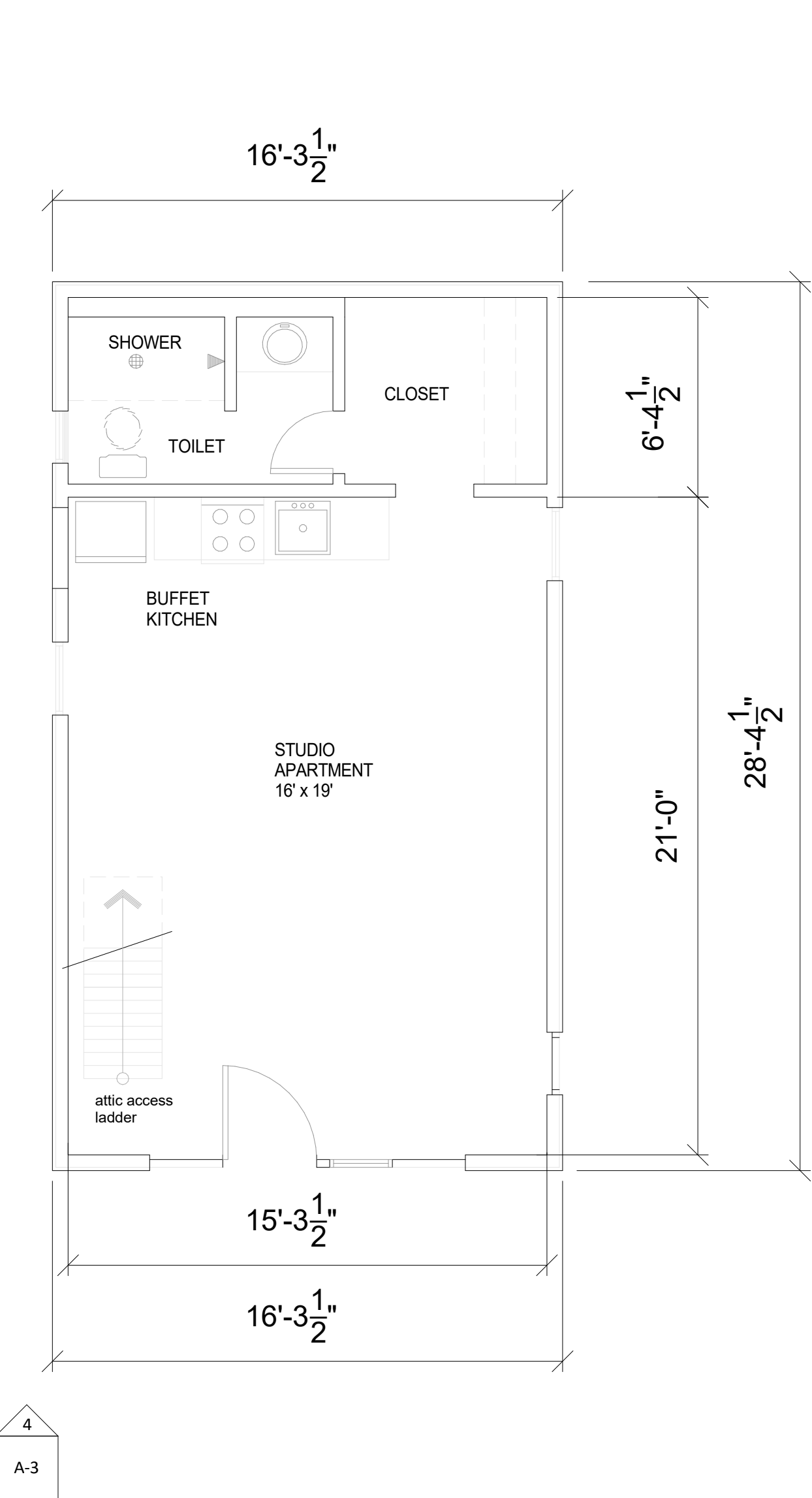


2
A-3
CARRIAGE HOUSE WEST ELEVATION
SCALE: 1/4" = 1'-0"

A-3 2



A-3 5



3 A-3

1
A-3
CARRIAGE HOUSE
SCALE: 1/4" = 1'-0"



3
A-3
CARRIAGE HOUSE EAST ELEVATION
SCALE: 1/4" = 1'-0"



712 WHALERS WAY SUITE, B-100
FORT COLLINS, CO 80525
(970) 223-1820
www.alm2s.com

700 REMINGTON STREET
-
FORT COLLINS, CO

NOT FOR CONSTRUCTION

NO	ISSUE	DATE
PROJECT	1829	
DATE	12/12/2018	
DRAWN	SPM	
CARRIAGE HOUSE		

A-3

© alm2s 2017
0 1/2 1 2

FILE NAME: 0000-Project-SC-04
PRINTED: 12/12/2018 9:32:37 AM



Meg Dunn, Chair
Alexandra Wallace, Vice Chair
Michael Bello
Katie Dorn
Kristin Gensmer
Per Hogestad
Kevin Murray
Anne Nelsen
Mollie Simpson

City Council Chambers
City Hall West
300 Laporte Avenue
Fort Collins, Colorado

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

Video of the meeting will be broadcast at 1:30 p.m. the following day through the Comcast cable system on Channel 14 or 881 (HD). Please visit <http://www.fcgov.com/fctv/> for the daily cable schedule. The video will also be available for later viewing on demand here: <http://www.fcgov.com/fctv/video-archive.php>.

- CALL TO ORDER

Regular Meeting November 14, 2018 Minutes

Acting Chair Wallace called the meeting to order at 5:32 p.m.

- ROLL CALL

PRESENT: Wallace, Hogestad, Simpson, Dorn, Bello, Murray
ABSENT: Dunn, Gensmer, Nelson
STAFF: McWilliams, Bzdek, Gloss, Wray, Yatabe, Schiager

*** BEGIN EXCERPT***

1. DOWNTOWN AND TRANSITION AREAS - LAND USE CODE CHANGES

DESCRIPTION: Revisions to Land Use Code Divisions 4.16 (Downtown) and 4.9 (Neighborhood Conservation Buffer) as they relate to development standards governing these two zone districts.

STAFF: Cameron Mr. Gloss, Long Range Planning Manager
Pete Wray, Senior City Planner

Staff Report

Mr. Gloss presented the proposed Downtown Code revisions. He discussed the unique character of Downtown which is based on the pedestrian experience and noted the proposed Code changes are not meant to be a style manual but rather to provide a framework for urban design. The goal of the changes is to provide additional clarity in regulations. The revisions would also expand the Downtown district.

Mr. Gloss discussed the set backs and build-to zones for the proposed revisions and noted language has been added to require installation to manufacturer standards. He stated staff has found one item to be incomplete related to the maximum building footprint above the 6th story and requested the Commission consider the changes except that specific change.

Mr. Wray presented the proposed Code revisions to the related to the Neighborhood Conservation Buffer (NCB). He stated these changes act as implementation of the approved Old Town Neighborhoods Plan. The three key NCB Code changes are to remove the minimum lot area requirement, to provide new choices for multi-family, non-residential design standards and options, and to include a building shading step back for larger buildings.

Mr. Wray discussed the key parameters in terms of design standard changes. He stated staff is requesting a recommendation from the Commission for approval of the proposed Code changes.

Public Input

No members of the public were present.

Commission Questions

Ms. Simpson asked whether Willow Street should be a storefront rather than mixed use. Mr. Gloss replied it is somewhere in between, but it makes more sense as mixed use due to the rights-of-way distances. He stated he would look again at the curb line. Ms. Simpson asked how 'parkway' is defined. Mr. Gloss replied a parkway could be concrete with trees in grates and stated the distance from the back of the curb to the building will be driving the dimension more than anything.

Mr. Murray asked about the image of the River District. Mr. Gloss replied it has a more industrial character, but dimensions and setbacks match a more mixed-use street.

Mr. Murray asked about building heights given historic structures. Mr. Gloss replied heights were not created based on historic structures; that will be handled through the preservation Code.

Mr. Hogestad asked about the zoning of the Oxbow area. Mr. Gloss replied it is CCR zoning which allows three stories. He noted the riparian forest is protected by a buffer zone.

Mr. Murray asked how much of the Oxbow area is developable. Mr. Gloss replied it is a heavily constrained property given the river step back, floodplain, riparian forest, and the green street build-to line requirement.

Mr. Hogestad expressed concern about heavy commercial traffic on 1st Street. Mr. Gloss replied any proposed development would be evaluated and mitigation measures could be required. He clarified the Buckingham area could potentially be surrounded by four-story structures.

Mr. Hogestad asked if the neighborhood has had an opportunity to participate in this process. Mr. Gloss replied workshops have been ongoing for a year and a half, and some from this neighborhood had participated; however, individuals from the Buckingham neighborhood have not been specifically targeted for feedback.

Mr. Hogestad asked if there has been a survey of the Buckingham area. Ms. McWilliams replied there have been historic surveys of the area, most recently from 2002-2004. She stated that survey revealed a portion of the neighborhood could potentially be considered an historic district; however, given changes that have occurred, she is unsure the neighborhood continues to meet those standards. She stated a new survey is not scheduled at this time.

Mr. Murray asked if Buckingham residents would have the opportunity to object should these changes be approved. Mr. Gloss replied a citizen can initiate a Code change; however, those are not common.

Mr. Murray asked if upper story and contextual step back definitions are clearly defined. Mr. Gloss replied clarity is paramount and staff has worked with legal counsel to perfect the wording.

Mr. Bello asked about the purpose of the section Mr. Gloss mentioned staff would like to further research. Mr. Gloss replied the intent is to allow air, light, and views to penetrate through buildings and taller, slender tower structures would better meet those goals. He stated staff has yet to determine how many towers should be allowed on a block and what appropriate separation requirements would be.

Ms. Wallace commended the work on building base materials. She asked why staff opted to exclude copper. Mr. Gloss replied it is part of the architectural metal category and the DDA has approved the materials list.

Ms. Dorn asked about removing the minimum lot area requirement in relation to the accessory dwelling unit provisions. Mr. Wray replied the existing 5,000 square foot lot requirement is proposed to be removed.

Ms. Dorn asked if any incentives have been considered for people to keep and maintain a potentially historic building on a lot. Mr. Wray replied Ms. McWilliams could speak to the existing Code provisions for encouraging preservation. He stated the proposed changes allow for higher density with a transition zone.

Mr. Murray asked about off-street parking requirements. Mr. Wray replied the proposed changes do not relate to existing parking requirements which discourage parking between sidewalks and buildings.

Ms. Simpson asked about front entry placement. Mr. Wray replied that is an existing standard that recognizes the contextual character of Downtown neighborhoods.

Ms. Dorn asked if someone would be able to demolish existing buildings, build a new building, and add an accessory dwelling unit. Mr. Wray replied that would depend on the type of building being considered.

Mr. Murray asked how the proposed changes relate to solar access. Mr. Wray replied there are proposed changes for larger buildings.

Ms. Wallace asked why the wording has changed from solar access to shading. Mr. Wray replied that change resulted from a Planning and Zoning Board discussion and addressed the intent to reduce shading to a certain degree.

Commission Discussion

Ms. Simpson requested Commission member feedback on the four-story allowance in the Oxbow area.

Mr. Bello stated new development will need to go up and it provides a transition between Buckingham and other existing development.

Mr. Hogestad stated he is troubled by the Buckingham area being surrounded by four-story buildings and does not believe it is appropriate to have that height on four sides of the neighborhood.

Ms. Dorn asked if the proposed heights around the Buckingham neighborhood adversely affect a potential historic district. Mr. Hogestad replied it changes the context and decreases livability.

Ms. Dorn suggested the Commission could make a statement that the height allowances could impact a potential historic district.

Mr. Bello stated height and density can allow for a greater degree of affordability.

Ms. Simpson requested a brief synopsis on Buckingham's history. Ms. McWilliams replied the neighborhood was established around 1904 as housing for sugar beet workers, primarily Germans from Russia. The area was isolated and faced discrimination for a fair amount of its history.

Committee members discussed the riparian forest and Oxbow area. Mr. Gloss stated the environmental planning staff would do what it could to maintain as much of the forest as possible if a development application were submitted.

Ms. Simpson asked how proposed upper story setbacks would be applied to adjacent buildings if the Oxbow site were to be developed. Mr. Gloss replied the fourth story would need to be stepped back at a minimum average of 10 feet along the street frontage. Additionally, a contextual step back would be required on the Buckingham neighborhood side.

Mr. Bello stated he is struggling with how the four-story zones impact the neighborhood as setbacks keep the neighborhood from being crowded.

Ms. Simpson asked if there is anything preventing O'Dell or New Belgium from building four stories in their parking lots. Mr. Gloss said there was not.

Ms. Dorn suggested the Commission should support the Downtown Code changes but should make its concerns known, particularly around the height allowances near the Oxbow site as they may adversely affect a potential historic district. Mr. Hogestad agreed and stated the buildout of the properties to the north and east will affect the neighborhood as well.

Ms. Wallace stated the addition of a four-story area would impact the neighborhood but would not necessarily impact the formation of a historic district.

Ms. Dorn discussed the importance of a thoughtful transition from a potential historic district to new development.

Mr. Gloss stated there has been resistance among property owners in the area to reduce the proposed heights.

Commission Deliberation

Ms. Dorn moved the Landmark Preservation Commission recommend approval to City Council of the Downtown Code and NCB Transition Code changes as presented noting its concern, however, that the height change in the Oxbow district from three to four stories would radically change the context due to the height of proposed new buildings and potential traffic patterns affecting the potential historic character of the Buckingham neighborhood, which should be recognized as an essential part of the sugar beet heritage and area history relating to Germans from Russia. The Commission also acknowledges the maximum footprint for buildings over six stories is still under review and may be revised.

Mr. Hogstad seconded.

The motion passed 5-1, Bello dissenting.

****** END EXCERPT******

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

DRAFT DIVISION 4.9 - NEIGHBORHOOD CONSERVATION, BUFFER DISTRICT (N-C-B)

(A) **Purpose.** The Neighborhood Conservation, Buffer District is intended for areas that are a transition between residential neighborhoods and more intensive commercial-use areas or high traffic zones that have been given this designation in accordance with an adopted subarea plan.

(B) **Permitted Uses.**

(1) The following uses are permitted in the N-C-B District, subject to basic development review, provided that such uses are located on lots that are part of an approved site-specific development plan:

(a) **Residential Uses:**

1. Single-family detached dwellings, but not to include carriage houses.
2. Two-family dwellings when there is only one (1) principal building on the lot.
3. Multi-family dwellings up to four (4) units per building, provided that no structural additions or exterior alterations are made to the existing building, or the dwellings are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.
4. Extra occupancy rental houses with five (5) or fewer tenants.
5. Mixed-use dwellings which are not combined with a use permitted subject to administrative review or Planning and Zoning Board review, provided that no structural additions or exterior alterations are made to the existing building, or the dwellings are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.
6. Shelters for victims of domestic violence.
7. Short term primary rentals.

(b) **Institutional/Civic/Public Uses:**

1. Places of worship or assembly.
2. Minor public facilities.
3. Neighborhood parks as defined by the Parks and Recreation Policy Plan.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

4. Seasonal overflow shelters.

(c) Commercial/Retail Uses:

1. Child care centers.
2. Medical and dental clinics, professional offices and personal business and service shops, provided that no structural additions or exterior alterations are made to the existing building, or the uses are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.
3. Bed and breakfast establishments.
4. Adult day/respite care centers.

(d) Accessory/Miscellaneous Uses:

1. Accessory buildings, provided that they contain no habitable space.
 2. Accessory buildings containing habitable space.
 3. Accessory uses.
 4. Urban agriculture.
 5. Off-site construction staging.
 6. Wireless telecommunication equipment.
- (e) Any use authorized pursuant to a site specific development plan that was processed and approved either in compliance with the Zoning Code in effect on March 27, 1997, or in compliance with this Code (other than a final subdivision plat, or minor subdivision plat, approved pursuant to Section 29-643 or 29-644 of prior law, for any nonresidential development or any multi-family dwelling containing more than four [4] dwelling units), provided that such use shall be subject to all of the use and density requirements and conditions of said site specific development plan.
- (f) Any use which is not hereafter listed as a permitted use in this zone district but which was permitted for a specific parcel of property pursuant to the zone district regulations in effect for such parcel on March 27, 1997; and which physically existed upon such parcel on March 27, 1997; provided, however, that such existing use shall constitute a permitted use only on such parcel of property.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- (2) The following uses are permitted in the N-C-B District, subject to administrative review:

(a) **Residential Uses:**

1. Single-family detached dwellings when there is more than one (1) principal building on the lot and/or when the lot has only alley frontage.
2. Two-family dwellings when there is more than one (1) principal building on the lot, provided that such two-family dwelling is located within a street-fronting principal building.
3. Multi-family dwellings up to four (4) units which propose structural additions or exterior alterations to the existing building, or the dwellings are to be constructed on a lot or parcel which contained a structure on October 25, 1991, provided that such multi-family dwelling is located within a street-fronting principal building.
4. Multi-family dwellings containing more than four (4) dwelling units per building at a density of up to twenty-four (24) dwelling units per acre, provided that such multi-family building is located within a street-fronting principal building.
5. Mixed-use dwellings which are not combined with a use permitted subject to basic development review or Planning and Zoning Board review and which propose structural additions or exterior alterations to the existing building, or the dwellings are to be constructed on a lot or parcel which contained a structure on October 25, 1991.
6. Group homes.
7. Extra occupancy rental houses with more than five (5) tenants.

(b) **Institutional/Civic/Public Uses:**

1. Community facilities.
2. Parks, recreation and other open lands, except neighborhood parks as defined by the Parks and Recreation Policy Plan.

(c) **Commercial/Retail Uses:**

1. Parking lots and parking garages.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- (3) The following uses are permitted, subject to Planning and Zoning Board review:

(a) **Residential Uses:**

1. Fraternity and sorority houses, provided that such fraternity or sorority house is located within a street-fronting principal building.
2. Single-family attached dwellings.
3. Multi-family dwellings containing more than four (4) dwelling units per building at a density of more than twenty-four (24) dwelling units per net acre, provided that such multi-family dwelling is located within a street-fronting principal building.
4. Mixed-use dwellings which are combined with any other use subject to Planning and Zoning Board review.

(b) **Institutional/Civic/Public Uses:**

1. Public and private schools for preschool, elementary, intermediate, high school, college, university and vocational and technical education.

(c) **Commercial/Retail Uses:**

1. Medical and dental clinics, professional offices and personal and business service shops which propose structural additions or exterior alterations to the existing building, or the uses are to be constructed on a lot or parcel which contained a structure at the time of adoption on October 25, 1991, provided that such use is located within a street-fronting principal building.
2. Funeral homes, provided that such funeral home is located within a street-fronting principal building.

(d) **Industrial Uses:**

1. Small-scale and medium-scale solar energy systems.

- (C) ***Prohibited Uses.*** All uses that are not (1) expressly allowed as permitted uses in this Section or (2) determined to be permitted by the Director or the Planning and Zoning Board pursuant to Section 1.3.4 of this Code shall be prohibited.

- (D) ***Land Use Standards.***

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- (1) ~~*Density*~~ **Allowable Floor Area**. ~~Minimum lot area shall be equivalent to the total floor area of the building(s), but not less than five thousand (5,000) square feet.~~ For the purposes of calculating density **allowable floor area**, "total floor area" shall mean the total gross floor area of all principal buildings as measured along the outside walls of such buildings, including each finished or unfinished floor level, plus the total gross floor area of the ground floor of any accessory building larger than one hundred twenty (120) square feet, plus that portion of the floor area of any second story having a ceiling height of at least seven and one-half (7½) feet located within any such accessory building located on the lot. (Open balconies and basements shall not be counted as floor area for purposes of calculating density).
- (2) *Residential*. Any new single-family dwelling that is proposed to be located behind a street-fronting principal building shall contain a maximum of one thousand (1,000) square feet of floor area. Floor area shall include all floor space within the basement and first floor plus that portion of the floor area of any second story having a ceiling height of at least seven and one-half (7½) feet. A new single-family dwelling may be located in any area of the rear portion of such lot, provided that it complies with the setback requirements of this District and there is at least a ten-foot separation between structures. The building footprint for such single-family dwelling shall not exceed six hundred (600) square feet.
- (3) *Accessory Buildings With Habitable Space (or Potential Future Habitable Space)*. Any accessory building with water and/or sewer service shall be considered to have habitable space. An applicant may also declare an intent for an accessory building to contain habitable space. Any person applying for a building permit for such a building shall sign and record with the Larimer County Clerk and Recorder an affidavit stating that such accessory structure shall not be used as a dwelling unit. All building permits issued for such buildings shall be conditioned upon this prohibition. Any such structure containing habitable space that is located behind a street-fronting principal building shall contain a maximum six hundred (600) square feet of floor area. Floor area shall include all floor space within the basement and ground floor plus that portion of the floor area of any second story having a ceiling height of at least seven and one-half (7½) feet. Such accessory building may be located in any area of the rear portion of a lot, provided that it complies with the setback requirements of this District and there is at least a ten-foot separation between structures. **All accessory buildings with habitable space shall comply with the requirements contained in Chapter 26 of the Fort Collins Municipal Code or the requirements of the applicable non-City provider of water or sewer service.**
- (4) *Accessory Building without Habitable Space*. Any accessory building without water and/or sewer service, which has not been declared to contain habitable

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

space by the applicant, shall not exceed a total floor area of six hundred (600) square feet. Floor area shall include all floor space (including basement space) within the building having a ceiling height of at least seven and one-half (7½) feet.

- (5) *Allowable Floor Area on Rear Half of Lots.* The allowable floor area on the rear half of a lot shall not exceed thirty-three (33) percent of the area of the rear fifty (50) percent of the lot.
- (6) *Dimensional Standards.*
 - (a) Minimum lot width shall be forty (40) feet for each single-family and two-family dwelling and fifty (50) feet for each other use. The minimum lot width for lands located within the West Central Neighborhood Plan Subarea and south of University Avenue shall be eighty-five (85) feet. If more than one (1) principal building is proposed to be constructed side-by-side on the same lot, then each such principal building must have at least forty (40) feet of street frontage for single-family and two-family dwellings, and at least fifty (50) feet of street frontage for each other use.
 - (b) Minimum front yard setback shall be fifteen (15) feet. Setbacks from garage doors to the backs of public walks shall not be less than twenty (20) feet, except that the minimum front and side yard setbacks for lands located within the West Central Neighborhood Plan Subarea and south of University Avenue and abutting Shields Street shall be sixty (60) feet, and the minimum setback from garage doors to the backs of public walks shall be sixty-five (65) feet.
 - (c) Minimum rear yard setback shall be five (5) feet from existing alley and fifteen (15) feet in all other conditions.
 - (d) Minimum side yard width shall be five (5) feet for all interior side yards. Whenever any portion of a wall or building exceeds eighteen (18) feet in height, such portion of the wall or building shall be set back from the interior side lot line an additional one (1) foot, beyond the minimum required, for each two (2) feet or fraction thereof of wall or building height that exceeds eighteen (18) feet in height. Minimum side yard width shall be fifteen (15) feet on the street side of any corner lot. Notwithstanding the foregoing, minimum side yard width for school and place of worship uses shall be twenty-five (25) feet (for both interior and street sides).
 - (e) Maximum building height shall be three (3) stories, except for carriage houses and accessory buildings containing habitable space, which shall be limited to one and one-half (1½) stories.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

(E) ***Development Standards.***

(1) ***Single-Family Dwellings.***

~~(1)~~(a) ***Building Design.***

- ~~(a)~~1. All exterior walls of a building that are greater than six (6) feet in length shall be constructed parallel to or at right angles to the side lot lines of the lot whenever the lot is rectilinear in shape.
- ~~(b)~~2. The primary entrance to a dwelling shall be located along the front wall of the building, unless otherwise required for handicap access. Such entrance shall include an architectural feature such as a porch, landing or portico.
- ~~(c)~~3. Accessory buildings and attached garages shall have a front yard setback that is at least ten (10) feet greater than the front setback of the principal building that is located on the front portion of the lot.
- ~~(d)~~4. A second floor shall not overhang the lower front or side exterior walls of a new or existing building.
- ~~(e)~~5. Front porches shall be limited to one (1) story, and the front facades of all single- and two-family dwellings shall be no higher than two (2) stories, except for carriage houses and accessory buildings containing habitable space, which shall be limited to one and one-half (1½) stories.
- ~~(f)~~6. In the event that a new dwelling is proposed to be constructed on the rear portion of a lot which has frontage on two (2) streets and an alley, the front of such new dwelling shall face the street.
- ~~(g)~~7. The minimum pitch of the roof of any building shall be 2:12 and the maximum pitch of the roof of any building shall be 12:12, except that new, detached accessory buildings and additions to existing dwelling units may be constructed with a pitch that matches any roof pitch of the existing dwelling unit. Additionally, the roof pitch of a dormer, turret or similar architectural feature may not exceed 24:12 and the roof pitch of a covered porch may be flat whenever the roof of such a porch is also considered to be the floor of a second-story deck.

~~(2)~~(b) ***Bulk and Massing.***

~~(a)~~1. **Building Height.**

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- ~~1.a.~~ Maximum building height shall be three (3) stories, except for carriage houses and accessory buildings containing habitable space, which shall be limited to one and one-half (1½) stories.
- ~~2.b.~~ The height of a detached dwelling unit at the rear of the lot or an accessory building containing habitable space shall not exceed twenty-four (24) feet.
- ~~3.c.~~ The height of an accessory building containing no habitable space shall not exceed twenty (20) feet.

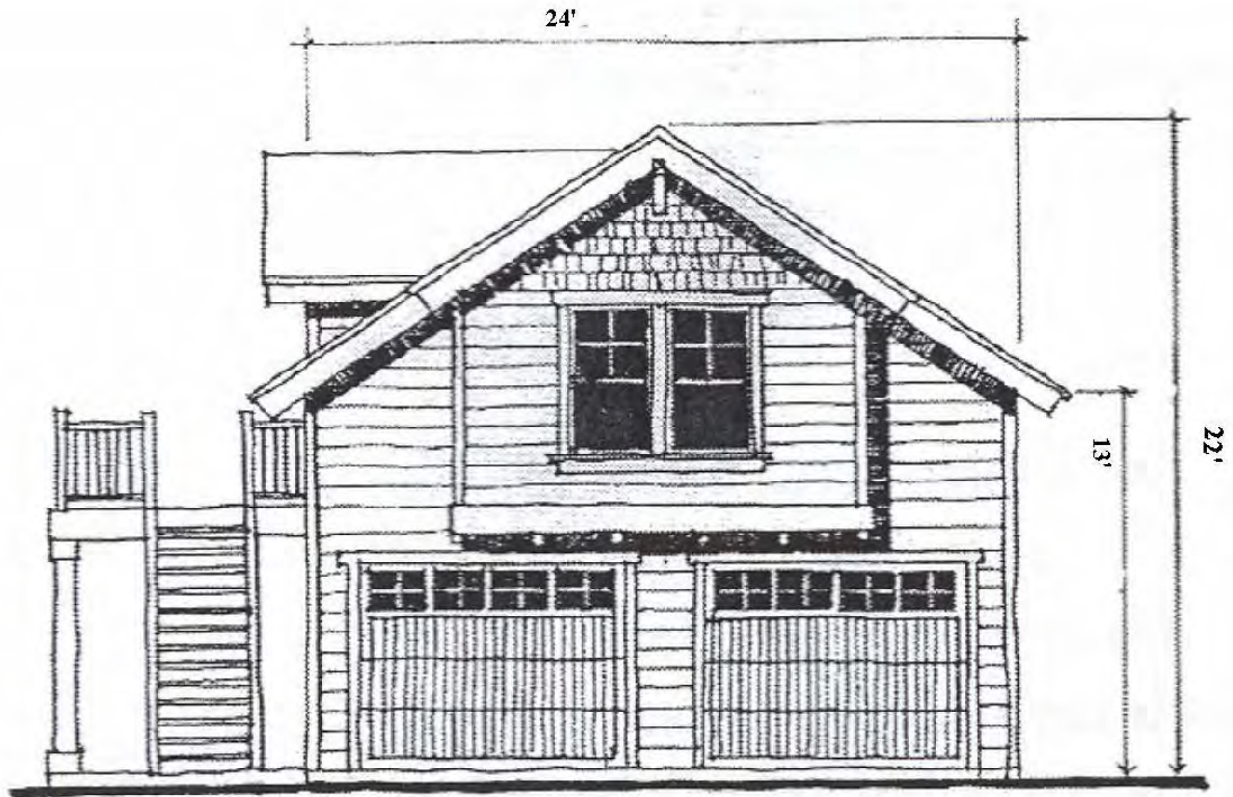
~~(b)~~ 2. Eave Height.

- ~~1.a.~~ The exterior eave height of an eave along a side lot line shall not exceed thirteen (13) feet from grade for a dwelling unit located at the rear of the lot or an accessory building with habitable space.
- ~~2.b.~~ The exterior eave height of an eave along a side lot line shall not exceed ten (10) feet from grade for an accessory building containing no habitable space.
- ~~3.c.~~ If a second story has an exterior wall that is set back from the lower story's exterior wall, the eave height shall be the point of an imaginary line at which the upper story's roofline (if extended horizontally) would intersect with the lower story's exterior wall (if extended vertically). (See ~~illustration contained in Division 4.7~~ **Figure ____ below**).

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

Figure XX
Building Roofline and Eave Heights



(2) **Multi-Family Dwellings, Mixed-Use and Non-Residential Buildings.**

Multi-family and mixed-use dwellings and non-residential buildings shall comply with the standards set forth in Figure ____.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

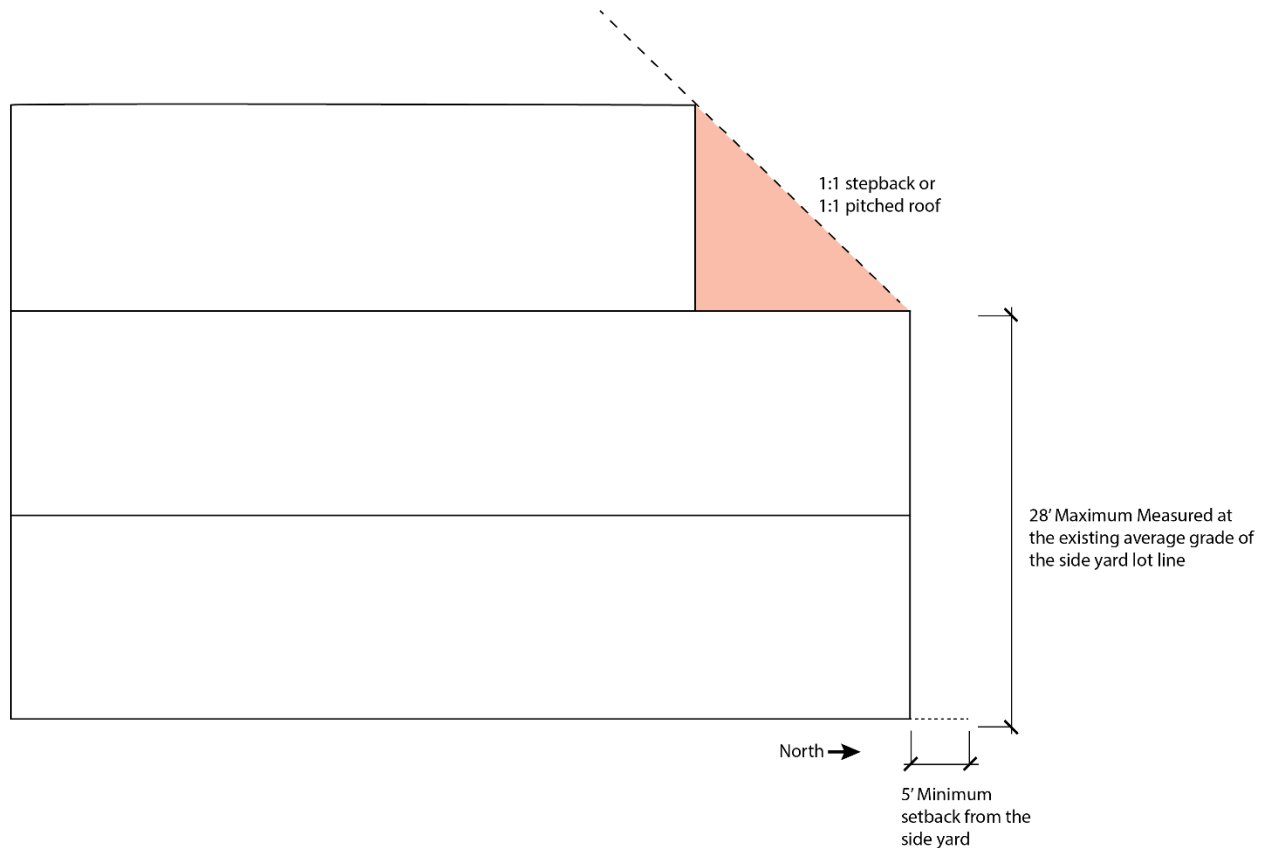
Figure XX
Multi-Family, Mixed-Use and Non-Residential Design Standards

DESIGN COMPONENTS	DESIGN STANDARDS
Maximum Building Height	3 Stories
Front Yard Setback	15' OR the average of the abutting parcels on the same block face
Rear Yard Setback	8' from alley 15' from other conditions
Side Yard Setback	5' minimum interior lots 15' corner lots
Building Shading Stepback See Figure_	North facade of 3 story buildings shall have a 1:1 stepback at the third floor (28') or a 1:1 roof pitch, to reduce shading on north abutting lots
Main Entrance	Primary entry(ies) shall be located on the street-facing facade and must include an architectural feature such as a porch, landing, portico, etc.
Building Design	Must demonstrate blockface compatibility by incorporating at least 3 of the following features: roof articulation, fenestration patterns, cladding materials, porch/ balconies, contextual datum lines, courtyard.
Vehicular Access	Any new access must obtain access from an alley when present unless alley deemed a hazard by City Engineer. Alley access is not required when parking can be accessed from an existing driveway and curbcut along a public street and shall be set back at least 15' from the building setback.
Parking	Permanent off-street parking shall not be located any closer to a public street right-of-way than the principal building is set back from the street.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

**Figure _
Building Shading Stepback Standard**



(3) *Carriage Houses and Habitable Accessory Buildings.*

(a) **Carriage Houses.**

1. Subject to the requirements set forth in in Chapter 26 of the Fort Collins Municipal Code or the requirements of the applicable non-City provider of water or sewer service, wWater and sewer lines may be extended from the principal building on the lot to the carriage house.
2. A minimum of one (1) off-street parking space must be provided for every bedroom contained within a carriage house.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- (b) **Accessory Buildings With Habitable Space.** An accessory building with water and/or sewer service shall be considered as containing habitable space. "Habitable space" does not necessarily mean a dwelling unit, but is space that is intended to eventually serve as indoor, habitable space for human occupancy. Accessory building applications must include the applicant's declaration as to whether or not the space is habitable. If water and/or sewer services are provided to the building, it shall be considered as containing habitable space. If an applicant declares that a space is not intended to be habitable, no water and/or sewer connections will be allowed to the building, and less restrictive bulk and massing requirements are allowed as provided below.
- (c) **Additional Review Criteria for Carriage Houses and Accessory Buildings With Habitable Space.** The following additional standards are intended to ensure that the design and operating characteristics of the carriage house or other accessory building with habitable space are compatible with the character of the surrounding neighborhood and shall apply to the review of all applications for approval of a carriage house or accessory building containing habitable space:
 - 1. The site plan shall provide a separate yard area containing at least one hundred twenty (120) square feet to serve both the carriage house and the existing principal dwelling. Such yard area shall be at least ten (10) feet in its smallest dimension, and must provide privacy and screening for abutting properties.
 - 2. To the extent reasonably feasible, decks, entry doors, major entry access stairs or major windows shall face the existing principal building or the alley (if the lots front the alley). To the extent reasonably feasible, windows that overlook an abutting side or rear yard shall be minimized.
 - 3. Buildings, structures, open spaces and other features of the site plan shall be oriented and located such that they maintain natural resources, including existing significant trees and shrubs, to the extent reasonably feasible.
- (4) **Landscape/Hardscape Material.** A maximum of forty (40) percent of the front yard of a lot may be covered with inorganic material such as asphalt or cement concrete, paving stone, flagstone, rock or gravel.
- (5) **Site Design.** In the N-C-B Neighborhood Conservation Buffer District, permanent open off-street parking areas shall not be located any closer to a public street right-of-way than the distance by which the principal building is set back from the street right-of-way. This provision shall not be construed to preclude temporary parking in driveways.

DRAFT SUBJECT TO CHANGE PENDING FURTHER REVIEW

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- (6) *Access.* Whenever a lot has frontage along an alley, any new off-street parking area located on such lot must obtain access from such adjoining alley; provided, however, that such alley access shall not be required when a new detached garage is proposed to be accessed from an existing driveway that has a curbcut along a public street, or when alley access is determined by the City Engineer to be a hazard to persons or vehicles.
- (7) *Subdividing of Existing Lots.* No existing lot may be further subdivided in such manner as to create a new lot in the rear portion of the existing lot. This regulation shall not apply to corner lots.



Jeff Schneider, Chair
Jeff Hansen, Vice Chair
Jennifer Carpenter
Michael Hobbs
Christine Pardee
Ruth Rollins
William Whitley

City Council Chambers
City Hall West
300 Laporte Avenue
Fort Collins, Colorado

Cablecast on FCTV Channel 14 &
Channel 881 on Comcast

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

**Regular Hearing
November 15, 2018**

Chair Schneider called the meeting to order at 6:00 p.m.

Roll Call: Carpenter, Hansen, Hobbs, Pardee, Rollins, Schneider and Whitley

Absent: None

Staff Present: Everette, Yatabe, Tatman-Burruss, Mounce, Birks, Gloss, Wray, and Gerber

*****BEGIN EXCERPT*****

1. Downtown and Transition Area - LUC Updates

Project Description: Revisions to Land Use Code Divisions 4.16 (Downtown) and 4.9 (Neighborhood Conservation Buffer) as they relate to development standards governing these two zone districts.

Secretary Gerber reported that there were no citizen emails for this item, but that there were two (2) updated attachments: Division 4.9 NCB and Division 4.16 Downtown District and that Member Rollins recused herself from this item.

Staff Presentation

Comprehensive Planning Manager Gloss and Planner Wray gave a brief verbal/visual overview of this plan.

Public Input (3 minutes per person)

None noted

Staff Response

None noted

Board Questions / Deliberation

Member Hobbs requested that Planning Manager Gloss pull up the shading setback. Member Hobbs wanted to know if this illustration is what the new requirement is, as it looks to be more of a setback than required. Planner Wray responded that the slide depicts close representation of the standard but is not exact.

Member Carpenter questioned the preservation code and the setbacks. Planning Manager Gloss responded that it does reflect what is existing and that it is contextual. The Preservation Standards require a match setbacks when you are adjacent in historic structure. These standards are delayed and will be brought forward at a later date. The structure must be eligible for historic designation. Member Hansen wanted to know if the setback should match the height across the street or step up one story. Planning Manager Gloss and the planning team considered this and decided that it would be cleaner and more straightforward to match what is the maximum. It was discussed that requirements are in both feet and stories.

Member Hobbs questioned if the standards are held firm if the street or block face is the edge of the NCB and across the street is one of the residential. Planning Manager Gloss stated yes.

Member Hansen likes that ambiguity in the code language will be eliminated. This will help developers, planners and designers interact with staff more predictably. He feels the section on material standards may continue to bring dissimilar opinions, but not any worse. Thanked for the hard work.

Member Pardee commended staff.

Member Whitley also commended staff for their clarity.

Member Carpenter commended the staff for their efforts.

Member Hobbs has felt the need for more codified transitions to the downtown area and he feels this goes along way in doing that and defining for people that may move into the area as a commercial property owner or as a resident. To have available for them what can happen around them or across the street.

Member Whitley made a motion that the Fort Collins Planning and Zoning Board recommend to City Council the approval of the Downtown and Transition Area LUC Updates. The recommendation is based on agenda materials, the information that was presented during work session, this hearing and the Board discussion of this item. Member Hansen seconded. Chair Schneider commended the staff for their outreach and getting this completed. This is a useful tool for the Board. **Vote: 6:0.**

*****END EXCERPT*****

DRAFT DIVISION 4.9 - NEIGHBORHOOD CONSERVATION, BUFFER DISTRICT (N-C-B)

(A) **Purpose.** The Neighborhood Conservation, Buffer District is intended for areas that are a transition between residential neighborhoods and more intensive commercial-use areas or high traffic zones that have been given this designation in accordance with an adopted subarea plan.

(B) **Permitted Uses.**

(1) The following uses are permitted in the N-C-B District, subject to basic development review, provided that such uses are located on lots that are part of an approved site specific development plan:

(a) **Residential Uses:**

1. Single-family detached dwellings, but not to include carriage houses.
2. Two-family dwellings when there is only one (1) principal building on the lot.
3. Multi-family dwellings up to four (4) units per building, provided that no structural additions or exterior alterations are made to the existing building, or the dwellings are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.
4. Extra occupancy rental houses with five (5) or fewer tenants.
5. Mixed-use dwellings which are not combined with a use permitted subject to administrative review or Planning and Zoning Board review, provided that no structural additions or exterior alterations are made to the existing building, or the dwellings are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.
6. Shelters for victims of domestic violence.
7. Short term primary rentals.

(b) **Institutional/Civic/Public Uses:**

1. Places of worship or assembly.
2. Minor public facilities.
3. Neighborhood parks as defined by the Parks and Recreation Policy Plan.

4. Seasonal overflow shelters.

(c) Commercial/Retail Uses:

1. Child care centers.
2. Medical and dental clinics, professional offices and personal business and service shops, provided that no structural additions or exterior alterations are made to the existing building, or the uses are constructed on a vacant lot or a parcel which did not contain a structure on October 25, 1991.
3. Bed and breakfast establishments.
4. Adult day/respite care centers.

(d) Accessory/Miscellaneous Uses:

1. Accessory buildings, provided that they contain no habitable space.
2. Accessory buildings containing habitable space.
3. Accessory uses.
4. Urban agriculture.

- (e) Any use authorized pursuant to a site specific development plan that was processed and approved either in compliance with the Zoning Code in effect on March 27, 1997, or in compliance with this Code (other than a final subdivision plat, or minor subdivision plat, approved pursuant to Section 29-643 or 29-644 of prior law, for any nonresidential development or any multi-family dwelling containing more than four [4] dwelling units), provided that such use shall be subject to all of the use and density requirements and conditions of said site specific development plan.

- (f) Any use which is not hereafter listed as a permitted use in this zone district but which was permitted for a specific parcel of property pursuant to the zone district regulations in effect for such parcel on March 27, 1997; and which physically existed upon such parcel on March 27, 1997; provided, however, that such existing use shall constitute a permitted use only on such parcel of property.

- (2) The following uses are permitted in the N-C-B District, subject to administrative review:

(a) Residential:

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

1. Single-family detached dwellings when there is more than one (1) principal building on the lot and/or when the lot has only alley frontage.
 2. Two-family dwellings when there is more than one (1) principal building on the lot, provided that such two-family dwelling is located within a street-fronting principal building.
 3. Multi-family dwellings up to four (4) units which propose structural additions or exterior alterations to the existing building, or the dwellings are to be constructed on a lot or parcel which contained a structure on October 25, 1991, provided that such multi-family dwelling is located within a street-fronting principal building.
 4. Multi-family dwellings containing more than four (4) dwelling units per building at a density of up to twenty-four (24) dwelling units per acre, provided that such multi-family building is located within a street-fronting principal building.
 5. Mixed-use dwellings which are not combined with a use permitted subject to basic development review or Planning and Zoning Board review and which propose structural additions or exterior alterations to the existing building, or the dwellings are to be constructed on a lot or parcel which contained a structure on October 25, 1991.
 6. Group homes.
 7. Extra occupancy rental houses with more than five (5) tenants.
- (b) **Institutional/Civic/Public Uses:**
1. Community facilities.
 2. Parks, recreation and other open lands, except neighborhood parks as defined by the Parks and Recreation Policy Plan.
- (c) **Commercial/Retail Uses:**
1. Parking lots and parking garages.
- (3) The following uses are permitted, subject to Planning and Zoning Board review:
- (a) **Residential Uses:**
1. Fraternity and sorority houses, provided that such fraternity or sorority house is located within a street-fronting principal building.

2. Single-family attached dwellings.
3. Multi-family dwellings containing more than four (4) dwelling units per building at a density of more than twenty-four (24) dwelling units per net acre, provided that such multi-family dwelling is located within a street-fronting principal building.
4. Mixed-use dwellings which are combined with any other use subject to Planning and Zoning Board review.

(b) Institutional/Civic/Public Uses:

1. Public and private schools for preschool, elementary, intermediate, high school, college, university and vocational and technical education.

(c) Commercial/Retail Uses:

1. Medical and dental clinics, professional offices and personal and business service shops which propose structural additions or exterior alterations to the existing building, or the uses are to be constructed on a lot or parcel which contained a structure at the time of adoption on October 25, 1991, provided that such use is located within a street-fronting principal building.
2. Funeral homes, provided that such funeral home is located within a street-fronting principal building.

(d) Industrial Uses:

1. Small-scale and medium-scale solar energy systems.

(e) Accessory/Miscellaneous Uses:

1. Wireless telecommunication equipment.

(C) ***Prohibited Uses.*** All uses that are not (1) expressly allowed as permitted uses in this Section or (2) determined to be permitted by the Director or the Planning and Zoning Board pursuant to Section 1.3.4 of this Code shall be prohibited.

(D) *Land Use Standards.*

- (1) ~~*Density Allowable Floor Area. Minimum lot area shall be equivalent to the total floor area of the building(s), but not less than five thousand (5,000) square feet.*~~ For the purposes of calculating ~~*density allowable floor area*~~, "total floor area" shall mean the total gross floor area of all principal buildings as measured along the outside walls of such buildings, including

each finished or unfinished floor level, plus the total gross floor area of the ground floor of any accessory building larger than one hundred twenty (120) square feet, plus that portion of the floor area of any second story having a ceiling height of at least seven and one-half (7½) feet located within any such accessory building located on the lot. (Open balconies and basements shall not be counted as floor area for purposes of calculating density).

- (2) *Residential.* Any new single-family dwelling that is proposed to be located behind a street-fronting principal building shall contain a maximum of one thousand (1,000) square feet of floor area. Floor area shall include all floor space within the basement and first floor plus that portion of the floor area of any second story having a ceiling height of at least seven and one-half (7½) feet. A new single-family dwelling may be located in any area of the rear portion of such lot, provided that it complies with the setback requirements of this District and there is at least a ten-foot separation between structures. The building footprint for such single-family dwelling shall not exceed six hundred (600) square feet.
- (3) *Accessory Buildings With Habitable Space (or Potential Future Habitable Space).* Any accessory building with water and/or sewer service shall be considered to have habitable space. An applicant may also declare an intent for an accessory building to contain habitable space. Any person applying for a building permit for such a building shall sign and record with the Larimer County Clerk and Recorder an affidavit stating that such accessory structure shall not be used as a dwelling unit. All building permits issued for such buildings shall be conditioned upon this prohibition. Any such structure containing habitable space that is located behind a street-fronting principal building shall contain a maximum six hundred (600) square feet of floor area. Floor area shall include all floor space within the basement and ground floor plus that portion of the floor area of any second story having a ceiling height of at least seven and one-half (7½) feet. Such accessory building may be located in any area of the rear portion of a lot, provided that it complies with the setback requirements of this District and there is at least a ten-foot separation between structures.
- (4) *Accessory Building without Habitable Space.* Any accessory building without water and/or sewer service, which has not been declared to contain habitable space by the applicant, shall not exceed a total floor area of six hundred (600) square feet. Floor area shall include all floor space (including basement space) within the building having a ceiling height of at least seven and one-half (7½) feet.
- (5) *Allowable Floor Area on Rear Half of Lots.* The allowable floor area on the rear half of a lot shall not exceed thirty-three (33) percent of the area of the rear fifty (50) percent of the lot.

(6) *Dimensional Standards.*

- (a) Minimum lot width shall be forty (40) feet for each single-family and two-family dwelling and fifty (50) feet for each other use. The minimum lot width for lands located within the West Central Neighborhood Plan Subarea and south of University Avenue shall be eighty-five (85) feet. If more than one (1) principal building is proposed to be constructed side-by-side on the same lot, then each such principal building must have at least forty (40) feet of street frontage for single-family and two-family dwellings, and at least fifty (50) feet of street frontage for each other use.
- (b) Minimum front yard setback shall be fifteen (15) feet. Setbacks from garage doors to the backs of public walks shall not be less than twenty (20) feet, except that the minimum front and side yard setbacks for lands located within the West Central Neighborhood Plan Subarea and south of University Avenue and abutting Shields Street shall be sixty (60) feet, and the minimum setback from garage doors to the backs of public walks shall be sixty-five (65) feet.
- (c) Minimum rear yard setback shall be five (5) feet from existing alley and fifteen (15) feet in all other conditions.
- (d) Minimum side yard width shall be five (5) feet for all interior side yards. Whenever any portion of a wall or building exceeds eighteen (18) feet in height, such portion of the wall or building shall be set back from the interior side lot line an additional one (1) foot, beyond the minimum required, for each two (2) feet or fraction thereof of wall or building height that exceeds eighteen (18) feet in height. Minimum side yard width shall be fifteen (15) feet on the street side of any corner lot. Notwithstanding the foregoing, minimum side yard width for school and place of worship uses shall be twenty-five (25) feet (for both interior and street sides).
- (e) Maximum building height shall be three (3) stories, except for carriage houses and accessory buildings containing habitable space, which shall be limited to one and one-half (1½) stories.

(E) *Development Standards.*(1) *Single-Family Dwellings.*(A) *Building Design.*

- (1) All exterior walls of a building that are greater than six (6) feet in length shall be constructed parallel to or at right angles to the side lot lines of the lot whenever the lot is rectilinear in shape.

- (2) The primary entrance to a dwelling shall be located along the front wall of the building, unless otherwise required for handicap access. Such entrance shall include an architectural feature such as a porch, landing or portico.
- (3) Accessory buildings and attached garages shall have a front yard setback that is at least ten (10) feet greater than the front setback of the principal building that is located on the front portion of the lot.
- (4) A second floor shall not overhang the lower front or side exterior walls of a new or existing building.
- (5) Front porches shall be limited to one (1) story, and the front facades of all single- and two-family dwellings shall be no higher than two (2) stories, except for carriage houses and accessory buildings containing habitable space, which shall be limited to one and one-half (1½) stories.
- (6) In the event that a new dwelling is proposed to be constructed on the rear portion of a lot which has frontage on two (2) streets and an alley, the front of such new dwelling shall face the street.
- (7) The minimum pitch of the roof of any building shall be 2:12 and the maximum pitch of the roof of any building shall be 12:12, except that new, detached accessory buildings and additions to existing dwelling units may be constructed with a pitch that matches any roof pitch of the existing dwelling unit. Additionally, the roof pitch of a dormer, turret or similar architectural feature may not exceed 24:12 and the roof pitch of a covered porch may be flat whenever the roof of such a porch is also considered to be the floor of a second-story deck.

(B) *Bulk and Massing.*

(1) **Building Height.**

- (a) Maximum building height shall be three (3) stories, except for carriage houses and accessory buildings containing habitable space, which shall be limited to one and one-half (1½) stories.
- (b) The height of a detached dwelling unit at the rear of the lot or an accessory building containing habitable space shall not exceed twenty-four (24) feet.
- (c) The height of an accessory building containing no habitable space shall not exceed twenty (20) feet.

(2) **Eave Height.**

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- (a) The exterior eave height of an eave along a side lot line shall not exceed thirteen (13) feet from grade for a dwelling unit located at the rear of the lot or an accessory building with habitable space.
- (b) The exterior eave height of an eave along a side lot line shall not exceed ten (10) feet from grade for an accessory building containing no habitable space.
- (c) If a second story has an exterior wall that is set back from the lower story's exterior wall, the eave height shall be the point of an imaginary line at which the upper story's roofline (if extended horizontally) would intersect with the lower story's exterior wall (if extended vertically). (See illustration contained in Division 4.7).

(2) Multi-Family Dwellings, Mixed-Use and Non-Residential Buildings.

Building design and solar access stepback requirements shall be based on the standards described in Figures _ and _.

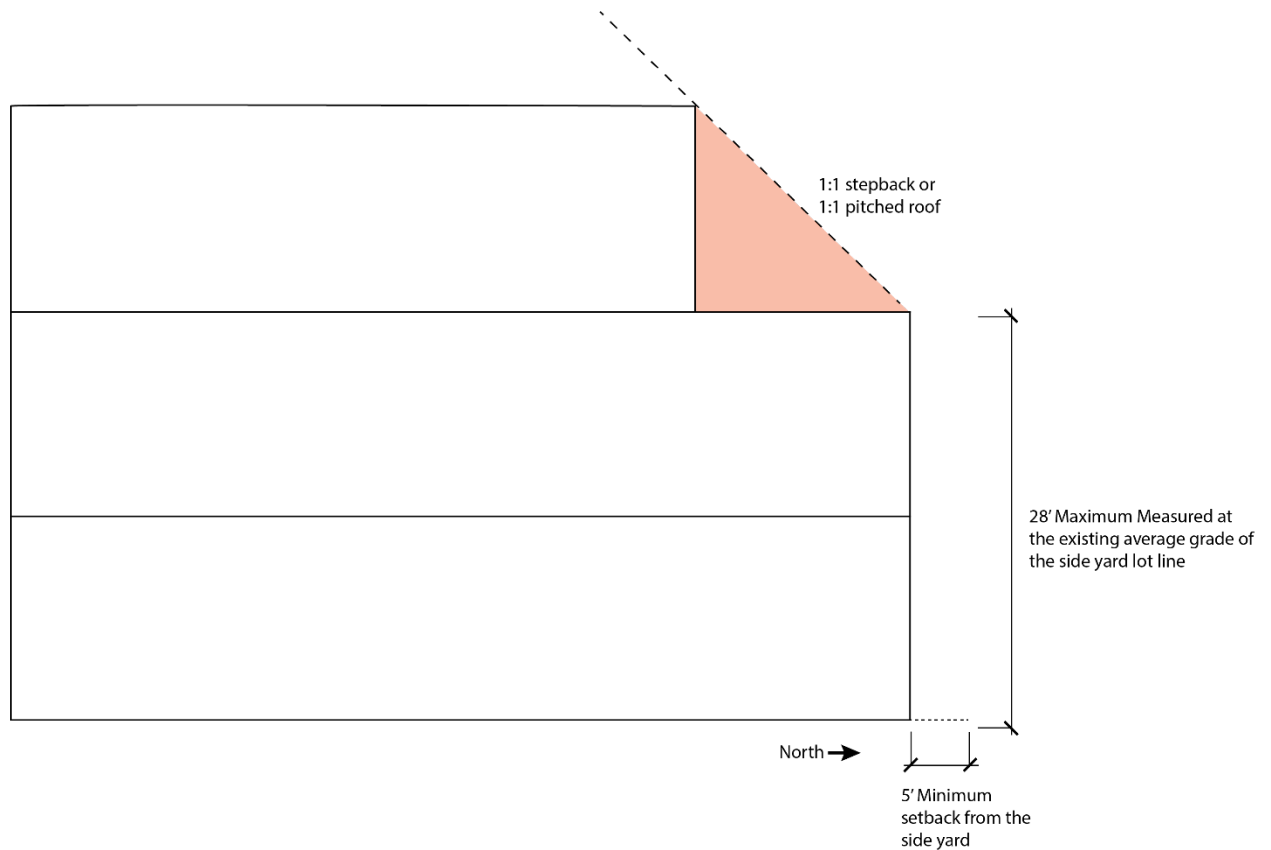
Figure _

NCB District Multi-Family, Mixed-Use and Non-Residential Design Standards

	BUILDING USE		
DESIGN COMPONENTS	SINGLE-FAMILY	PROPOSED STANDARDS (MULTI-FAMILY/MIXED- USE)	PROPOSED (NON- RESIDENTIAL)
Maximum Building Height	3 Stories (carriage houses and accessory buildings with habitable space 1 1/2 stories)	3 Stories	
Front Yard Setback	15' OR the average of the abutting parcels on the same block face.		
Rear Yard Setback	8' from alley 15' from other conditions		
Side Yard Setback	5' minimum interior lots 15' corner lots		
Solar Access Sepback	No solar access stepback required for 2 story single-family residential	3 story buildings shall have a 1:1 stepback at the third floor (28') or a 1:1 roof pitch	
Main Entrance	Primary entry(ies) shall be located on the street-facing facade and must include an architectural feature such as a porch, landing, portico, etc.		
Building Design	The following parameters apply to single-family: 1. Porch limited to 1 story 2. Be constructed parallel or at a right angle to the lot line 3. Upper stories shall not overhang by more than 1'	Must demonstrate blockface compatibility by incorporating at least 3 of the following features: roof articulation, fenestration patterns, cladding materials, porch/balconies, contextual datum lines, courtyard	
Vehicular Access	Any new access must obtain access from an alley when present unless alley deemed a hazard by City Engineer. Alley access is not required when parking can be accessed from an existing driveway and curbcut along a public street and shall be set back at least 15' from the building setback		
Parking	Permanent off-street parking shall not be located any closer to a public street right-of-way than the principal building is set back from the street		

Figure _

NCB District Solar Access Stepback Standard

(3) *Carriage Houses and Habitable Accessory Buildings.*(a) **Carriage Houses.**

1. Water and sewer lines may be extended from the principal building on the lot to the carriage house.
2. A minimum of one (1) off-street parking space must be provided for every bedroom contained within a carriage house.

(b) **Accessory Buildings With Habitable Space.** An accessory building with water and/or sewer service shall be considered as containing habitable space. "Habitable space" does not necessarily mean a dwelling unit, but is space that is intended to eventually serve as indoor, habitable space for human occupancy. Accessory building applications must

include the applicant's declaration as to whether or not the space is habitable. If water and/or sewer services are provided to the building, it shall be considered as containing habitable space. If an applicant declares that a space is not intended to be habitable, no water and/or sewer connections will be allowed to the building, and less restrictive bulk and massing requirements are allowed as provided below.

(c) **Additional Review Criteria for Carriage Houses and Accessory Buildings With Habitable Space.** The following additional standards are intended to ensure that the design and operating characteristics of the carriage house or other accessory building with habitable space are compatible with the character of the surrounding neighborhood and shall apply to the review of all applications for approval of a carriage house or accessory building containing habitable space:

1. The site plan shall provide a separate yard area containing at least one hundred twenty (120) square feet to serve both the carriage house and the existing principal dwelling. Such yard area shall be at least ten (10) feet in its smallest dimension, and must provide privacy and screening for abutting properties.
2. To the extent reasonably feasible, decks, entry doors, major entry access stairs or major windows shall face the existing principal building or the alley (if the lots front the alley). To the extent reasonably feasible, windows that overlook an abutting side or rear yard shall be minimized.
3. Buildings, structures, open spaces and other features of the site plan shall be oriented and located such that they maintain natural resources, including existing significant trees and shrubs, to the extent reasonably feasible.
- (4) *Landscape/Hardscape Material.* A maximum of forty (40) percent of the front yard of a lot may be covered with inorganic material such as asphalt or cement concrete, paving stone, flagstone, rock or gravel.
- (5) *Site Design.* In the N-C-B Neighborhood Conservation Buffer District, permanent open off-street parking areas shall not be located any closer to a public street right-of-way than the distance by which the principal building is set back from the street right-of-way. This provision shall not be construed to preclude temporary parking in driveways.
- (6) *Access.* Whenever a lot has frontage along an alley, any new off-street parking area located on such lot must obtain access from such adjoining alley; provided, however, that such alley access shall not be required when a new detached garage is proposed to be accessed from an existing driveway that has a curbcut along a public street, or when alley access is determined by the City Engineer to be a hazard to persons or vehicles.

Division 4.9, Neighborhood Conservation, Buffer District (N-C-B)

- (7) *Subdividing of Existing Lots.* No existing lot may be further subdivided in such manner as to create a new lot in the rear portion of the existing lot. This regulation shall not apply to corner lots.

(Ord. No. 90, 1998, 5/19/98; Ord. No. 228, 1998 §92, 12/15/98; Ord. No. 89, 1999 §2, 6/1/99; Ord. No. 165, 1999 §38, 11/16/99; Ord. No. 183, 2000 §§29, 30, 12/19/00; Ord. No. 204, 2001 §§1, 33—37, 12/18/01; Ord. No. 090, 2003 §11, 6/17/03; Ord. No. 173, 2003 §24, 12/16/03; Ord. No. 063, 2004 §4, 4/20/04; Ord. No. 091, 2004 §34, 6/15/04; Ord. No. 198, 2004 §§23, 24, 12/21/04; Ord. No. 015, 2005 §3, 2/15/05; Ord. No. 123, 2005 §§16, 17, 11/15/05; Ord. No. 161, 2005 §11, 12/20/05; Ord. No. 104, 2006 §§23, 24, 7/18/06; Ord. No. 131, 2006 §3, 9/19/06; Ord. No. 192, 2006 §24, 12/19/06; Ord. No. 081, 2007 §16, 7/17/07; Ord. No. 073, 2008 §§13—17, 24, 7/1/08; Ord. No. 066, 2009 §§24, 25, 7/7/09; Ord. No. 068, 2010 §11, 7/6/10; Ord. No. 120, 2011 §§25—27, 9/20/2011; Ord. No. 092, 2013 §23, 7/16/13; Ord. No. 096, 2013 §12, 7/16/13; Ord. No. [086, 2014](#) §55—57, 7/1/14; [Ord. No. 110, 2015 §9, 9/15/15](#); Ord. No. [044, 2017](#), §11, 3/21/17)

Modification Request

Project: 700 Remington Street

Lot size: 140 x 50 = 7,000 sq. ft.

Occupancy Group: Residential Single Family

Zoning: NCB

Owner: Robert Benham

Modification Request to Land Use Code Standard 4.9(D)(1) *Density*

This is a modification request to Land Use Code Standard 4.9(D)(1) Density and that reducing the minimum required lot size of 10,000 SF to 7,000 SF for a single-family detached residence with carriage house and that the proposed 7,000 SF lot would be nominal and inconsequential when considered from the perspective of the entire development plan.

As previously permitted by the City of Fort Collins, the carriage house was used as an office for the bed & breakfast and later as a hair salon. Of the two uses the hair salon has historically been more impactful to adjacent properties than the proposed carriage house.

The proposal also aligns with the intent of the Old Town Neighborhoods Plan which states the intent of the Neighborhood Conservation, Buffer District is that of a transition area between heavier commercial uses and is intended as a place to locate, “ new accessory units internal to existing homes or using rear carriage houses helps to maintain the visual character of the neighborhoods while permitting additional units that could be used for aging-in-place, family care, or that are more attainable for those earning median incomes.”

Furthermore, no structural or architectural modifications are contemplated for either the existing main house or the existing carriage house as a part of this application. No subgrade excavations of any nature are contemplated as a part of this application. No modifications to the existing site grading or historical stormwater drainage are contemplated as a part of this application, other than a slight increase in pervious site area due to the replacement of a stone patio with an expanded gravel parking area.