



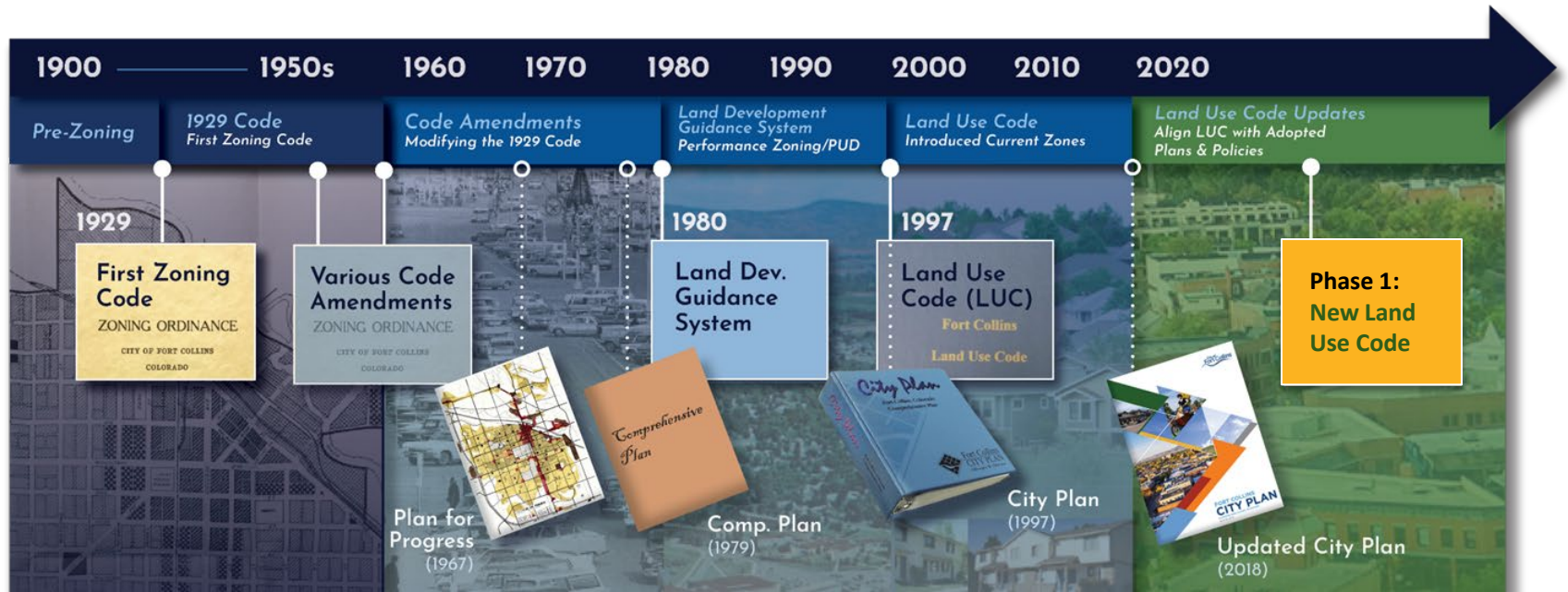
## Land Use Code: Foundational Update

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March 21, 2024

# An Evolving City

Our City's past and future evolution is summarized below in three eras distinguished by different growth patterns that resulted from our evolving city planning priorities and policies, regulatory systems, and transportation modes.



# Purpose of the Land Use Code Updates:

To Align the LUC with Adopted City Plans and Policies with a focus on:

- Housing-related Changes
- Code Organization
- Equity



# FIVE GUIDING PRINCIPLES

Revisions to the code will continue to support the five guiding principles confirmed by City Council in November 2021 with an emphasis on Equity.

1. *Increase overall housing capacity* (market rate and affordable) and calibrate market-feasible incentives for deed restricted affordable housing
2. *Enable more affordability* especially near high frequency transit and growth areas
3. *Allow for more diverse housing choices* that fit in with the existing context
4. *Make the code easier to use* and understand
5. *Improve predictability* of the development permit review process, especially for housing

### **Work Stream #1 (Immediate Next Step):**

- Direct staff to bring forward a draft Land Use Code that removes controversial items
- Achieves reorganization, clarification and deed restricted affordable housing improvements
- Will require direction from Council on items to remove or revise
- Anticipated timeline:
  - Feb/March: Planning and Zoning Commission Hearing and Recommendation
  - March/April: City Council First Reading
  - April/May: City Council Second Reading

**Work Stream #2 (For Council Consideration):** Further consideration of items removed from draft Land Use Code (e.g., revision, referral to ballot, or other)

### **Work Stream #3 (For Council Consideration):**

- **Phase II:** Consider **ALL** remaining priorities for Land Use Code update (e.g., commercial zoning and TOD, xeric-landscaping, tree standards)
- Direct staff to develop a proposed scope, engagement strategy and timeline



# Foundational Changes

## ***Foundational Land Use Code Changes***

- Reorganize content so the most used information is first in the Code
- Reformat zone districts with consistent graphics, tables, and illustrations
- Consolidate form standards in new *Article 3 – Building Types*
- Consolidate use standards into table in new *Article 4 – Use Standards*
- Update definitions and rules of measurement for consistency
- Expand and re-calibrate incentives for affordable housing
- Rename some zones and create subdistricts to consolidate standards
- Create a menu of building types and form standards to guide compatibility
- Update use standards, rules of measurement, and definitions to align with new building types and standards
- Regulate building size through maximum floor area and form standards instead of units per building
- Regulate density through form standards and building types instead of dwelling units per acre

## Items for Council Discussion

### ***Potential revisions for RL and UE:***

- 1 Remove Accessory Dwelling Unit (ADU) as a permitted housing type

### ***Potential revisions for NCL/OT-A:***

- 2 Remove duplex as a permitted housing type
- 3 Maintain current lot size for residential units
- 4 Remove affordable housing incentive of additional housing types (apartment, rowhouse, cottage court)

### ***Potential revisions for NCM/OT-B:***

- 5 Maintain current 4 unit maximum for multi-unit building
- 6 Maintain current lot size for residential units
- 7 Remove affordable housing incentive of additional density (+1 unit)

### ***Potential revisions for HOAs:***

- 8 Remove language prohibiting HOAs from regulating the number and/or type of dwelling units permitted on a lot
- 9 Remove language prohibiting HOAs from regulating the ability to subdivide property



	Currently allowed	Changes adopted in October 2023	Potential revisions for RL
<b>Housing Types</b>	<b>Single-unit detached house</b>	Add Accessory Dwelling Unit (ADU)	<p>To maintain the RL zone as it is today:</p> <ol style="list-style-type: none"> <li>Remove ADU as an allowable housing type in RL</li> </ol>
<b>Max Density</b>	<b>1 dwelling unit per lot</b>	Increase to 2 dwelling units per lot (detached house + ADU only)	
<b>Lot Size</b>	<b>6,000 sq feet minimum AND 3 times the total floor area, whichever is greater</b>		
<b>Maximum Height</b>	<b>28 feet for residential buildings</b>		
<b>Other</b>		Additional ADU Policies	

	Currently allowed	Changes adopted in October 2023	Potential revisions for RL
<b>Housing Types</b>	Single-unit detached house	<b>Add Accessory Dwelling Unit (ADU)</b>	<p>To maintain the RL zone as it is today:</p> <ol style="list-style-type: none"> <li>Remove ADU as an allowable housing type in RL</li> </ol>
<b>Max Density</b>	1 dwelling unit per lot	<b>Increase to 2 dwelling units per lot (detached house + ADU only)</b>	
<b>Lot Size</b>	6,000 sq feet minimum <i>AND</i> 3 times the total floor area, whichever is greater		
<b>Maximum Height</b>	28 feet for residential buildings		
<b>Other</b>		<b>Additional ADU Policies</b>	

	Currently allowed	Changes adopted in October 2023	Potential Revisions for RL
<b>Housing Types</b>	Single-unit detached house	Add Accessory Dwelling Unit (ADU)	<p><b>To maintain the RL zone as it is today:</b></p> <ol style="list-style-type: none"> <li>1. Remove ADU as an allowable housing type in RL</li> </ol>
<b>Max Density</b>	1 dwelling unit per lot	Increase to 2 dwelling units per lot (detached house + ADU only)	
<b>Lot Size</b>	6,000 sq feet minimum <i>AND</i> 3 times the total floor area, whichever is greater		
<b>Maximum Height</b>	28 feet for residential buildings		
<b>Other</b>		Additional ADU Policies	


## 2023 Adopted and Repealed

**ARTICLE 2 - ZONE DISTRICTS**

SECTION 2.1.4

**RL - Low Density Residential District**

**EXISTING CONDITIONS**



**BUILDING TYPES**

The following building types are permitted in the RL District:

BUILDING TYPES	# OF UNITS*	LOT AREA
Detached House (Urban & Suburban)	1 max.	6000 ft <sup>2</sup> min.
ADU	1 max.	N/A
Detached Accessory Structure	See Section 3.18	

\*The total number of units shall not exceed two (2) on a lot.

\*\*See Integrate with existing structure requirements in Article 7.

\*\*\*Existing or planned high frequency transit pursuant to the adopted Transit Master Plan.

Refer to [Building Types, Article 3](#), and [Use Standards Article 4](#) for specific definitions.

2-5 - ARTICLE 2: ZONE DISTRICTS - FORT COLLINS LAND USE CODE


## Foundational Change

**ARTICLE 2 - ZONE DISTRICTS**

SECTION 2.1.4

**RL - Low Density Residential District**

**EXISTING CONDITIONS**



**BUILDING TYPES**

The following building types are permitted in the RL District:

BUILDING TYPES	# OF UNITS*	LOT AREA
Detached House (Urban & Suburban)	1 max.	6000 ft <sup>2</sup> min.
Detached Accessory Structure	See Section 3.18	

\*The total number of units shall not exceed one (1) on a lot.

Refer to [Building Types, Article 3](#) and [Use Standards Article 4](#) for specific definitions.

2-5 - ARTICLE 2: ZONE DISTRICTS - FORT COLLINS LAND USE CODE

## 2023 Adopted and Repealed

## Foundational Change

### SECTION 2.1.2

## UE

### Urban Estate District

#### PURPOSE

The Urban Estate District is intended to be a setting for a predominance of low-density and large-lot housing. The main purposes of this District are to acknowledge the presence of the many existing subdivisions which have developed in these uses which function as parts of the community and to provide additional locations for similar development, typically in transitional locations between more intense urban development and rural or open lands.

#### DEVELOPMENT STANDARDS

##### LOT SIZE

Lot Area (Except Residential Cluster)	21,780 ft <sup>2</sup> (1/2 Acre) min.]
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##### LOT WIDTH

Single-Unit Dwelling	100' min.
Single-Unit Dwelling (Subdivided before 1997)	60' min.

##### RESIDENTIAL CLUSTER

Sites in the Urban Estate District may be developed as a Residential Cluster according to the Residential Cluster Building Type standards established in Section 3.110. In a cluster development, lot sizes and widths may be reduced in order to cluster the dwellings together on a portion of the property, with the remainder of the property permanently preserved as public or private open space.

#### BUILDING TYPES

The following building types are permitted in the UE District:

- Detached House (Urban & Suburban)
- Duplex
- Residential Cluster
- Detached Accessory Structure
- Accessory Dwelling Unit

##### SETBACKS\*

Front Setback	30' min.
Front Setback (Subdivided before 1997)	20' min.
Rear Setback	25' min.
Rear Setback (Subdivided before 1997)	15' min.
Side Setback	20' min.
Side Setback (Subdivided before 1997)	5' min.

\* For Residential Cluster development, see Building Types.

##### BUILDING HEIGHT

Single-Unit Dwelling	3 Stories max.
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### SECTION 2.1.2

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#### DEVELOPMENT STANDARDS

##### LOT SIZE

Lot Area (Except Residential Cluster)	21,780 ft <sup>2</sup> (1/2 Acre) min.
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##### LOT WIDTH

Single-Unit Dwelling	100' min.
Single-Unit Dwelling (Subdivided before 1997)	60' min.

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- Detached House (Urban & Suburban)
- Duplex
- Residential Cluster
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##### SETBACKS\*

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Rear Setback (Subdivided before 1997)	15' min.
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Side Setback (Subdivided before 1997)	5' min.

\* For Residential Cluster development, see Building Types.

##### BUILDING HEIGHT

Single-Unit Dwelling	3 Stories max.
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	Currently allowed	Changes adopted in October 2023	Potential revisions for NCL/OT-A
<b>Housing Types</b>	<ul style="list-style-type: none"> <li>• <b>Single-unit detached house</b></li> <li>• <b>carriage house</b></li> </ul>	<ul style="list-style-type: none"> <li>• Add duplex</li> <li>• expand where ADUs are permitted</li> <li>• permit 3-unit apartment rowhouse, and cottage court for affordable housing only</li> </ul>	<p><b>To maintain the NCL zone as it is today:</b></p> <ol style="list-style-type: none"> <li>2. Remove duplex as a permitted housing type</li> <li>3. Maintain current lot size for residential units</li> <li>4. Remove affordable housing incentive of additional housing types (apartment, rowhouse, cottage court)</li> </ol>
<b>Max Density</b>	<b>2 dwelling units (single-family home, + carriage house)</b>	3 units per lot	
<b>Lot Size</b>	<b>6,000 sq. feet minimum; 12,000 sq. feet minimum for carriage house (10% of NCL lots)</b>	4,500 sf; 6,000 sf for 3-unit apartment/rowhouse, 9,000 sf for 3-unit cottage court	
<b>Maximum Height</b>	<b>2 stories; 1.5 stories for carriage house or building at the rear of the lot</b>	28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley	
<b>Other</b>		Additional ADU Policies	

	Currently allowed	Changes adopted in October 2023	Potential revisions for NCL/OT-A
<b>Housing Types</b>	<ul style="list-style-type: none"> <li>• Single-unit detached house</li> <li>• carriage house</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Add duplex</b></li> <li>• <b>expand where ADUs are permitted</b></li> <li>• <b>permit 3-unit apartment rowhouse, and cottage court for affordable housing only</b></li> </ul>	<p>To maintain the NCL zone as it is today:</p> <ol style="list-style-type: none"> <li>2. Remove duplex as a permitted housing type</li> <li>3. Maintain current lot size for residential units</li> <li>4. Remove affordable housing incentive of additional housing types (apartment, rowhouse, cottage court)</li> </ol>
<b>Max Density</b>	2 dwelling units (single-family home, + carriage house)	<b>3 units per lot</b>	
<b>Lot Size</b>	6,000 sq. feet minimum; 12,000 sq. feet minimum for carriage house (10% of NCL lots)	<b>4,500 sf; 6,000 sf for 3-unit apartment/rowhouse, 9,000 sf for 3-unit cottage court</b>	
<b>Maximum Height</b>	2 stories; 1.5 stories for carriage house or building at the rear of the lot	<b>28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley</b>	
<b>Other</b>		<b>Additional ADU Policies</b>	

	Currently allowed	Changes adopted in October 2023	Potential Revisions for NCL/OT-A
<b>Housing Types</b>	<ul style="list-style-type: none"> <li>• Single-unit detached house</li> <li>• carriage house</li> </ul>	<ul style="list-style-type: none"> <li>• Add duplex</li> <li>• expand where ADUs are permitted</li> <li>• permit 3-unit apartment rowhouse, and cottage court for affordable housing only</li> </ul>	<p><b>To maintain the NCL zone as it is today:</b></p> <ol style="list-style-type: none"> <li>2. Remove duplex as a permitted housing type</li> <li>3. Maintain current lot size for residential units</li> <li>4. Remove affordable housing incentive of additional housing types (apartment, rowhouse, cottage court)</li> </ol>
<b>Max Density</b>	2 dwelling units (single-family home, + carriage house)	3 units per lot	
<b>Lot Size</b>	6,000 sq. feet minimum; 12,000 sq. feet minimum for carriage house (10% of NCL lots)	4,500 sf; 6,000 sf for 3-unit apartment/rowhouse, 9,000 sf for 3-unit cottage court	
<b>Maximum Height</b>	2 stories; 1.5 stories for carriage house or building at the rear of the lot	28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley	
<b>Other</b>		Additional ADU Policies	



## 2023 Adopted and Repealed

SECTION 2.1.6

### OT-A

#### Old Town District, Low

**PURPOSE**

The Old Town District, Low (OT-A) subdistrict allows single-unit and accessory dwellings.



**BUILDING TYPES**

The following building types are permitted in the OT-A subdistrict:

BUILDING TYPES	UNITS *	LOT AREA	FLOOR AREA	ADDITIONAL SITE REQUIREMENT
Detached House (Urban & Suburban)	1 max.	4500 ft <sup>2</sup> min.	2,400 ft <sup>2</sup> max.	N/A
Duplex	2 max.	4500 ft <sup>2</sup> min. or 6000ft <sup>2</sup> min. with an ADU	40% of lot area max.	N/A
Triplex	3 max.	6000 ft <sup>2</sup> min.	40% of lot area max.	<p><b>MUST MEET ONE OF THE FOLLOWING TWO REQUIREMENTS</b></p> <p>Integrates existing structure**</p> <p>Affordable Housing Development</p>
Cottage Court	3 max.	9000 ft <sup>2</sup> min.	See Section 3.1.3	Affordable Housing Development
ADU	1 max.	N/A	See Section 3.1.9	Accessory to either a Duplex or Detached House
Detached Accessory Structure		See Section 3.1.8		N/A

\*The total number of units shall not exceed three (3) on a lot.

\*\*See integrate with existing structure requirements in Article 7.

Refer to [Building Types Article 3](#) and [Use Standards Article 4](#) for specific definitions.

## Foundational Change

SECTION 2.1.6

### OT-A

#### Old Town District, Low

**PURPOSE**

The Old Town District, Low (OT-A) subdistrict has a predominance of single-unit dwellings, complementary accessory dwellings and uses, and supportive neighborhood uses.



**BUILDING TYPES**

The following building types are permitted in the OT-A subdistrict:

BUILDING TYPES	UNITS *	LOT AREA	FLOOR AREA	ADDITIONAL SITE REQUIREMENT
Detached House (Urban & Suburban)	1 max.	6,000 ft <sup>2</sup> min.	2,400 ft <sup>2</sup> max.	N/A
ADU (Detached Only)	1 max.	12,000 ft <sup>2</sup> min.	See Section 3.1.9	Located behind a Detached House
Detached Accessory Structure		See Section 3.1.8		N/A

\*The total number of units shall not exceed two (2) on a lot.

Refer to [Building Types Article 3](#) and [Use Standards Article 4](#) for specific definitions.

## OT-A Building Types

### BUILDING TYPES

The following building types are permitted in the OT-A subdistrict:

BUILDING TYPES	UNITS *	LOT AREA	FLOOR AREA	ADDITIONAL SITE REQUIREMENT
Detached House (Urban & Suburban)	1 max.	6,000 ft <sup>2</sup> min.	2,400 ft <sup>2</sup> max.	N/A
ADU (Detached Only)	1 max.	12,000 ft <sup>2</sup> min.	See Section 3.1.9	Located behind a Detached House
Detached Accessory Structure	See Section 3.1.8			N/A

\*The total number of units shall not exceed two (2) on a lot.

Refer to [Building Types Article 3](#) and [Use Standards Article 4](#) for specific definitions.

	Currently allowed	Changes adopted in October 2023	Potential revisions for NCM/OT-B
<b>Housing Types</b>	<ul style="list-style-type: none"> <li>• Single-unit detached house</li> <li>• carriage house</li> <li>• multi-unit up to 4 units (e.g. duplex, triplex, fourplex)</li> </ul>	Allow up to 5 units in multi-unit buildings	<p>To maintain the NCM zone as it is today:</p> <ol style="list-style-type: none"> <li>5. Maintain current 4 unit maximum for multi-unit building</li> <li>6. Maintain current lot size for residential units</li> <li>7. Remove affordable housing incentive of additional density (+1 unit)</li> </ol>
<b>Max Density</b>	Up to 4 units	6 units per lot	
<b>Lot Size</b>	5,000 sf for single-unit detached house; 6,000 sf for multi-unit buildings up to 4 units; 10,000 sf for carriage house	4,500 sf; 6,000 sf for 4-unit apartment/rowhouse, 9,000 sf for 3-6 unit cottage court	
<b>Maximum Height</b>	2 stories, 24 ft for carriage house or building at the rear of the lot	28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley	
<b>Other</b>		Additional ADU Policies	

	Currently allowed	Changes adopted in October 2023	Potential revisions for NCM
<b>Housing Types</b>	<ul style="list-style-type: none"> <li>Single-unit detached house</li> <li>carriage house</li> <li>multi-unit up to 4 units (e.g. duplex, triplex, fourplex)</li> </ul>	<b>Allow up to 5 units in multi-unit buildings</b>	To maintain the NCM zone as it is today:
<b>Max Density</b>	Up to 4 units	<b>6 units per lot</b>	5. Maintain current 4 unit maximum for multi-unit building
<b>Lot Size</b>	5,000 sf for single-unit detached house; 6,000 sf for multi-unit buildings up to 4 units; 10,000 sf for carriage house	<b>4,500 sf; 6,000 sf for 4-unit apartment/rowhouse, 9,000 sf for 3-6 unit cottage court</b>	6. Maintain current lot size for residential units
<b>Maximum Height</b>	2 stories, 24 ft for carriage house or building at the rear of the lot	<b>28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley</b>	7. Remove affordable housing incentive of additional density (+1 unit)
<b>Other</b>		<b>Additional ADU Policies</b>	

	Currently allowed	Changes adopted in October 2023	Potential Revisions for NCM
<b>Housing Types</b>	<ul style="list-style-type: none"> <li>Single-unit detached house</li> <li>carriage house</li> <li>multi-unit up to 4 units (e.g. duplex, triplex, fourplex)</li> </ul>	Allow up to 5 units in multi-unit buildings	<p><b>To maintain the NCM zone as it is today:</b></p> <ol style="list-style-type: none"> <li>Maintain current 4 unit maximum for multi-unit building</li> <li>Maintain current lot size for residential units</li> <li>Remove affordable housing incentive of additional density (+1 unit)</li> </ol>
<b>Max Density</b>	Up to 4 units	6 units per lot	
<b>Lot Size</b>	5,000 sf for single-unit detached house; 6,000 sf for multi-unit buildings up to 4 units; 10,000 sf for carriage house	4,500 sf; 6,000 sf for 4-unit apartment/rowhouse, 9,000 sf for 3-6 unit cottage court	
<b>Maximum Height</b>	2 stories, 24 ft for carriage house or building at the rear of the lot	28 ft; 24 feet for ADU; 15 ft for detached ADU with no alley	
<b>Other</b>		Additional ADU Policies	

## 2023 Adopted and Repealed

ARTICLE 2 - ZONE DISTRICTS

SECTION 2.1.6

### OT-B

#### Old Town District, Medium

**PURPOSE**

The Old Town District, Medium (OT-B) subdistrict is intended to preserve the character of areas that have a predominance of developed single-unit and low- to medium-density multi-unit housing and have been given this designation in accordance with an adopted subarea plan.



**BUILDING TYPES**

The following building types are permitted in the OT-B subdistrict:

BUILDING TYPES	UNITS*	LOT AREA	FLOOR AREA	ADDITIONAL SITE REQUIREMENT
Detached House (Urban & Suburban)	1 max.	4500 ft <sup>2</sup> min.	2,400 ft <sup>2</sup> max.	N/A
Duplex	2 max.	4500 ft <sup>2</sup> min.	40% of lot area max.	N/A
Triplex	3 max.	4500 ft <sup>2</sup> min.	70% of lot area max.	N/A
Apartment Building	4 max.	6000 ft <sup>2</sup> min.	85% of lot area max.	N/A
	5 max.			Integrates existing structure**
	6 max.	6000 ft <sup>2</sup> min.	85% of lot area max.	<b>MUST MEET BOTH OF THE BELOW REQUIREMENTS</b>  Integrates existing structure* Affordable Housing Development
Rowhouse	2-3 max.	4500 ft <sup>2</sup> min.	40% of lot area max.	Affordable Housing Development
	4 max.	6000 ft <sup>2</sup> min.	70% of lot area max.	
	5 max.	7500 ft <sup>2</sup> min.	70% of lot area max.	
Cottage Court	3 min. 6 max.	9000 ft <sup>2</sup> min.	See Section 3.13	N/A
ADU	1 max.	N/A	See Section 3.19	Only allowed with a Detached House, Duplex, or Cottage Court
Detached Accessory Structure		See Section 3.18		N/A

\*The total number of units shall not exceed six (6) units on a lot.

\*\*See integrate with existing structure requirements in Article 7.

Refer to [Building Types Article 3 and Use Standards Article 4](#) for specific definitions.

## Foundational Change

ARTICLE 2 - ZONE DISTRICTS

SECTION 2.1.6

### OT-B

#### Old Town District, Medium

**PURPOSE**

The Old Town District, Medium (OT-B) subdistrict is intended to preserve the character of areas that have a predominance of developed single-unit and low- to medium-density multi-unit housing and have been given this designation in accordance with an adopted subarea plan.



**BUILDING TYPES**

The following building types are permitted in the OT-B subdistrict:

BUILDING TYPES	UNITS*	LOT AREA	FLOOR AREA	ADDITIONAL SITE REQUIREMENT
Detached House (Urban & Suburban)	1 max.	5,000 ft <sup>2</sup> min.	2,400 ft <sup>2</sup> max.	N/A
Duplex	2 max.	5,000 ft <sup>2</sup> min.	40% of lot area max.	N/A
Triplex	3 max.	6,000 ft <sup>2</sup> min.	70% of lot area max.	N/A
Apartment Building	4 max.	6,000 ft <sup>2</sup> min.	85% of lot area max.	N/A
ADU (Detached Only)	1 max.	10,000 ft <sup>2</sup> min.	See Section 3.19	Located behind either a Detached House, Duplex, or Triplex
Detached Accessory Structure		See Section 3.18		

\*The total number of units shall not exceed four (4) units on a lot.

Refer to [Building Types Article 3 and Use Standards Article 4](#) for specific definitions.

## OT-B Building Types

### BUILDING TYPES

The following building types are permitted in the OT-B subdistrict:

BUILDING TYPES	UNITS*	LOT AREA	FLOOR AREA	ADDITIONAL SITE REQUIREMENT
Detached House (Urban & Suburban)	1 max.	5,000 ft <sup>2</sup> min.	2,400 ft <sup>2</sup> max.	N/A
Duplex	2 max.	5,000 ft <sup>2</sup> min.	40% of lot area max.	N/A
Triplex	3 max.	6,000 ft <sup>2</sup> min.	70% of lot area max.	N/A
Apartment Building	4 max.	6,000 ft <sup>2</sup> min.	85% of lot area max.	N/A
ADU (Detached Only)	1 max.	10,000 ft <sup>2</sup> min.	See Section 3.1.9	Located behind either a Detached House, Duplex, or Triplex
Detached Accessory Structure	See Section 3.1.8			

\*The total number of units shall not exceed four (4) units on a lot.

Refer to [Building Types Article 3](#) and [Use Standards Article 4](#) for specific definitions.

## 2023 Adopted and Repealed

## Foundational Change

ARTICLE 3 - BUILDING TYPES

SECTION 3.1.2

### Apartment Building

DESCRIPTION

An apartment building is a residential building that has three (3) or more housing units. Apartment buildings are typically medium to large in size because the units are placed side-by-side and/or stacked vertically. Apartment buildings have a variety of architectural styles but are usually at least 2 stories tall and have common entries that face the street.

ZONE DISTRICTS

The following Zone Districts allow Apartment building:

- LMN • CCR
- MMN • CG
- HMN • D
- OT-B • HC
- OT-C • CS
- NC • CL
- CC • E
- CCN • Overlay Districts

BUILDING TYPE EXAMPLES



3-5 - ARTICLE 3 - BUILDING TYPES - FORT COLLINS LAND USE CODE

ARTICLE 3 - BUILDING TYPES

SECTION 3.1.2

### Apartment Building

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An apartment building is a residential building that has three (3) or more housing units. Apartment buildings are typically medium to large in size because the units are placed side-by-side and/or stacked vertically. Apartment buildings have a variety of architectural styles but are usually at least 2 stories tall and have common entries that face the street.

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- CCN • E
- Overlay Districts

BUILDING TYPE EXAMPLES



3-5 - ARTICLE 3 - BUILDING TYPES - FORT COLLINS LAND USE CODE



## 2023 Adopted and Repealed

ARTICLE 3 - BUILDING TYPES

SECTION 3.1.3

### Cottage Court

DESCRIPTION

Cottage Court complexes are a grouping of residential units that are organized around a shared courtyard accessible to all residents. Some cottages face the street while others face towards the courtyard. The cottages are usually smaller in scale with friendly architectural styles that provide a neighborhood feel, such as porches or stoops for each residential unit.

ZONE DISTRICTS

The following Zone Districts allow cottage court building types:

- LMN
- MMN
- OT
- HC
- E
- D
- Overlay Districts

BUILDING TYPE EXAMPLES



All Photos Courtesy of Ross Design Architects

## Foundational Change

ARTICLE 3 - BUILDING TYPES

SECTION 3.1.3

### Cottage Court

DESCRIPTION

Cottage Court complexes are a grouping of residential units that are organized around a shared courtyard accessible to all residents. Some cottages face the street while others face towards the courtyard. The cottages are usually smaller in scale with friendly architectural styles that provide a neighborhood feel, such as porches or stoops for each residential unit.

ZONE DISTRICTS

The following Zone Districts allow cottage court building types:

- OT-C
- LMN
- MMN
- HC
- E
- D
- Overlay Districts

Only when part of a Residential Cluster:

- UE
- RUL
- RF

BUILDING TYPE EXAMPLES



All Photos Courtesy of Ross Design Architects

## 2023 Adopted and Repealed

### ARTICLE 3 - BUILDING TYPES

#### SECTION 3.1.4

## Rowhouse

#### BUILDING STANDARDS

A rowhouse consists of 2-8 residential units that are placed side-by-side and share walls. Rowhouses are typically narrow and 2-3.5 stories tall, with each home having its own entrance that usually faces the street. It is common for homes in rowhouses to have porches and some may have an attached or detached garage behind each unit.

#### ZONE DISTRICTS

The following Zone Districts allow Rowhouse building types:

- UE
- LMN
- MMN
- HMN
- OT-B
- NC
- D
- CC
- CCN
- CCR
- CG
- CS
- CL
- HC
- E

#### BUILDING TYPE EXAMPLES



Photo: Home Builders

CC Archited

## Foundational Change

### ARTICLE 3 - BUILDING TYPES

#### SECTION 3.1.4

## Rowhouse

#### BUILDING STANDARDS

A rowhouse consists of 2-8 residential units that are placed side-by-side and share walls. Rowhouses are typically narrow and 2-3.5 stories tall, with each home having its own entrance that usually faces the street. It is common for homes in rowhouses to have porches and some may have an attached or detached garage behind each unit.

#### ZONE DISTRICTS

The following Zone Districts allow Rowhouse building types:

- LMN
- MMN
- HMN
- OT-C
- NC
- D
- CC
- CCN
- CCR
- CG
- CS
- CL
- HC
- E

Only when part of a Residential Cluster:

- UE
- RUL
- RF

#### BUILDING TYPE EXAMPLES



Photo: Home Builders

CC Archited

## 2023 Adopted and Repealed

### ARTICLE 3 - BUILDING TYPES

#### SECTION 3.1.5

## Duplex

#### DESCRIPTION

A duplex consists of one building with two (2) side-by-side residential units that both face the street or two (2) units that are stacked vertically. A duplex is commonly 1.5 to 2 stories and usually features porches, stoops, and pitched roofs, so it can look like a medium to large detached house and fit in well with single-unit neighborhoods. Other types of duplexes may not face the street, such as over-the-garage duplexes or basement duplexes.

#### ZONE DISTRICTS

The following Zone Districts allow Duplex building types:

- LMN
- MMN
- OT
- NC
- CC
- CCN
- CCR
- CG
- CS
- CL
- HC
- E

#### BUILDING TYPE EXAMPLES



## Foundational Change

### ARTICLE 3 - BUILDING TYPES

#### SECTION 3.1.5

## Duplex

#### DESCRIPTION

A duplex consists of one building with two (2) side-by-side residential units that both face the street or two (2) units that are stacked vertically. A duplex is commonly 1.5 to 2 stories and usually features porches, stoops, and pitched roofs, so it can look like a medium to large detached house and fit in well with single-unit neighborhoods. Other types of duplexes may not face the street, such as over-the-garage duplexes or basement duplexes.

#### ZONE DISTRICTS

The following Zone Districts allow Duplex building types:

- LMN
- MMN
- OT-B
- OT-C
- UE
- NC
- CC
- CCN
- CCR
- CG
- CS
- CL
- HC
- E

Only when part of a Residential Cluster:

- RUL
- RF

#### BUILDING TYPE EXAMPLES



## 2023 Adopted and Repealed

### ARTICLE 3 - BUILDING TYPES

#### SECTION 3.1.9

#### BUILDING TYPE:

### Accessory Dwelling Unit (ADU)

#### DESCRIPTION

- Full living amenities
- Accessory to a Duplex or Detached House
- New construction or built within an existing detached accessory building
- Min & Max. square footage
- Subordinate to and complements the primary dwelling (architecture, building materials)
- ADUs may come in one of two varieties:
  - Detached
  - Attached

#### ZONE DISTRICTS

Allowed in all zone districts where there is an existing:

- detached house;
- duplex; or
- non-residential use operating in a detached house.

#### BUILDING TYPE EXAMPLES



Top Photo: Hammer & Hand, Designed by Poliphron Architects & Design and Interiors. Bottom Photo: Studio Shed

Photo: Ben Thies for Ben Quik & Sons

## Foundational Change

### ARTICLE 3 - BUILDING TYPES

#### SECTION 3.1.9

#### BUILDING TYPE:

### Accessory Dwelling Unit (ADU)

#### DESCRIPTION

- Full living amenities
- Accessory to a Duplex or Detached House
- New construction or built within an existing detached accessory building
- Min & Max. square footage
- Subordinate to and complements the primary dwelling (architecture, building materials)
- ADUs may come in one of two varieties:
  - Detached
  - Attached

#### ZONE DISTRICTS

Only Allowed where there is an existing:

- detached house;
- duplex; triplex; or
- non-residential use operating in a detached house.

- |       |       |       |
|-------|-------|-------|
| • OT  | • CS  | • D   |
| • CC  | • CL  | • HC  |
| • CCN | • LMN | • E   |
| • CCR | • MMN | • I   |
| • CG  | • HMN | • RC  |
|       | • NC  | • LMN |

Only when part of a Residential Cluster:

- RUL
- RF

#### BUILDING TYPE EXAMPLES



Top Photo: Hammer & Hand, Designed by Poliphron Architects & Design and Interiors. Bottom Photo: Studio Shed

Photo: Ben Thies for Ben Quik & Sons

## 2023 Adopted and Repealed

## Foundational Change

**ARTICLE 4 - USE STANDARDS**

RESIDENTIAL USES	RESIDENTIAL DISTRICTS						MIXED-USE DISTRICTS						COMMERCIAL DISTRICTS						DOWNTOWN DISTRICTS						UNDEVELOPED/OUTSTANDING PLANS															
	RUL	UE	RF	RL	OT-A	MH	UN	MNH	OT-A	OT-C	CC	CCN	CCR	CCB	CCS	CCX	CL	CL1	CL2	CL3	CL4	CL5	CCM	UR	UR1	UR2	UR3	UR4	U	U1	U2	U3	U4	U5	U6	U7	U8	U9	U10	U11
Single Unit Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Single Unit Attached Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Two Unit Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Multi-Unit Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mixed-Use Dwelling Units	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Accessory Dwelling Unit	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Short Term Primary Rentals	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Family & Senior Homes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Family Support	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Health	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Manufactured Housing Community	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Group Homes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Special Use Areas of Interest/Ordinance	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Regardless of the level of review indicated in the Residential Uses table above all affordable housing developments shall be reviewed through Basic Development Review (BDR).

Basic Development Review   
 Type 1 (Administrative Review)   
 Type 2 (Planning and Zoning Commission)   
 Additional Use Standards  
 Minor Amendment   
 Building Permit   
 License

4.1 ARTICLE 4 - CITY OF FORT COLLINS - LAND USE CODE

**ARTICLE 4 - USE STANDARDS**

RESIDENTIAL USES	RESIDENTIAL DISTRICTS						MIXED-USE DISTRICTS						COMMERCIAL DISTRICTS						DOWNTOWN DISTRICTS						UNDEVELOPED/OUTSTANDING PLANS																
	RUL	UE	RF	RL	OT-A	MH	UN	MNH	OT-A	OT-C	CC	CCN	CCR	CCB	CCS	CCX	CL	CL1	CL2	CL3	CL4	CL5	CCM	UR	UR1	UR2	UR3	UR4	U	U1	U2	U3	U4	U5	U6	U7	U8	U9	U10	U11	
Single Unit Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Single Unit Attached Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Two Unit Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Multi-Unit Dwelling	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mixed-Use Dwelling Units	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Accessory Dwelling Unit	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Short Term Primary Rentals	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Family & Senior Homes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Family Support	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Health	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Manufactured Housing Community	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Group Homes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Special Use Areas of Interest/Ordinance	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Regardless of the level of review indicated in the Residential Uses table above all affordable housing developments shall be reviewed through Basic Development Review (BDR).

Basic Development Review   
 Type 1 (Administrative Review)   
 Type 2 (Planning and Zoning Commission)   
 Additional Use Standards  
 Minor Amendment   
 Building Permit   
 License

4.1 ARTICLE 4 - CITY OF FORT COLLINS - LAND USE CODE

RESIDENTIAL USES	RESIDENTIAL DISTRICTS					
	RUL	UE	RF	RL	OT-A	MH
Single Unit Dwelling	✓	✓	✓	✓	✓	✓
Single Unit Attached Dwelling	✓	✓	✓			
Two Unit Dwelling	✓	✓	✓			
Multi-Unit Dwelling						
Mixed-Use Dwelling Units						
Accessory Dwelling Unit	✓		✓		✓	
Short Term Primary Rentals		✓				

	Currently LUC HOA Regulations	Changes adopted in October 2023	Potential revisions
<b>Cannot Prohibit or Limit</b>	<ul style="list-style-type: none"> <li>• xeric landscaping</li> <li>• solar/photovoltaic collectors on roofs</li> <li>• clothes lines in back yards</li> <li>• odor-controlled compost bins</li> </ul>	<ul style="list-style-type: none"> <li>• the number and/or type of dwelling units permitted on a lot when that number and/or type of dwelling unit(s) would otherwise be permitted</li> <li>• the ability to subdivide property when that subdivision would otherwise be permitted</li> </ul>	<p>To maintain HOA standards as they are today:</p> <p>8. Remove language prohibiting HOAs from regulating the number and/or type of dwelling units permitted on a lot</p> <p>9. Remove language prohibiting HOAs from regulating the ability to subdivide property</p>
<b>Cannot Require</b>	<b>Turf grass yards/lots</b>	No change	
<b>Can Regulate</b>	<b>external aesthetics including (but not limited to) site placement/ setbacks, color, window placement, height, and materials</b>	Added: if ADU is internal or detached	

	Currently LUC HOA Regulations	Changes adopted in October 2023	Potential revisions
<b>Cannot Prohibit or Limit</b>	<ul style="list-style-type: none"> <li>• xeric landscaping</li> <li>• solar/photovoltaic collectors on roofs</li> <li>• clothes lines in back yards</li> <li>• odor-controlled compost bins</li> </ul>	<ul style="list-style-type: none"> <li>• <b>the number and/or type of dwelling units permitted on a lot when that number and/or type of dwelling unit(s) would otherwise be permitted</b></li> <li>• <b>the ability to subdivide property when that subdivision would otherwise be permitted</b></li> </ul>	<p>To maintain HOA standards as they are today:</p> <p>8. Remove language prohibiting HOAs from regulating the number and/or type of dwelling units permitted on a lot</p>
<b>Cannot Require</b>	Turf grass yards/lots	<b>No change</b>	
<b>Can Regulate</b>	external aesthetics including (but not limited to) site placement/ setbacks, color, window placement, height, and materials	<b>Added: if ADU is internal or detached</b>	<p>9. Remove language prohibiting HOAs from regulating the ability to subdivide property</p>

	Currently LUC HOA Regulations	Changes adopted in October 2023	Potential Revisions
<b>Cannot Prohibit or Limit</b>	<ul style="list-style-type: none"> <li>• xeric landscaping</li> <li>• solar/photovoltaic collectors on roofs</li> <li>• clothes lines in back yards</li> <li>• odor-controlled compost bins</li> </ul>	<ul style="list-style-type: none"> <li>• the number and/or type of dwelling units permitted on a lot when that number and/or type of dwelling unit(s) would otherwise be permitted</li> <li>• the ability to subdivide property when that subdivision would otherwise be permitted</li> </ul>	<p><b>To maintain HOA standards as they are today:</b></p> <p>8. Remove language prohibiting HOAs from regulating the number and/or type of dwelling units permitted on a lot</p> <p>9. Remove language prohibiting HOAs from regulating the ability to subdivide property</p>
<b>Cannot Require</b>	Turf grass yards/lots	No change	
<b>Can Regulate</b>	external aesthetics including (but not limited to) site placement/ setbacks, color, window placement, height, and materials	Added: if ADU is internal or detached	



## 2023 Adopted and Repealed

### ARTICLE 1 – GENERAL PURPOSE and PROVISIONS

#### DIVISION 1.3 LEGAL

##### 1.3.1 RELATIONSHIP TO CODE OF THE CITY

This Land Use Code, although not a numbered Chapter of the Code of the City, is adopted by reference in Chapter 29 of the Code of the City and made part thereof, with the same legal significance as though it were a numbered Chapter. This Land Use Code may be used, as applicable, to support the implementation of the Code of the City; and the Code of the City may be used, as applicable, to support the implementation of this Land Use Code. Particularly, but without limitation, the provisions of Chapter 1 of the Code of the City are incorporated into this Land Use Code by reference.

##### 1.3.2 CONFLICT BETWEEN LAND USE CODE STANDARDS AND CONFLICT WITH OTHER LAWS

(A) In the event of a conflict between a standard or requirement contained in Articles 2, 3, or 4 and a standard or requirement in Article 5, the standard or requirement in Article 2, 3, or 4 shall prevail to the extent of the conflict. In the event there is a conflict between standards or requirements contained in Article 2, 3, or 4, the more specific standard or requirement shall prevail to the extent of the conflict. If neither standard or requirement is more specific, the more stringent standard or requirement shall prevail to the extent of the conflict.

(B) In the event of conflicts not addressed in (A), if the provisions of this Land Use Code are internally conflicting or if they conflict with any other statute, code, local ordinance, resolution, regulation or other applicable Federal, State, or local law, the more specific standard, limitation or requirement shall govern or prevail to the extent of the conflict. If neither standard is more specific, then the more stringent standard, limitation or requirement shall govern or prevail to the extent of the conflict.

##### 1.3.3 CONFLICTS WITH PRIVATE HOUSING COVENANTS

No person shall create, cause to be created, enforce or seek to enforce any provision contained in any contract or restrictive covenant that prohibits or has the effect of prohibiting the number and/or type of dwelling units permitted on a lot when such number and/or type of dwelling unit(s) would otherwise be permitted by the City's zoning regulations. A Homeowner's Association may enforce private covenants which reasonably regulate external aesthetics including, but not limited to, site placement/setbacks, color, window placement, height, and materials with the intent of furthering compatibility with the existing neighborhood.

No person shall create, cause to be created, enforce or seek to enforce any provision contained in any contract or restrictive covenant that prohibits or has the effect of prohibiting subdivision of property when such subdivision would otherwise be permitted by the City's zoning regulations.

##### 1.3.4 SEVERABILITY

It is the legislative intent of the City Council in adopting this Land Use Code that all provisions hereof shall be liberally construed to protect and preserve the peace, health, safety and general welfare of the inhabitants of the City. It is the further intent of the City Council that this Land Use Code shall stand, notwithstanding the invalidity of any part thereof, and that should any provision of this Land Use Code be held to be unconstitutional or invalid by a court or tribunal of competent jurisdiction, such holding shall not be construed as affecting the validity of any of the remaining provisions.

## Foundational Change

### ARTICLE 1 – GENERAL PURPOSE and PROVISIONS

#### DIVISION 1.3 LEGAL

##### 1.3.1 RELATIONSHIP TO CODE OF THE CITY

This Land Use Code, although not a numbered Chapter of the Code of the City, is adopted by reference in Chapter 29 of the Code of the City and made part thereof, with the same legal significance as though it were a numbered Chapter. This Land Use Code may be used, as applicable, to support the implementation of the Code of the City; and the Code of the City may be used, as applicable, to support the implementation of this Land Use Code. Particularly, but without limitation, the provisions of Chapter 1 of the Code of the City are incorporated into this Land Use Code by reference.

##### 1.3.2 CONFLICT BETWEEN LAND USE CODE STANDARDS AND CONFLICT WITH OTHER LAWS

(A) In the event of a conflict between a standard or requirement contained in Articles 2, 3, or 4 a standard or requirement in Article 5, the standard or requirement in Article 2, 3, or 4 shall prevail to the extent of the conflict. In the event there is a conflict between standards or requirements contained in Article 2, 3, or 4, the more specific standard or requirement shall prevail to the extent of the conflict. If neither standard or requirement is more specific, the more stringent standard or requirement shall prevail to the extent of the conflict.

(B) In the event of conflicts not addressed in (A), if the provisions of this Land Use Code are internally conflicting or if they conflict with any other statute, code, local ordinance, resolution, regulation or other applicable Federal, State, or local law, the more specific standard, limitation, or requirement shall govern or prevail to the extent of the conflict. If neither standard is more specific, then the more stringent standard, limitation or requirement shall govern or prevail to the extent of the conflict.

##### 1.3.3 SEVERABILITY

It is the legislative intent of the City Council in adopting this Land Use Code that all provisions hereof shall be liberally construed to protect and preserve the peace, health, safety and general welfare of the inhabitants of the City, it is the further intent of the City Council that this Land Use Code shall stand, notwithstanding the invalidity of any part thereof, and that should any provision of this Land Use Code be held to be unconstitutional or invalid by a court or tribunal of competent jurisdiction, such holding shall not be construed as affecting the validity of any of the remaining provisions.

## Items for Council Discussion

### ***Potential revisions for RL and UE:***

- 1 Remove Accessory Dwelling Unit (ADU) as a permitted housing type

### ***Potential revisions for NCL/OT-A:***

- 2 Remove duplex as a permitted housing type
- 3 Maintain current lot size for residential units
- 4 Remove affordable housing incentive of additional housing types (apartment, rowhouse, cottage court)

### ***Potential revisions for NCM/OT-B:***

- 5 Maintain current 4 unit maximum for multi-unit building
- 6 Maintain current lot size for residential units
- 7 Remove affordable housing incentive of additional density (+1 unit)

### ***Potential revisions for HOAs:***

- 8 Remove language prohibiting HOAs from regulating the number and/or type of dwelling units permitted on a lot
- 9 Remove language prohibiting HOAs from regulating the ability to subdivide property

