

**CITY OF FORT COLLINS
TYPE 1 ADMINISTRATIVE HEARING
FINDINGS AND DECISION**

HEARING DATE: March 26, 2014

PROJECT NAME: 231 South Grant Avenue Carriage House

CASE NUMBER: PDP130007

APPLICANT/OWNER: Kevin Brinkman
3003 East Harmony Road, Suite 300
Fort Collins, CO 80528

HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This is a request for approval of a Project Development Plan (PDP) to add a carriage house at 231 South Grant Avenue. The site is 14,250 square feet, or approximately 0.33 acres, and is located at the northwest corner of South Grant Avenue and West Olive Street. The PDP proposes an 800 square foot carriage house with a 520 square foot footprint located along the alley on the west side of the lot.

SUMMARY OF DECISION: Approved

ZONE DISTRICT: Neighborhood Conservation, Low Density (N-C-L)

HEARING: The Hearing Officer opened the hearing at approximately 5:00 p.m. on March 26, 2014, in the CIC Room of City Hall, located at 300 LaPorte, Fort Collins, Colorado.

EVIDENCE: During the hearing, the Hearing Officer accepted the following evidence: (1) Planning Department Staff Report; (2) the application, plans, maps and other supporting documents submitted by the applicant; and (3) a copy of the public notice (the Land Use Code, the Comprehensive Plan and the formally promulgated policies of the City are all considered part of the record considered by the Hearing Officer).

TESTIMONY: The following persons testified at the hearing:

From the City: Seth Lorson

From the Applicant: Kevin Brinkman

From the Public: Myrne Watrous

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that the hearing was properly posted, legal notices mailed and notice published.

2. The PDP complies with the applicable General Development Standards contained in Article 3 of the Code.

a. The PDP complies with Section 3.2.2(K)(1)(c), Required Off-Street Parking, because there is at least one off-street parking space per lot.

b. The PDP complies with Section 3.5.1, Building and Project Compatibility, because the carriage house will be constructed with the same blond brick as the principal house and the garage, and the architectural design has the same brick banding accents and eaves and soffits as the principal house.

3. The PDP complies with the applicable standards contained in Article 4 of the Code for the N-C-L zone district.

a. The PDP complies with Section 4.7(B)(2)(a)(1), Permitted Uses, because the carriage house is a single-family dwelling, which is a permitted use in the N-C-L zone district.

b. The PDP complies with Section 4.7(D)(1), Density, because the lot size is 14,250 square feet, which is more than the 11,475 square foot minimum that would be required based on the total floor gross area of all buildings of 4,590 square feet.

c. The PDP complies with Section 4.7(D)(2), Allowable Floor Area on Lots, because the proposed carriage house has 800 square feet of floor area, which meets the maximum allowable floor area for a single-family dwelling that is behind a street-fronting principal building.

d. The PDP complies with Section 4.7(D)(5), Floor Area Ratio, because the existing garage and the proposed carriage house total 1,398 square feet of floor area, which is below the maximum.

e. The PDP complies with Section 4.7(E)(3), Minimum Rear Yard Setback, because the proposed carriage house is set back 5' from the existing alley.

f. The PDP complies with Section 4.7(E)(4), Minimum Side Yard Setback, because the carriage house is set back 5' from the interior property line.

g. The PDP complies with Section 4.7(E)(5), Maximum Building Height, because the carriage house is 1½ stories in height.

h. The PDP complies with Section 4.7(F)(1), Building Design, because the buildings are constructed at right angles to the lot, the primary entrance is located along the front wall of the building, the accessory building is located at least 10' behind the principal building, the second floor does not overhang the lower front or side of the building, the front porch is limited to 1½ stories, and the roof pitch is between 2:12 and 12:12.

i. The PDP complies with Section 4.7(F)(3), Carriage Houses and Habitable Accessory Buildings, because the PDP includes an additional parking space for the

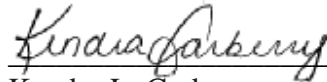
bedroom, provides at least 120 square feet of yard area, and all decks and entry doors face toward the existing principal building.

DECISION

Based on the foregoing findings, the Hearing Officer hereby enters the following rulings:

1. The PDP is approved as submitted.

DATED this 7th day of April, 2014.



Kendra L. Carberry
Hearing Officer



ITEM NO PDP#130007
MEETING DATE March 26, 2014
STAFF Seth Lorson

ADMINISTRATIVE HEARING

STAFF REPORT

PROJECT: 231 South Grant Avenue, Carriage House, Project Development Plan, PDP #130007.

APPLICANT / OWNER: Kevin Brinkman
3003 East Harmony Road, suite 300
Fort Collins Co, 80528

PROJECT DESCRIPTION:

This is a request for approval of a Project Development Plan (P.D.P.) for a carriage house located at 231 South Grant Avenue. The project site is a total of 14,250 square feet, or approximately 0.33 acres, and is located at the northwest corner of South Grant Avenue and West Olive Street.

The project proposes an 800 square foot carriage house with a 520 square foot footprint located along the alley on the west side of the lot. The proposed carriage house is considered a single-family dwelling use, which is permitted in the N-C-L Neighborhood Conservation, Low Density zone district, subject to administrative review, as referenced in Section 4.7(B)(2)(a)(1). This proposal was submitted to the City for consideration days prior to a significant Land Use Code (LUC) change that amended the N-C-L district's Floor Area Ratio (FAR). Attached to this report is the ordinance (No. 033, 2013) with strikeout of the code that the proposal was reviewed by and the new changes highlighted as approved by City Council on March 5, 2013.

RECOMMENDATION: Approval of 231 South Grant Avenue, Carriage House, Project Development Plan, PDP #130007.

EXECUTIVE SUMMARY:

The approval of 231 South Grant Avenue, Carriage House, Project Development Plan, PDP #130007 complies with the applicable requirements of the City of Fort Collins Land Use Code (LUC), more specifically:

- The P.D.P. complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.

- The P.D.P. complies with relevant standards located in Article 3 – General Development Standards.
- The P.D.P. complies with relevant standards located in Division 4.7, N-C-L Neighborhood Conservation, Low Density of Article 4 – Districts.

COMMENTS:

1. **Background:**

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Uses
North	Neighborhood Conservation, Low Density (N-C-L)	Single-family residential
South	Neighborhood Conservation, Low Density (N-C-L)	Single-family residential
East	Neighborhood Conservation, Low Density (N-C-L)	Single-family residential
West	Neighborhood Conservation, Low Density (N-C-L)	Single-family residential

2. **Compliance with Applicable Article 4, Neighborhood Conservation, Medium Density District N-C-M Standards:**

The project complies with all applicable Article 4 standards as follows:

A. Section 4.7(B)(2)(a)(1) - Permitted Uses, residential

The carriage house is a single-family dwelling and is a permitted use in the N-C-L zone, subject to Administrative Review and Public Hearing.

B. Section 4.7(D)(1) – Density

The required minimum lot area shall be at least 2 ½ times the total floor gross area of all principal buildings.

The floor area of the existing and proposed structures are as follows:

House: 3,192 s.f.

Garage: 598 s.f.

Proposed Carriage House: 800 s.f.
Total: 4,590 s.f.

Thus, the required minimum lot area is 11,475 ($4,590 \times 2.5$). The existing lot area is 14,590 s.f. and, therefore, meets the standard.

C. Section 4.7(D)(2) – Residential

The maximum size of a single-family dwelling that is proposed behind a street-fronting principal building shall contain a maximum of 800 s.f. of floor area.

The proposed carriage house has 800 s.f. of floor area.

D. Section 4.7(D)(5) – Floor Area Ratio (FAR)

Lots are subject to a maximum FAR of 25% on the rear 50% of the lot; and shall use the zone district's minimum lot size for the FAR calculation.

The floor area of the existing and proposed structures on the rear 50% of the lot are as follows:

Existing garage: 598 s.f.
Proposed Carriage House: 800 s.f.
Total: 1,398 s.f.

The minimum lot size is 11,475, as calculated in section 2B of this report. Therefore, the maximum floor area of development permitted on the rear 50% of the lot is 1,434.4 s.f. ($(11,475/2) \times 0.25$). The proposal meets this standard because the proposed FAR for the rear 50% of the lot is less than the maximum permitted ($1,398 < 1,434.4$).

E. Section 4.7(E)(3) – Dimensional Standards, Minimum Rear Yard Setback

The minimum rear yard setback is 5 feet from existing alleys and 15 feet from all other conditions.

The proposed carriage house is setback 5 feet from the existing alley.

F. Section 4.7(E)(4) – Dimensional Standards, Minimum Side Yard Setback

The minimum side yard setback is 5 feet for all interior side yards, and setback an additional 1 foot for every 2 feet in height the building wall exceeds 18 feet in height.

The carriage house is setback 5 feet from the interior property line (north side) and the wall and eve height is 12 feet 9 7/8 inches. The overall height at the peak of the roof is 21 feet 5 ½ inches and is setback 14 ½ feet from the property line due to the 10:12 pitch of the roof.

H. Section 4.7(E)(5) – Dimensional Standards, Maximum Building Height

The maximum building height for a carriage house is 1 ½ stories.

The proposed carriage house is 1 ½ stories in height as measured in Sec. 3.8.17 of the Land Use Code.

I. Section 4.7(F)(1) – Development Standards, Building Design

The project is in compliance with all applicable building design standards of this section, which require that buildings be constructed at right angles to the lot, that the primary entrance be located along the front wall of the building, that an accessory building be located at least 10 feet behind the principal building, that the second floor not overhang the lower front or side of the building, that the front porch proposed is limited to 1 1/2 stories, and that the roof pitch is between 2:12 and 12:12.

J. Section 4.7(F)(3) – Carriage Houses and Habitable Accessory Buildings

The project is in compliance with all applicable carriage house standards, which require an additional parking space for the bedroom, provide at least 120 square feet of yard area, and that it faces all decks and entry doors toward the existing principal building.

3. Compliance with Article Three – General Development Standards:

The following General Development Standards are applicable to the 231 South Grant Avenue, Carriage House, Project Development Plan, PDP #130007.

A. Section 3.2.2(K)(1)(c) – Required Off-Street Parking

The project provides at least one off-street parking space per lot, which is in compliance with this standard.

B. Section 3.5.1 – Building and Project Compatibility

(1) Architectural Character; (2) Building Size, Height, Bulk, Mass, Scale

This standard requires that new projects be compatible with the established architectural character and context of the general area.

The proposed carriage house will be constructed with the same blond brick as the principal house and the garage. The architectural design is has the same brick banding accents and eaves and soffits as the principal house.

4. Neighborhood Meeting

The Land Use Code does not require a neighborhood meeting for Administrative (Type I) P.D.P.'s, and the applicant chose not to conduct a formal meeting.

5. Findings of Fact/Conclusion

In evaluating the request for the 231 South Grant Avenue, Carriage House, Project Development Plan, PDP #130007, staff makes the following findings of fact:

- A. The P.D.P. complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- B. The P.D.P. complies with relevant standards located in Article 3 – General Development Standards.
- C. The P.D.P. complies with relevant standards located in Division 4.7, N-C-L Neighborhood Conservation, Low Density of Article 4 – Districts.

RECOMMENDATION:

Staff recommends approval of the 231 South Grant Avenue, Carriage House, Project Development Plan, PDP #130007.

ATTACHMENTS:

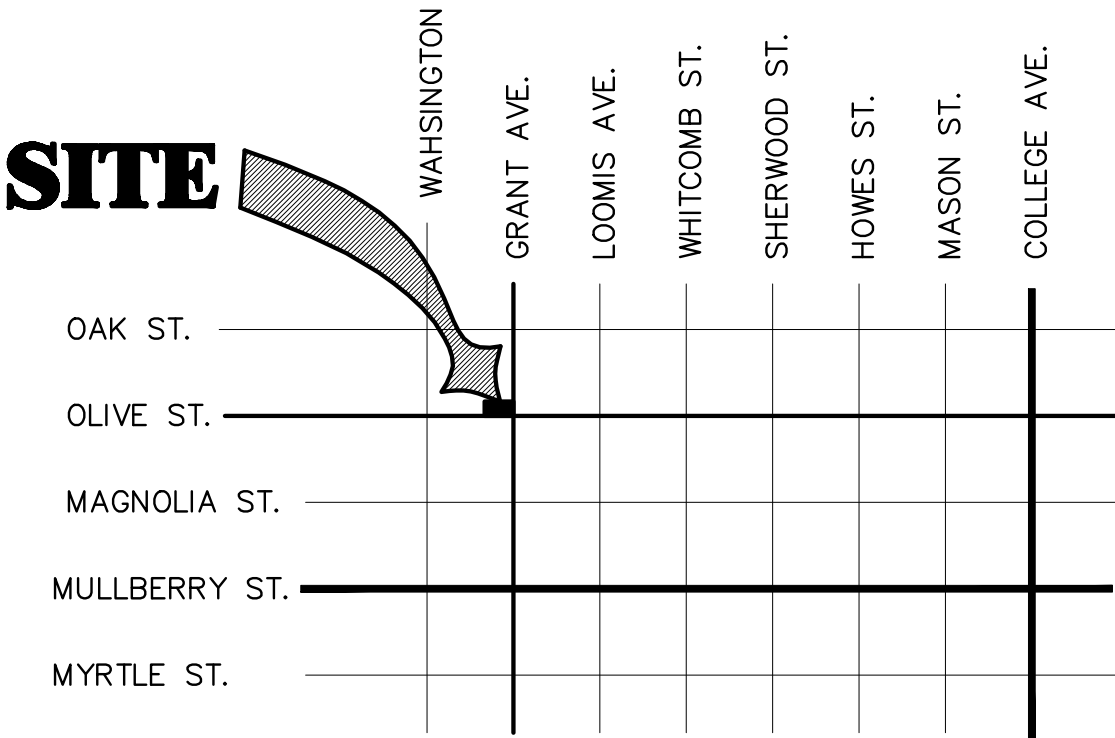
- 1. Site/Landscape Plan
- 2. Building Elevations
- 3. LUC Change Ord. No. 033-2013

Carriage House * 231 South Grant Street

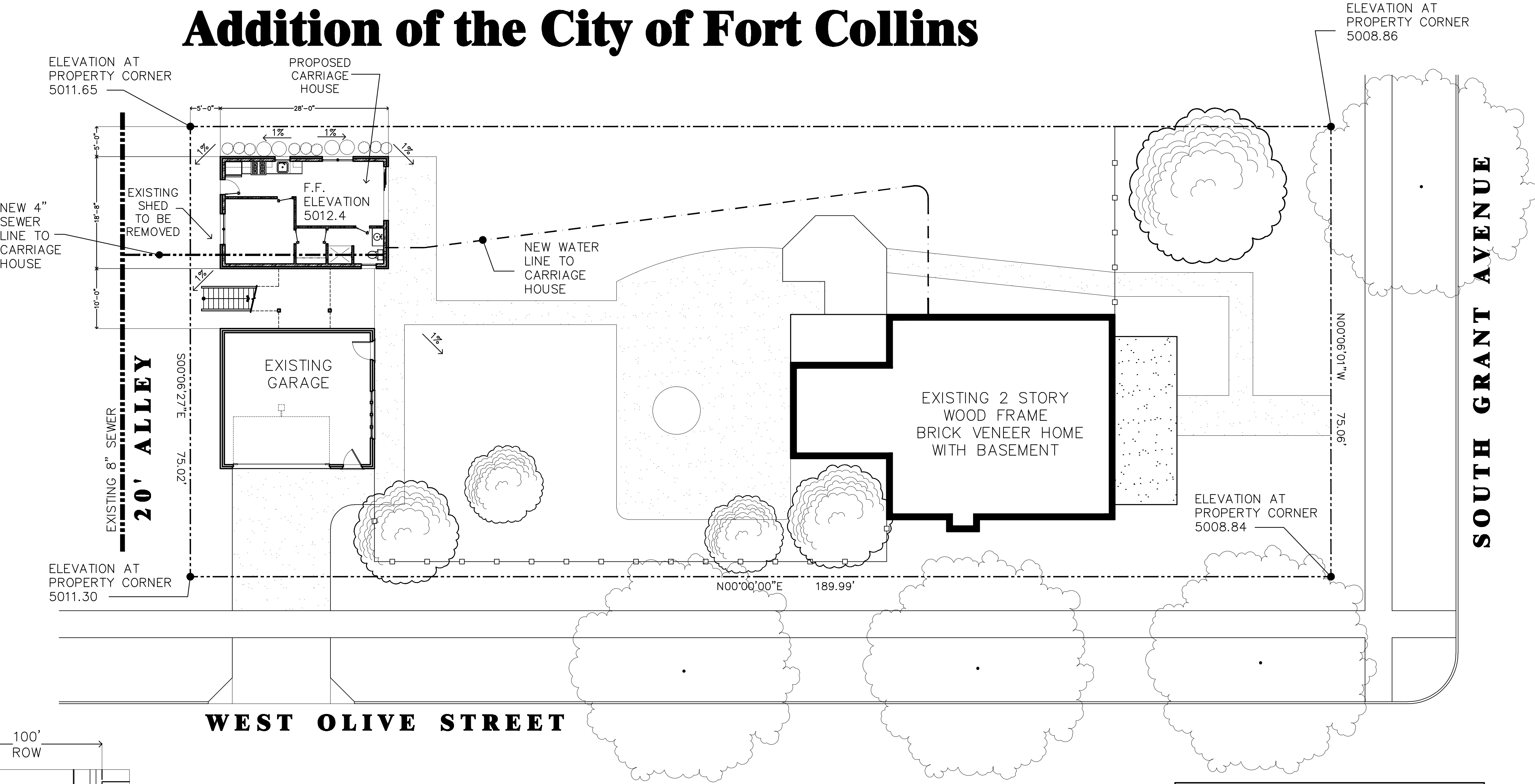
The South 25 Feet of Lot 13 and All of Lot 16, Block 289, Loomis

Addition of the City of Fort Collins

SITE

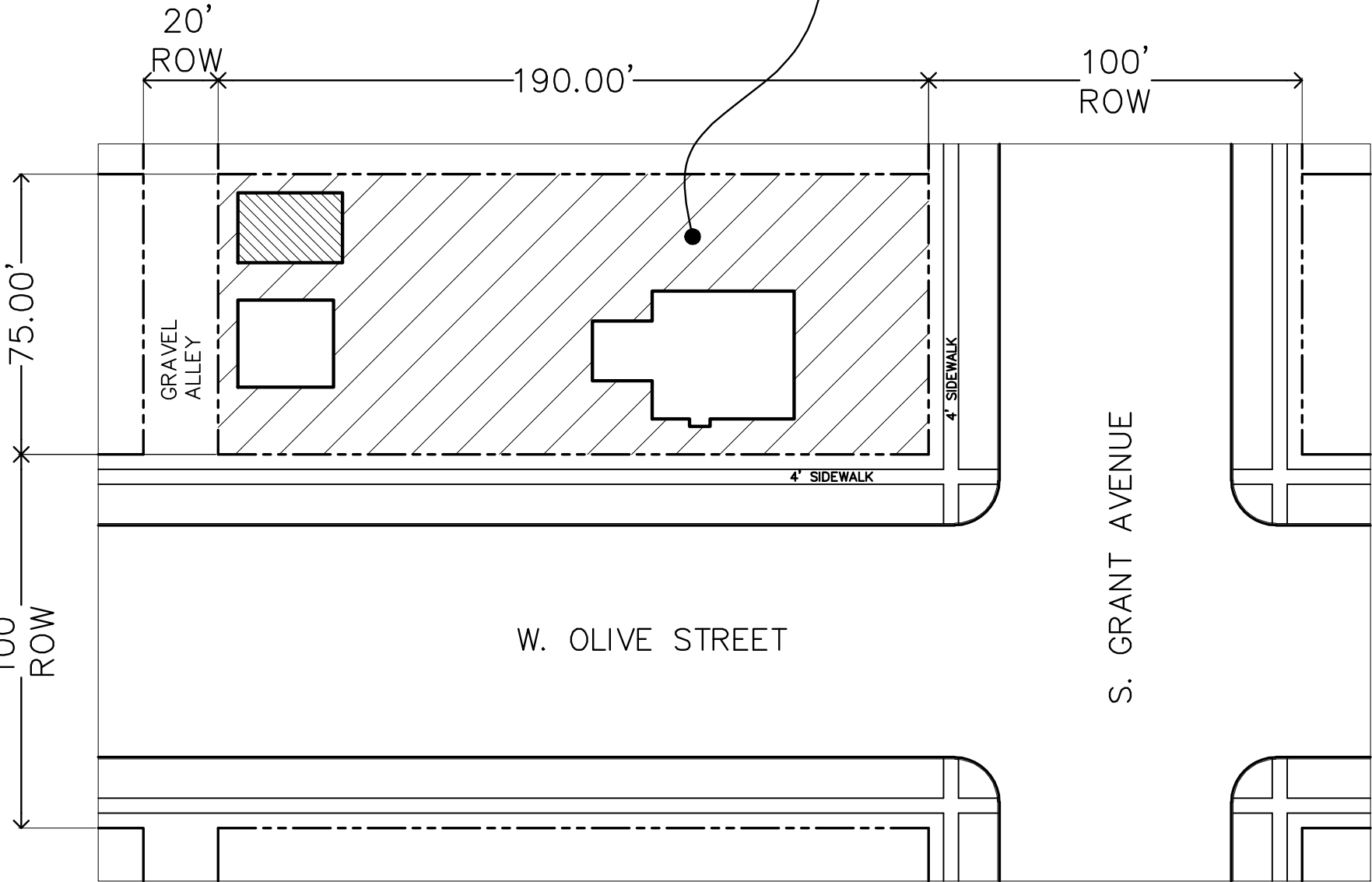


VICINITY MAP



SITE , LANDSCAPE & UTILITY PLAN 1" = 10'-0"

The South 25 Feet of Lot 13 and all of Lot 16, Block 289, Loomis Addition of the City of Fort Collins 231 South Grant Street



R.O.W. PLAN 1" = 40'-0"



NORTH

OWNERS CERTIFICATION

THE UNDERSIGNED DO HEREBY CERTIFY THAT WE ARE THE LAWFUL OWNERS OF REAL PROPERTY ON THIS SITE PLAN AND DO HEREBY CERTIFY THAT WE ACCEPT THE CONDITIONS AND RESTRICTIONS SET FORTH ON SAID SITE PLAN BY: RODNEY CLOUGH

STATE OF COLORADO)
COUNTY OF LARIMER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D. BY _____

MY NOTORIAL COMMISSION EXPIRES _____

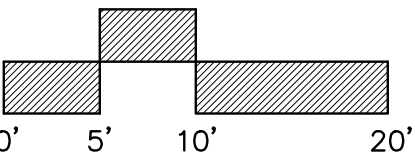
NOTARY PUBLIC _____

ADDRESS _____

CITY, STATE, ZIP CODE _____



NORTH



EXISTING ZONE NCL

NOTES:

GENERAL CONSTRUCTION NOTES #1 THROUGH #18, 20-39 AND 42-46 AS LISTED IN APPENDIX E-1 OF THE LARIMER COUNTY URBAN STREET STANDARDS SHALL APPLY AND BE FOLLOWED WITH THIS PROJECT.

THE CONSTRUCTION NOTES UNDER SUBSECTION STREET IMPROVEMENT NOTES IN APPENDIX E-2 AND TRAFFIC SIGNING, AND PAVEMENT MARKING CONSTRUCTION NOTES IN APPENDIX E-2 OF THE LARIMER COUNTY URBAN AREA STREET STANDARDS SHALL APPLY AND BE FOLLOWED WITH THIS PROJECT AS APPLICABLE.

DIRECTOR OF PLANNING

APPROVED BY THE DIRECTOR OF PLANNING OF THE CITY OF FORT COLLINS, COLORADO THIS _____ DAY OF _____ 20 _____

DIRECTOR OF PLANNING _____

GENERAL INFORMATION

LOT SIZE 14,250 S.F.
x.4 = 5,700 > 4,590

HOME = 3,192 S.F.
GARAGE = 598 S.F.

CARRIAGE HOUSE = 800 S.F.

Aubrey Carson
(970) 481-3366
carsondesign@comcast.net
413 Carmount
Fort Collins, CO 80525

OWNER **Karin Delkman**
DATE **3-5-13**
LOCATION **Carriage House
231 South Grant
Fort Collins, CO**

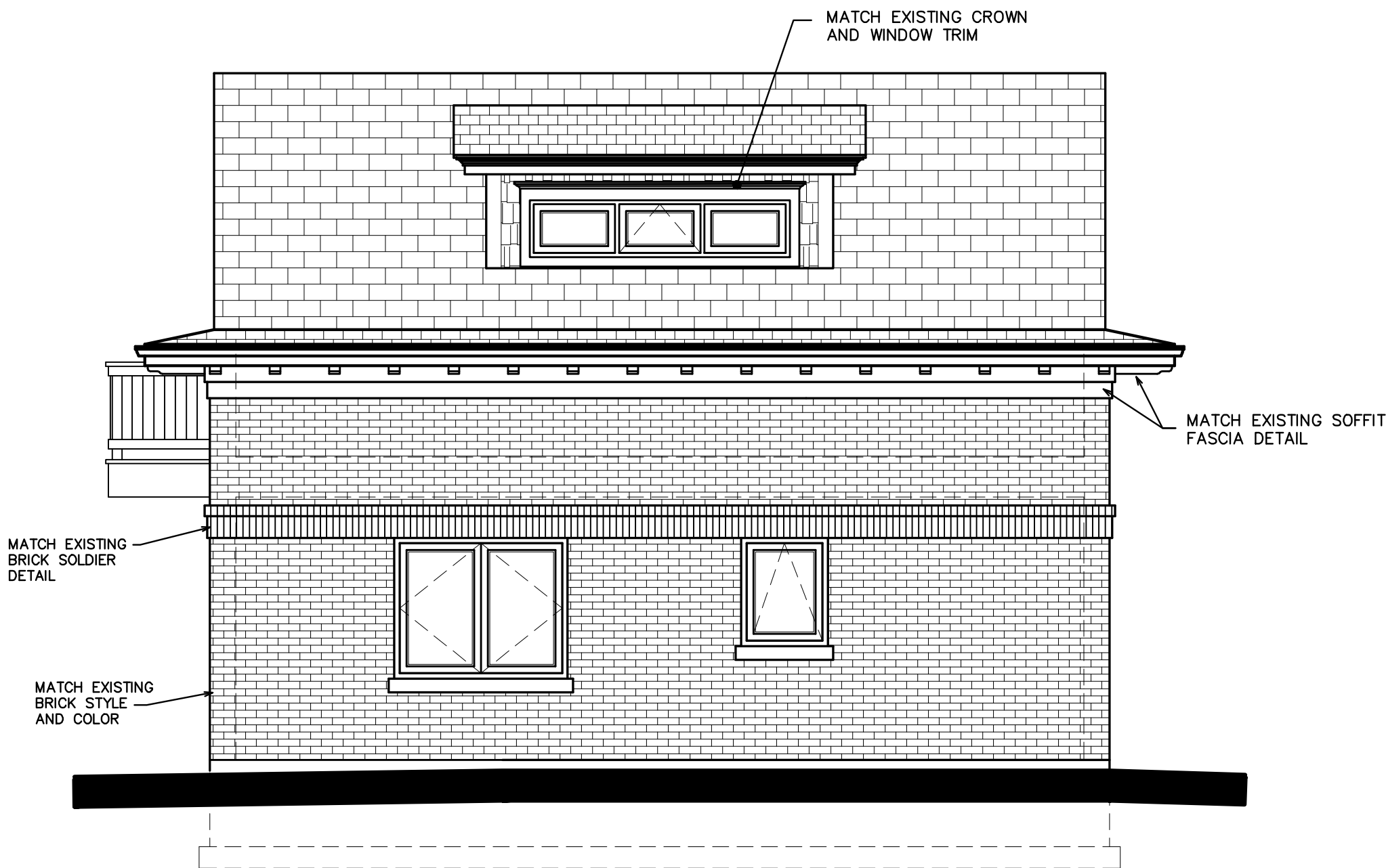
Carriage House * 231 South Grant Street

The South 25 Feet of Lot 13 and All of Lot 16, Block 289, Loomis

Addition of the City of Fort Collins



③ EAST ELEVATION
Scale 1/4" = 1'-0"



④ NORTH ELEVATION
Scale 1/4" = 1'-0"



① WEST ELEVATION
Scale 1/4" = 1'-0"



② SOUTH ELEVATION
Scale 1/4" = 1'-0"

OPTION A

ORDINANCE NO. 033, 2013
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING AMENDMENTS TO THE CITY OF FORT COLLINS
LAND USE CODE PERTAINING TO IMPLEMENTATION OF THE
EASTSIDE AND WESTSIDE NEIGHBORHOODS CHARACTER STUDY

WHEREAS, in 2010, City staff conducted an Eastside/Westside Neighborhood Study which resulted in an ordinance being approved by the City Council which was later repealed in response to a citizen petition; and

WHEREAS, in June 2011, City staff initiated a new Eastside/Westside Neighborhood Character Study (the “Study”) after receiving direction from City Council to take a fresh look at neighborhood compatibility and character issues in the neighborhoods near downtown; and

WHEREAS, the basis of the Study is to respond to continued concerns with respect to potential impacts of building additions and new construction in the City’s oldest neighborhoods; and

WHEREAS, the Study process included extensive public outreach and the consideration of the proposed Code changes arising from the Study by the Planning and Zoning Board, the Landmark Preservation Commission, the Zoning Board of Appeals and the Building Review Board; and

WHEREAS, the direction from the Study is to amend the Land Use Code in the following particulars:

1. Expand the existing notification distance for some Zoning Board of Appeals variance requests;
2. Revise the existing Floor Area Ratio (FAR) standards using a new formula to lower the largest allowable house sizes, and adjust the method for calculating allowable floor area;
3. Adjust the method for measuring the height of a new wall along a side lot line;
4. Incorporate a new solar access standard; and
5. Incorporate new design standards with a menu of options for front and side building façade features; and

WHEREAS, the City Council has determined that the proposed changes to the Land Use Code are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That Section 2.10.2(F) of the Land Use Code is hereby amended to read as follows:

(F) **Step 6** (Notice): Section 2.2.6(A) only applies, except that “5800 feet” shall be changed to “150 feet”, and for single-family houses in the NCL and NCM zone districts, eight hundred (800) feet shall be changed to five hundred (500) feet for variance requests for:

(a) Construction that results in a two (2) story house where a one (1) story house previously existed and where there is at least one (1) lot abutting the side of the subject lot and the house on such abutting lot is one (1) story; or

(b) Construction of a new house that is greater than two thousand five hundred (2,500) square feet; or

(c) Construction of an addition that results in a total square footage of more than three thousand (3,000) square feet;

and "14 days" shall be changed to "7 days," everywhere they occur in Section 2.2.6.(A). Section 2.2.6(B)-(D) shall not apply.

Section 2. That Section 4.7(D) of the Land Use Code is hereby amended to read as follows:

(D) **Land Use Standards.**

(1) ~~Density~~ **Required Lot Area.** Minimum lot area shall be equivalent to at least two and one half (2 1/2) times the total floor area of the building(s), but not be less than six thousand (6,000) 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 and 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 (7 1/2) 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) **Allowable Floor Area on Lots.**

(a) The allowable floor area shall be as follows:

- (1) On a lot of less than five thousand (5,000) square feet, the allowable floor area for single-family dwellings and buildings accessory to single-family dwellings shall not exceed forty (40) percent of the lot area.
 - (2) On a lot that is between five thousand (5,000) square feet and ten thousand (10,000) square feet, the allowable floor area for single-family dwellings and buildings accessory to single-family dwellings shall not exceed twenty (20) percent of the lot area plus, one thousand (1,000) square feet. On a lot that is between six thousand (6,000) square feet and ten thousand (10,000) square feet, an additional two hundred-fifty (250) square feet shall be added for a detached accessory structure.
 - (3) On a lot that is more than ten thousand (10,000) square feet, the allowable floor area for single-family dwellings and buildings accessory to single-family dwellings shall not exceed thirty (30) percent, plus two hundred-fifty (250) square feet for a detached accessory structure.
 - (4) The allowable floor area for buildings containing permitted uses other than single-family dwellings and buildings accessory to single-family dwellings shall not exceed forty (40) percent of the lot area.
- (b) For the purpose of calculating *allowable floor area*, one hundred (100) percent of the floor area of the following spaces and building elements shall be included:
- (1) The total floor area of all principal buildings as measured along the outside walls of such buildings and including each finished or unfinished floor level plus the total 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 (7-1/2) feet located within such accessory building on the lot.
 - (2) Basement floor areas where the exterior basement walls are exposed by more than three (3) feet above adjacent finished grade.
 - (3) Roofed porches, balconies and breezeways that are enclosed on more than two sides.
- (c) For the purpose of calculating *allowable floor area*, the floor area of the following spaces and building elements shall be counted at two hundred (200) percent:

High volume spaces on the first or second floor where the distance between the floor and the ceiling or roof rafters directly above is greater than fourteen (14) feet.

- (d) For the purpose of calculating *allowable floor area*, the floor area of the following spaces and building elements shall not be included:

The first two hundred and fifty (250) square feet of a detached accessory building, provided that it is located behind a street-fronting principal building and is separated from such principal building by at least ten (10) feet.

- (3) *Allowable Floor Area on Rear Half of Lots.* The allowable floor area on the rear half of a lot shall not exceed twenty five (25) percent of the area of the rear fifty (50) percent of the lot.

- (24) *Residential.* Any new single-family dwelling that is proposed to be located behind a street-fronting principal building shall contain a maximum of eight hundred (800) square feet of floor area unless such new single-family dwelling contains a two-car garage, in which case it shall contain a maximum of one thousand (1,000) square feet of floor area, including the garage. 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.

- (35) *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. 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 applicable 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 of 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.

- (46) *Accessory Buildings 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) *Floor Area Ratio (FAR).* Lots are subject to a maximum FAR of twenty five hundredths (0.25) on the rear fifty (50) percent of the lot as it existed on October 25, 1991. The lot area used as the basis for the FAR calculation shall be considered the minimum lot size within the zone district.~~

Section 3. That Section 4.7(E) of the Land Use Code is hereby amended to read as follows:

(E) ***Dimensional Standards.***

...

- (4) ***Minimum Side Yard and Maximum Wall Height.*** Minimum side yard width shall be five (5) feet for all interior side yards. Whenever any portion of a building wall or building along a side lot line exceeds eighteen (18) feet in height, as measured from the existing grade at the interior side lot line adjacent to the wall, such portion of the building 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 building wall or building height that exceeds eighteen (18) feet in height, except as provided in “a” below. 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 schools and places of worship shall be twenty-five (25) feet (for both interior and street sides).

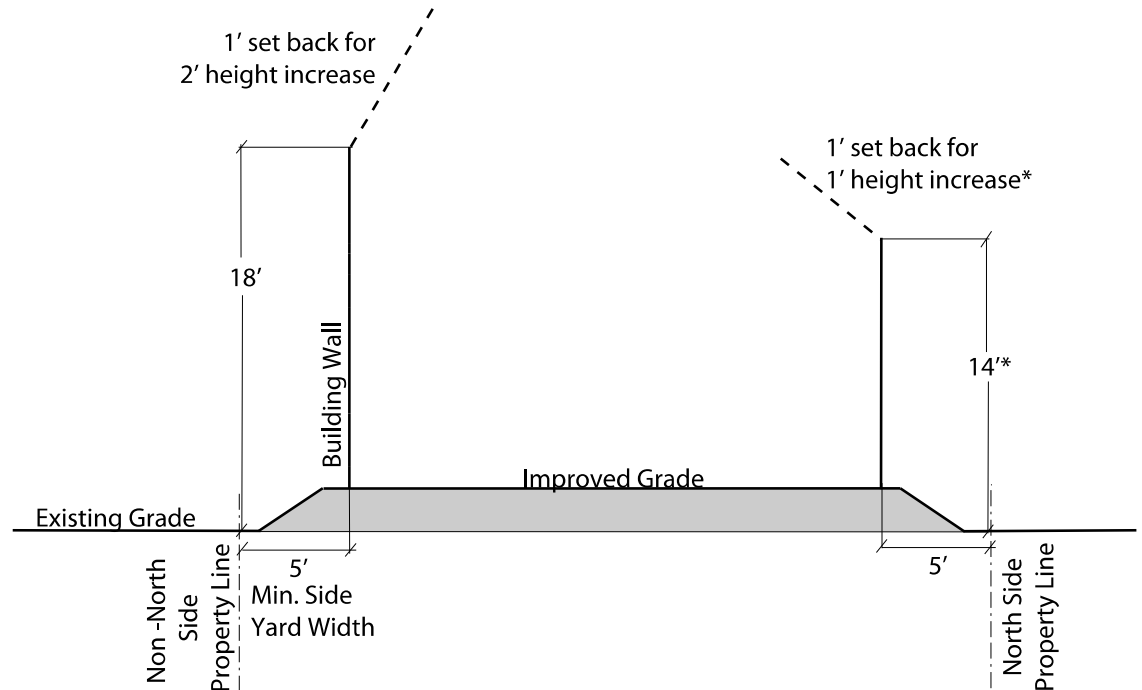
(a) ***Solar Access Setbacks.*** For building construction that results in:

1. a two (2) story house where a one (1) story house previously existed, or
2. a new house that is greater than two thousand five hundred (2,500) square feet, or
3. an addition that results in a total square footage of more than three thousand (3,000) square feet, and
4. construction on a lot where there is a lot abutting the north side of the subject lot and the house on such abutting lot is one (1) story,

building height shall be reduced to preserve solar access on adjacent lots such that whenever any portion of a north-facing side building wall that adjoins a lot to the north exceeds fourteen (14) feet in height, as measured from the existing grade at the interior side lot line adjacent to the wall, such portion of the building wall shall be set back from the interior side lot line an additional one (1) foot beyond the minimum required, for each one (1) foot, or fraction thereof, of building wall that exceeds fourteen (14) feet in height. For lots that are forty (40) feet or less in

width, the fourteen (14) foot starting height may be increased by one (1) foot for each one (1) foot of decreased lot width up to a maximum starting height of eighteen (18) feet.

Figure XX: Minimum Side Yard Width and Maximum Building Wall Height



*Applies only to north-facing building walls adjoining a property to the north for building construction that results in a two (2) story house where a one (1) story house previously existed, or when the construction is for a new house that is greater than two thousand five hundred (2,500) square feet, or for an addition that results in a total square footage of more than three thousand (3,000) square feet, and where there is a lot abutting the north side of the subject lot and the house on such abutting lot is one (1) story.

- (5) Maximum building height shall be two (2) stories, except in the case of carriage houses, and accessory buildings containing habitable space, which shall be a maximum of one and one-half (1-1/2) stories.

Section 4. That Section 4.7(F) of the Land Use Code is hereby amended to read as follows:

(F) *Development Standards.*

(1) *Building Design.*

...

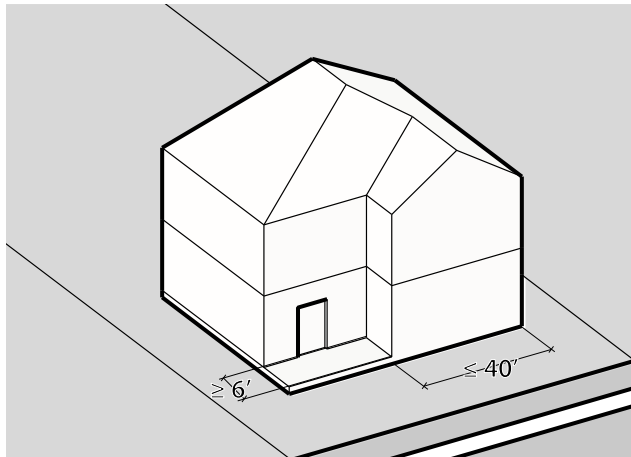
(h) *Front Façade Character.* When building construction results in:

1. a two (2) story house where a one (1) story house previously existed and where there is at least one (1) lot abutting the side of the subject lot and the house on such abutting lot is one (1) story, or
2. a new house that is greater than two thousand five hundred (2,500) square feet, or
3. a second-story addition that results in a total square footage of more than three thousand (3,000) square feet

at least one (1) front façade feature from the menu below shall be included to promote pedestrian orientation and compatibility with the character of the structures on the block face:

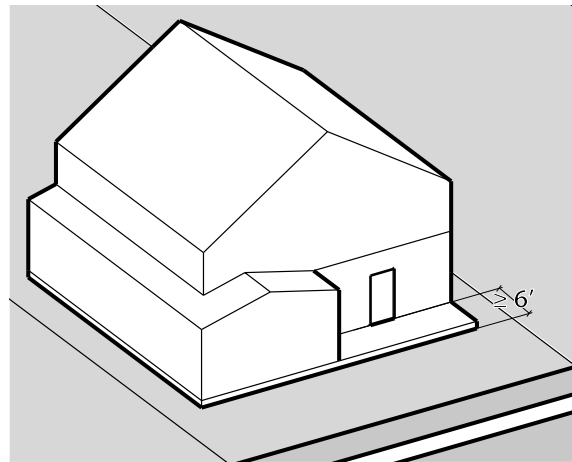
Figure XX: Menu of Design Options for Front Façade Character

Limited Two Story Façade



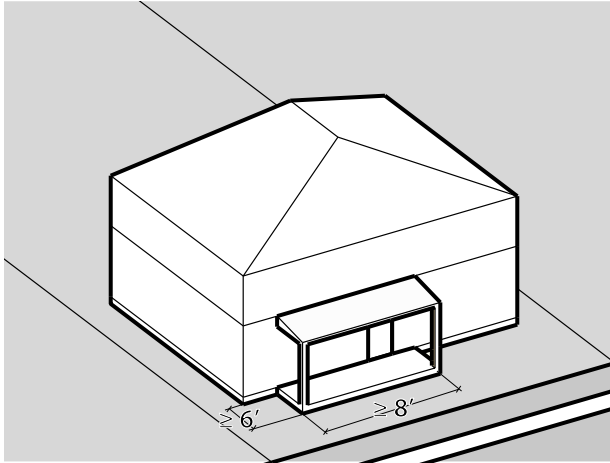
Two-story front-façade width is no more than 40', with any remaining two-story front façade set back an additional six (6) feet from the street.

One Story Element



The portion of the façade closest to the street is one-story, with any two-story façade set back an additional six (6) feet from the street.

Covered Entry Feature



A covered entry feature such as a front porch or stoop is located on the front façade. The feature shall have a minimum depth of at least six (6) feet. (as measured from the building façade to the posts and railings) and a minimum length of eight (8) feet.

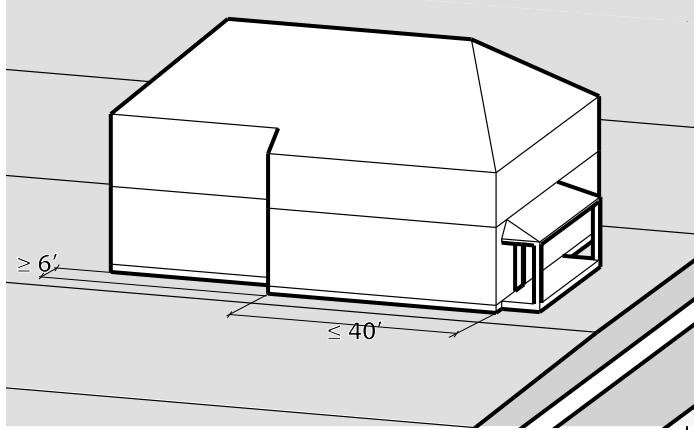
(i) *Side Façade Character.* When building construction results in:

1. a new house that is greater than two thousand five hundred (2,500) square feet, or
2. a second-story addition that results in a total square footage of more than three thousand (3,000) square feet

at least one (1) side façade feature from the menu below shall be included to address potential looming and privacy impacts on neighbors:

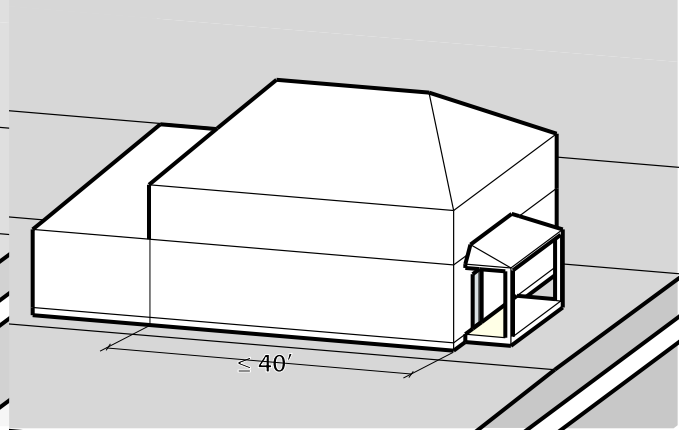
Figure XX: Menu of Design Options for Side Façade Character

Wall Offset



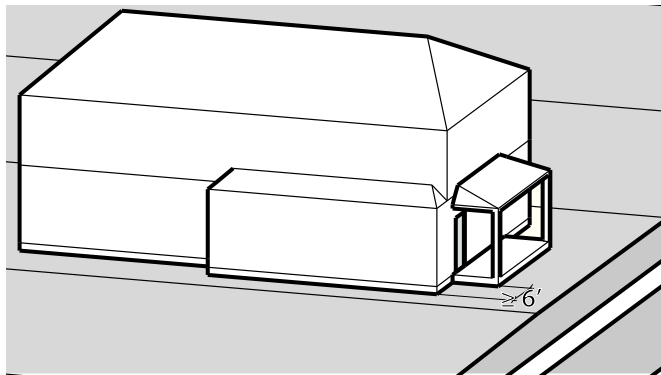
Two-story façade width at the minimum side yard is no more than forty (40) feet, with any remaining two-story façade set back an additional six (6) feet beyond the minimum required side yard.

Step Down in Height



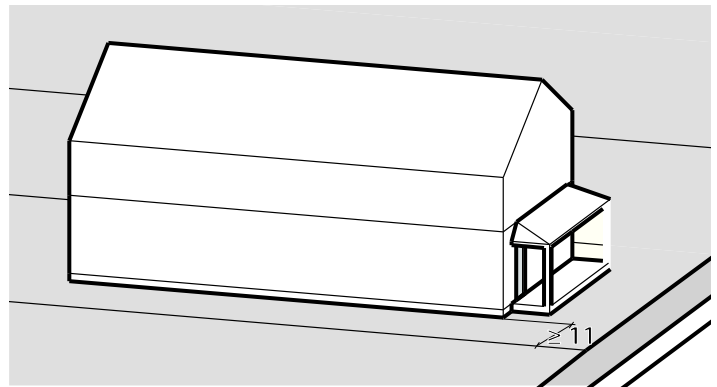
Two-story façade width at the minimum side yard is no more than forty (40) feet, with any remaining façade width at the minimum side yard reduced to one-story.

One Story Element



A one-story building element with a minimum depth of six (6) feet is located at the minimum side yard.

Additional Setback



Any two-story façade is set back an additional six (6) feet beyond the minimum required side yard.

...

Section 5. That Section 4.8(D) of the Land Use Code is hereby amended to read as follows:

(D) **Land Use Standards.**

- (1) **Density/Intensity of Development** **Required Lot Area.** Minimum lot area shall be equivalent to at least two (2) times the total floor area of the building(s), but not be less than the following: five thousand (5,000) square feet for a single-family or

two-family dwelling and six thousand (6,000) square feet for all other uses. ~~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 and 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 (7 1/2) 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) *Allowable Floor Area on Lots.*

(a) The allowable floor area shall be as follows:

(1) On a lot of less than four thousand (4,000) square feet, the allowable floor area for single-family dwellings and buildings accessory to single-family dwellings shall not exceed fifty (50) percent of the lot area.

(2) On a lot that is between four thousand (4,000) square feet and ten thousand (10,000) square feet, the allowable floor area for single-family dwellings and buildings accessory to single-family dwellings shall not exceed twenty-five (25) percent of the lot area plus one thousand (1,000) square feet. On a lot that is between six thousand (6,000) square feet and ten thousand (10,000) square feet, an additional two hundred-fifty (250) square feet shall be added for a detached accessory structure.

(3) On a lot that is more than ten thousand (10,000) square feet, the allowable floor area for single-family dwellings and buildings accessory to single-family dwellings shall not exceed thirty-five (35) percent of the lot area, plus two hundred-fifty (250) square feet for a detached accessory structure.

(4) The allowable floor area for buildings containing permitted uses other than single-family dwellings and buildings accessory to single-family dwellings shall not exceed forty (40) percent of the lot area.

(b) For the purpose of calculating *allowable floor area*, one hundred (100) percent of the floor area of the following spaces and building elements shall be included:

(1) The total floor area of all principal buildings as measured along the outside walls of such buildings and including each finished or unfinished floor level plus the total 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 (7-1/2) feet located within such accessory building located on the lot.

(2) Basement floor areas where the exterior basement walls are exposed by more than three (3) feet above adjacent finished grade.

(3) Roofed porches, balconies and breezeways that are enclosed on more than two (2) sides.

(c) For the purpose of calculating *allowable floor area*, the floor area of the following spaces and building elements shall be counted at two hundred (200) percent:

High volume spaces on the first or second floor where the distance between the floor and the ceiling or roof rafters directly above is greater than fourteen (14) feet.

(d) For the purpose of calculating *allowable floor area*, the floor area of the following spaces and building elements shall not be included:

The first two hundred and fifty (250) square feet of a detached accessory building, provided that it is located behind a street-fronting principal building and is separated from such principal building by at least ten (10) feet

(3) *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.

(24) *Residential.* Any new single-family dwelling that is proposed to be located behind a street-fronting principal building shall contain a maximum of eight hundred (800) square feet of floor area unless such new single-family dwelling contains a two-car garage, in which case it shall contain a maximum of one thousand (1,000) square feet of floor area, including the garage. 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.

(35) *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. 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 applicable 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 of 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.

(46) *Accessory Buildings 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) *Floor Area Ratio (FAR).* Lots are subject to a maximum FAR of twenty-five hundredths (0.25) on the rear fifty (50) percent of the lot as it existed on October 25, 1991. The lot area used as the basis for the FAR calculation shall be considered the minimum lot size within the zone district.~~

Section 6. That Section 4.8(E) of the Land Use Code is hereby amended to read as follows:

(E) *Dimensional Standards*

...

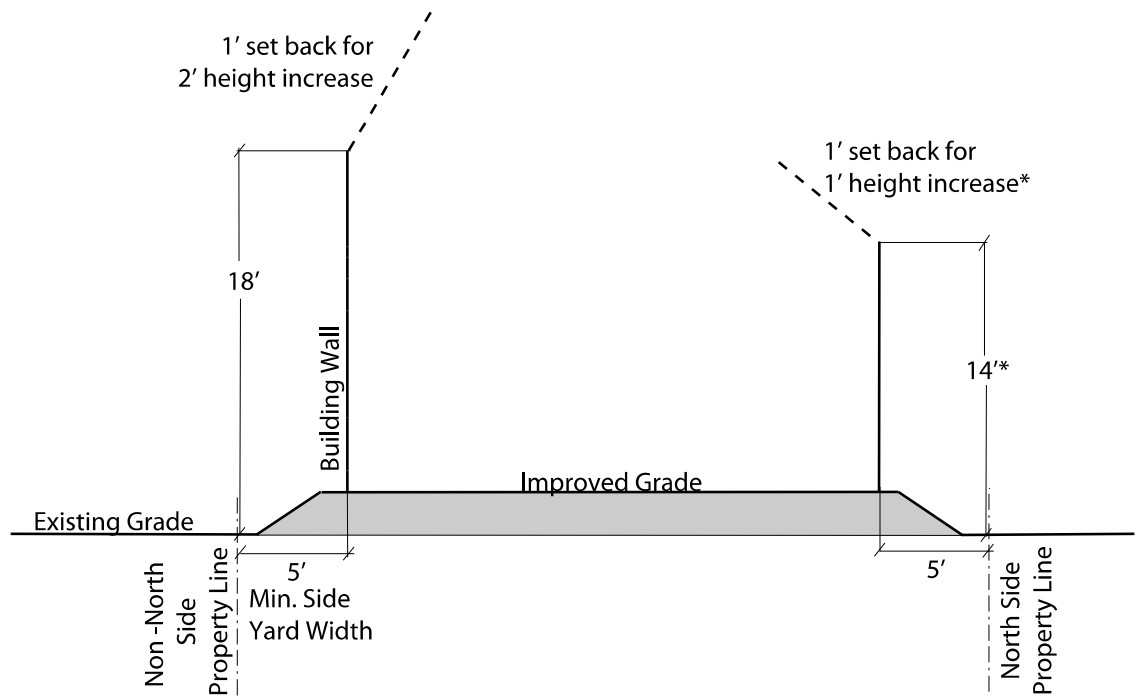
(4) *Minimum Side Yard and Maximum Wall Height.* Minimum side yard width shall be five (5) feet for all interior side yards. Whenever any portion of a building wall or building along a side lot line exceeds eighteen (18) feet in height, as measured from the natural grade at the interior side lot line adjacent to the wall, such portion of the building 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 building wall or building height that exceeds eighteen (18) feet in height, except as provided for in "a" below. 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 schools and places of worship shall be twenty-five (25) feet (for both interior and street sides).

(a) *Solar Access Setbacks.* For building construction that results in:

1. a two (2) story house where a one (1) story house previously existed, or
2. a new house that is greater than two thousand five hundred (2,500) square feet, or
3. an addition that results in a total square footage of more than three thousand (3,000) square feet, and
4. construction on a lot where there is a lot abutting the north side of the subject lot and the house on such abutting lot is one (1) story

building height shall be reduced to preserve solar access on adjacent lots such that whenever any portion of a north-facing side building wall that adjoins a lot to the north exceeds fourteen (14) feet in height, as measured from the existing grade at the interior side lot line adjacent to the wall, such portion of the building wall shall be set back from the interior side lot line an additional one (1) foot beyond the minimum required, for each one (1) foot, or fraction thereof, of building wall that exceeds fourteen (14) feet in height. For lots that are forty (40) feet or less in width, the fourteen (14) foot starting height may be increased by one (1) foot for each one (1) foot of decreased lot width up to a maximum starting height of eighteen (18) feet.

Figure XX: Minimum Side Yard Width and Maximum Building Wall Height



*Applies only to north-facing building walls adjoining a property to the north for building construction that results in a two (2) story where a one (1) story previously existed, or when the construction is for a new house that is greater than two thousand five hundred (2,500) square feet, or for an addition that results in a total square footage of more than three thousand (3,000) square feet, and where there is a lot abutting the north side of the subject lot and the house on such abutting lot is one (1) story.

- (5) Maximum building height shall be two (2) stories, except in the case of carriage houses, and accessory buildings containing habitable space, which shall be a maximum of one and one-half (1 1/2) stories.

Section 7. That Section 4.8(F) of the Land Use Code is hereby amended to read as follows:

(F) ***Development Standards***

(1) ***Building Design.***

...

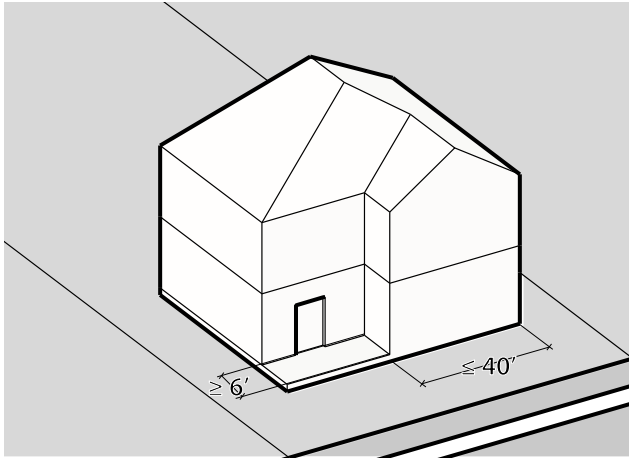
(h) ***Front Façade Character.*** When building construction results in:

1. a two (2) story house where a one (1) story house previously existed and where there is an abutting house on either side that is one (1) story, or
2. a new house that is greater than two thousand five hundred (2,500) square feet, or
3. a second-story addition that results in a total square footage of more than three thousand (3,000) square feet

at least one (1) front façade feature from the menu below shall be included to promote pedestrian orientation and compatibility with the character of structures on the block face:

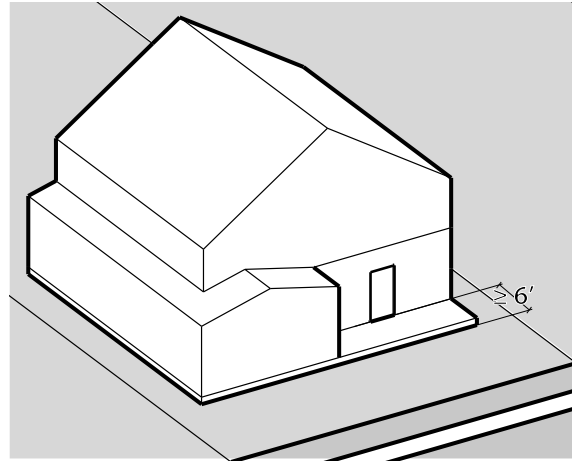
Figure XX: Menu of Design Options for Front Façade Character

Limited Two Story Façade



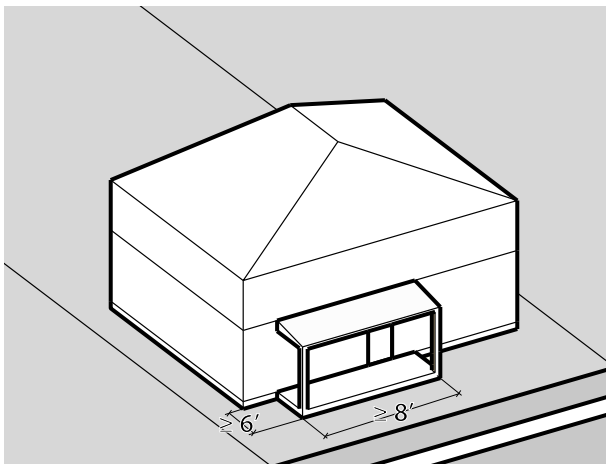
Two-story front-façade width is no more than 40', with any remaining two-story front façade set back an additional six (6) feet from the street.

One Story Element



The portion of the façade closest to the street is one-story, with any two-story façade set back an additional six (6) feet from the street.

Covered Entry Feature



A covered entry feature such as a front porch or stoop is located on the front façade. The feature shall have a minimum depth of at least six (6) feet (as measured from the building façade to the posts and railings) and a minimum length of eight (8) feet.

(i) *Side Façade Character.* When building construction results in:

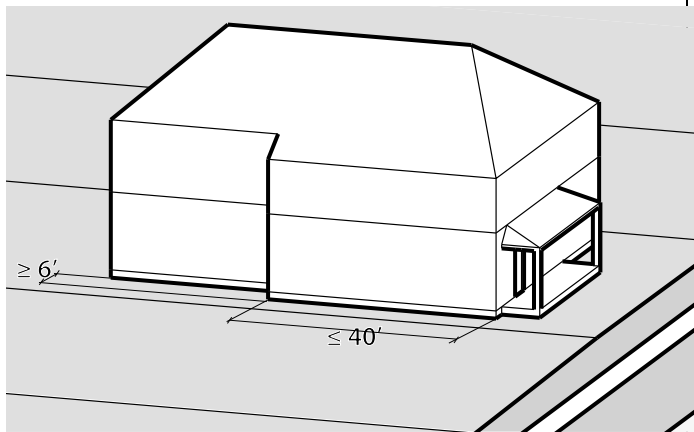
1. a new house that is greater than two thousand five hundred (2,500) square feet, or

2. a second-story addition that results in a total square footage of more than three thousand (3,000) square feet

at least one (1) side façade feature from the menu below shall be included to address potential looming and privacy impacts on neighbors:

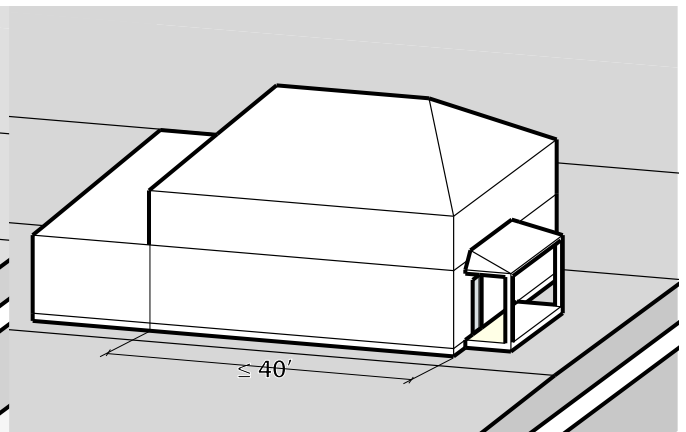
Figure XX: Menu of Design Options for Side Façade Character

Wall Offset



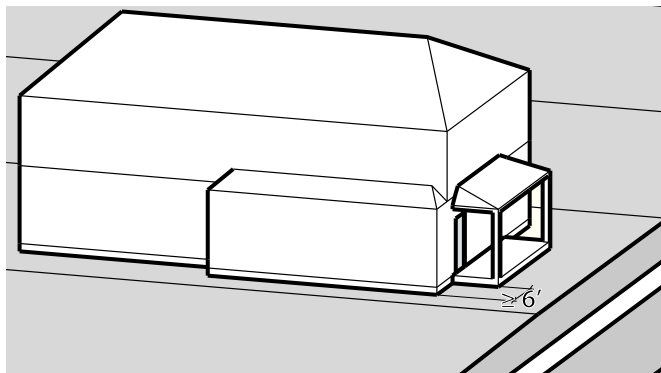
Two-story façade width at the minimum side yard is no more than forty (40) feet, with any remaining two-story façade set back an additional six (6) feet beyond the minimum required side yard.

Step Down in Height



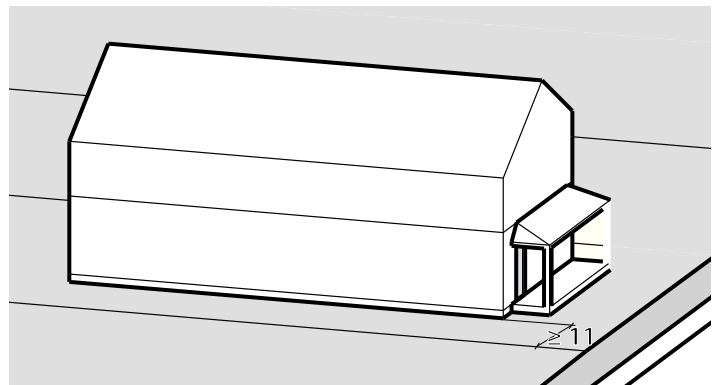
Two-story façade width at the minimum side yard is no more than forty (40) feet, with any remaining façade width at the minimum side yard reduced to one-story.

One Story Element



A one-story building element with a minimum depth of six (6) feet is located at the minimum side yard.

Additional Setback



Any two-story façade is set back an additional six (6) feet beyond the minimum required side yard.

Introduced, considered favorably on first reading, and ordered published this 19th day of February, A.D. 2013, and to be presented for final passage on the 5th day of March, A.D. 2013.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 5th day of March, A.D. 2013.

Mayor

ATTEST:

City Clerk