

ORDINANCE NO. 081, 2024
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 AMENDING THE LAND USE CODE OF THE CITY OF FORT COLLINS
 TO REMOVE RESIDENTIAL OCCUPANCY LIMITATIONS

A. Pursuant to Ordinance 055, 2024, Council adopted the revised Land Use Code by reference which went into effect on May 27, 2024.

B. The Land Use Code contains certain residential occupancy limits based upon familial relationships.

C. Colorado House Bill 24-1007, effective July 1, 2024, prohibits the City from limiting who may live together in a single dwelling based on familial relationship.

D. In order for the City to comply with House Bill 24-1007, the existing Land Use Code residential occupancy limits based upon familial relationships must be amended as set forth in this Ordinance.

E. On June 20, 2024, the Planning and Zoning Commission on a unanimous/ __ to __ voted to/not to recommend that Council adopt the proposed changes set forth in this Ordinance.

F. Concurrently by separate ordinance, City Code references to residential occupancy limits based upon familial relationships are also being amended.

G. This Ordinance amends the Land Use Code which was adopted by reference in Ordinance 055, 2024. However, the amendments contained in this Ordinance are set forth in their entirety herein, rather than adopted by reference.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.4, RL - Low Density Residential District, DEVELOPMENT STANDARDS, BUILDING ENVELOPE, Building Height Table is hereby amended to read as follows:

BUILDING HEIGHT	
Single-Unit Dwelling, Group Home, or Child-Care Center	28' max. F
All Other Uses	3 Stories max.

Section 2. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.1, LMN – Low Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, BUILDING MASS & SCALE, BUILDING MASS table, Variation in Massing is hereby amended to read as follows:

...

Variation in Massing includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single – or two-family unit dwellings.

...

Section 3. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.2, MMN – Medium Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, BUILDING MASS & SCALE, BUILDING MASS table, Variation in Massing is hereby amended as follows:

...

Variation in Massing includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single – or two-family unit dwellings.

...

Section 4. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.3, HMN – High Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, BUILDING MASS & SCALE, Building Mass table, Variation in Massing is hereby amended to read as follows:

...

Variation in Massing includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single – or two-family unit dwellings.

...

Section 5. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.4, NC – Neighborhood Commercial District, DEVELOPMENT STANDARDS, BLOCK STRUCTURE is hereby amended to read as follows:

...

BLOCK STRUCTURE

Each development within this District shall be developed as a series of complete blocks bounded by public or private streets (see Section 5.3.2(E) for Multi-Family Unit Block Requirements). Natural areas, irrigation ditches, high-voltage power lines, operating railroad tracks and other similar substantial physical features may form up to two (2) sides of a block.

...

Section 6. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.3 COMMERCIAL DISTRICTS, Section 2.3.1, CC - Community Commercial District, DEVELOPMENT STANDARDS, BLOCK STRUCTURE is hereby amended as follows:

...

BLOCK STRUCTURE

Each Community Commercial District and each development within this District shall be developed as a series of complete blocks bounded by public or private streets (see Section 5.3.2(E) for Multi-Family Unit Block Requirements). Natural areas, irrigation ditches, high-voltage power lines, operating railroad tracks and other similar substantial physical features may form up to two (2) sides of a block.

...

Section 7. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.3 COMMERCIAL DISTRICTS, Section 2.3.6, CL - Limited Commercial District, DEVELOPMENT STANDARDS, BUILDING STANDARDS, Variation in Massing is hereby amended as follows:

...

Variation in Massing includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single- or two-family unit dwellings

Section 8. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.2 Apartment Building, MASSING is hereby amended as follows:

- Dividing large façades and walls into human-scaled proportions similar to the adjacent single- or two-family unit dwellings shall not have repetitive, monotonous undifferentiated wall planes.

Section 9. ARTICLE 4 USE STANDARDS, DIVISION 4.2 TABLE OF PRIMARY USES is hereby amended to delete the references to Extra-Occupancy Houses and Group Homes to read as follows:

RESIDENTIAL USES	RESIDENTIAL DISTRICTS					MIXED-USE DISTRICTS					COMMERCIAL DISTRICTS										DOWNTOWN DISTRICTS					EMPLOYMENT, INDUSTRIAL, OTHER									
	RUL	UE	RF	RL	OT-A	MH	LMN	MMN	HMN	OT-B	OT-C	CC	CCN	CCR	CG	CG-CAC	CS	NC	CL (RA)	CL (OA)	HC	HL CORE	CA/C/NM	I/R	RC	CN	EC	E	I	POL	T				
Single Unit Dwelling	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲	
Single Unit Attached Dwelling	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Two Unit Dwelling	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Multi-Unit Dwelling							■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Mixed-Use Dwelling Units							■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Accessory Dwelling Unit	■				■		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Short Term Primary Rentals		■					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Short Term Non-Primary Rentals																																			▲
Fraternity & Sorority Houses																																			▲
Extra-Occupancy Houses							■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Manufactured Housing Community							■	■																											▲
Group Homes		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲
Shelter for victims of domestic violence	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	▲

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	

Section 10. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.1 RESIDENTIAL USES, is hereby amended by the deletion of Subparagraphs (C) and (F) and all remaining Subparagraphs renumbered as follows:

(C) Extra Occupancy Unit

- ~~(1) One (1) occupant per three hundred fifty (350) square feet of habitable floor space, in addition to a minimum of four hundred (400) square feet of habitable floor space if owner-occupied.~~

~~(a) In the LMN Zone district no more than twenty five (25) percent of the parcels on a block face may be approved for extra occupancy use.~~

~~(b) In the CS zone district such use shall not be allowed within two hundred (200) feet of North College Avenue.~~

...

~~(D)~~**(C)** Family Care Homes consist of one or more of the following:

...

~~(E)~~**(D)** **Fraternity/Sorority Houses shall** mean residences housing students attending an accredited institution of higher learning within the City.

...

~~(F)~~ **Group Home** is allowed in the following zone districts:

Zone	Maximum Number of Residents excluding supervisors, for Minimum lot size.	Additional lot area for each additional resident (square feet)	Maximum permissible residents, excluding supervisors	Minimum separation requirements between any other group home (feet)
UE	3	2,000	8	1,500
RL, OT-A, HC, E, RF, MH	3	1,500	8	1,500
LMN, OT-B, RDR	6	750	15	1,000
OT-C, D, CS, CCN, MMN, HMN, NC, CG, CC, CL, CCR	6	500	20	700

~~(1) All Group Homes are required to be setback at least 200 feet from North College Avenue.~~

- ~~(2) The minimum separation distance required between group homes that are located in different zone districts shall be the one that requires the greatest distance.~~
- ~~(3) The decision maker may determine a higher maximum number of residents to be allowed to occupy the facility upon finding that the facility as so occupied will satisfy the following criteria:~~
- ~~(a) The adjacent street system is sufficient to accommodate the traffic impacts generated by the group care facility;~~
 - ~~(b) the group care facility has made adequate, on-site accommodations for its parking needs;~~
 - ~~(c) the architectural design of the group care facility is compatible with the character of the surrounding neighborhood;~~
 - ~~(d) the architectural design of the group care facility is compatible with the character of the surrounding neighborhood;~~
 - ~~(e) the size and scale of the group care facility is compatible with the character of the surrounding neighborhood; and~~
 - ~~(f) the types of treatment activities or the rendering of services proposed to be conducted upon the premises are substantially consistent with the activities permitted in the zone district in which the facility is proposed to be located.~~
- ~~(4) Regardless of the level of review:~~
- ~~(a) The decision maker shall conduct such review for the purpose of approving, denying or approving with conditions the application for a group home use in such zone. If approved, the decision maker shall, with such approval, establish the type of group home permitted and the maximum number of residents allowed in such group home.~~
 - ~~(b) A group home may be located without consideration to the minimum separation requirements as established in the table above if the group home is separated from other group homes within the area of the aforesaid minimum separation requirement by a substantial natural or man-made physical barrier, including, but not limited to, an arterial street, a state or federal highway, railroad tracks, river or commercial/business district. Such reduction in the separation requirement shall be allowed only after the decision maker has~~

~~determined that the barrier and resulting separation distance are adequate to protect the City from any detrimental impacts resulting from an excessive concentration of group homes in any one (1) vicinity.~~

~~(c) No permanent certificate of occupancy will be issued by the City for a group home until the person applying for the group home has submitted a valid license, or other appropriate authorization, or copy thereof, from a governmental agency having jurisdiction.~~

~~(d) If active and continuous operations are not carried on in a group home which was approved pursuant to the provisions contained in this Section for a period of twelve (12) consecutive months, the group home use shall be considered to have been abandoned. The group home use can be reinstated only after obtaining a new approval from the decision maker as outlined in this Section.~~

~~(e) Shelters for victims of domestic violence shall be separated from any other group home or shelter by a minimum of one thousand five hundred (1,500) feet.~~

~~(f) Please see Section 6.1.5 for information regarding Reasonable Accommodations.~~

(G)(E) Home Occupations

...

(H)(F) Manufactured Housing

...

(I)(G) Mixed Use Dwelling Unit

...

(J)(H) Multi-Unit Dwelling Unit

...

(K)(I) Single Unit Detached Dwelling

...

~~(L)~~**(J)** Single Unit Attached Dwelling

...

~~(M)~~**(K)** Shelter for victims of Domestic Violence

...

~~(N)~~**(L)** Short Term Rentals

...

~~(O)~~**(M)** Two Unit Dwelling

...

~~(P)~~**(N)** Secondary Uses

...

Section 11. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.5 ACCESSORY/MISCELLANEOUS USES, subparagraph (H)(1)(b) Wireless Communication is hereby amended to read as follows:

(H) WIRELESS COMMUNICATION

(1) **Applicability and Exemptions.** The provisions of this Section shall apply to any Wireless Communications Facility (WCF) within the City. The requirements set forth in this Section shall not apply to:

...

(b) **Television or radio antennas.** Those antennas, including over the air reception devices, located on single **unit** family dwellings or duplexes, not exceeding one (1) meter in diameter and less than five (5) feet above the highest point of the existing principal structure, or for ground mounted antennas, the requirement that the height be no more than the distance from its base to the property line or the maximum height specified for accessory structures for that zone district, whichever is less. The Director has the authority to approve modifications to the height restriction related to over the air reception device antennas and antenna structures, if in the reasonable discretion of the City, modifications are necessary to comply with federal law.

...

Section 12. ARTICLE 5 General Development and Site Design, TABLE OF CONTENTS, DIVISION 5.14 OCCUPANCY LIMITS is hereby amended to read as follows:

~~DIVISION 5.14 OCCUPANCY LIMITS~~ **RESERVED**

~~5.14.1 Occupancy limits; increasing the number of persons allowed~~

Section 13. ARTICLE 5 General Development and Site Design, DIVISION 5.2 AFFORDABLE HOUSING, Section 5.2.1 AFFORDABLE HOUSING is hereby amended to read as follows:

5.2.1 AFFORDABLE HOUSING

...

(B) **Applicability.** This Section shall apply to the following development projects:

...

- (3) Section 5.2 does not apply to ~~group homes~~, dormitories, medical facilities, hotels, motels, shelters, tents, short-term rentals or other structures designed or used primarily for temporary occupancy and/or group living.

...

Section 14. Use Categories "Group Homes" and "Extra Occupancy" contained in ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(C)(4)(c) are hereby deleted.

5.9.1 ACCESS, CIRCULATION AND PARKING

...

(C) **Development Standards.** All developments shall meet the following standards:

...

- (4) **Bicycle Facilities.** Commercial, industrial, civic, employment and multi-unit residential uses shall provide bicycle facilities to meet the following standards:

...

(c) **Minimum Bicycle Requirements Table:**

<i>Use Categories</i>	<i>Bicycle Parking Space Minimums</i>	<i>%Enclosed Bicycle Parking/ % Fixed Bicycle Racks</i>
Residential and Institutional Parking Requirements		
...		
Group Homes	No Requirement	n/a
...		
Extra Occupancy	1 per occupant	0%/100%
...		

...

Section 15. ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(D)(2) is hereby amended to read as follows:

5.9.1 ACCESS, CIRCULATION AND PARKING

...

(D) **Access and Parking Lot Requirements.** All vehicular use areas in any proposed development shall be designed to be safe efficient, convenient and attractive, considering use by all modes of transportation that will use the system, (including, without limitation, cars, trucks, buses, bicycles and emergency vehicles).

...

(2) **Access.** Unobstructed vehicular access to and from a public street shall be provided for all off-street parking spaces. Vehicular access shall be provided in such manner as to protect the safety of persons using such access or traveling in the public street from which such access is obtained and, in such manner, as to protect the traffic-carrying capacity of the public street from which such access is obtained. Notwithstanding the forgoing required off-street parking for both **an ADU** and **extra occupancy use** are **is** allowed one (1) tandem space to count towards minimum parking requirement.

...

Section 16. ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(K)(1) is hereby amended by the deletion of subparagraph (h) **Group Homes** and subparagraph (l) **Extra Occupancy** and all subparagraphs being renumbered accordingly:

5.9.1 ACCESS, CIRCULATION AND PARKING

...

(K) Parking Lots – Required of Off-Street Spaces for Type of Use.

(1) **Residential and Institutional Parking Requirements.** Residential and institutional uses shall provide a *minimum* number of parking spaces as defined by the standards below:

...

~~(h) **Group Homes.** For each group home there shall be two (2) parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles.~~

...

~~(h)~~ **(h) Recreational Uses.**

...

~~(i)~~ **(i) Schools, Places of Worship or Assembly and Child Care Centers.**

...

~~(j)~~ **(j) Small Scale Reception Centers in the UE, Urban Estate District.**

...

~~(l) **Extra Occupancy.** For each extra occupancy, there shall be 0.75 (¾) parking space per occupant, rounded up to the nearest whole parking space. If the lot upon which such parking spaces are to be situated has more than sixty-five (65) feet of street frontage length on any one (1) street or abuts an alley, then each such parking space shall have direct access to the abutting street or alley and shall be unobstructed by any other parking space. If such lot has less than sixty-five (65) feet of street frontage length on any one (1) street and does not abut an alley, then one (1) of the required parking spaces may be aligned in a manner that does not provide direct access to the abutting street.~~

...

~~(m)~~ **(k) Short Term non-primary rentals and short term primary rentals.**

...

Section 17. ARTICLE 5 General Development and Site Design, DIVISION 5.14 OCCUPANCY LIMITS is hereby deleted in its entirety and replaced with the following:

DIVISION 5.14 RESERVED

Section 18. ARTICLE 5 General Development and Site Design, DIVISION 5.16 SIGNS, Section 15.16.2 PERMANENT SIGNS, Section 5.16.2(D) Projecting Signs is hereby amended to read as follows:

DIVISION 5.16 SIGNS

...

15.16.2 PERMANENT SIGNS

...

(D) **Projecting Signs.** Projecting signs include awning signs, marquee signs, under-canopy signs, and fin signs. Projecting signs are allowed according to the standards in Table (D), Projecting Signs. Projecting signs shall not extend into the public right-of-way, except that the City may grant a revocable license to allow projecting signs to encroach into the right-of-way.

Table (D) Projecting Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District ¹					
	Downtown	Commerical/Industrial	Mixed-Use	Multi-Unit	Single-Unit	Within Residential Neighborhood Sign District ¹
...						
Fin Signs (Primary)						
Max. #	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.
Subject to Sign Area Allowance	Yes.	Yes.	Yes, but only for nonresidential, mixed-use, or multifamily unit buildings.	Yes, but only for nonresidential, mixed-use, or multifamily unit buildings.	Yes, but only for nonresidential, mixed-use, or multifamily unit buildings.	Yes.
...						

...

Section 19. Article 5 General Development and Site Design, DIVISION 5.16 SIGNS, Section 15.16.2 PERMANENT SIGNS, Section 5.16.2(G) Freestanding Permanent Signs is hereby amended to read as follows:

DIVISION 5.16 SIGNS

...

15.16.2 PERMANENT SIGNS

...

(G) **Freestanding Permanent Signs.** Detached permanent signs are allowed according to the standards in Table (G)(1), Freestanding Permanent Signs.

Table (G)(1) Freestanding Permanent Signs						
Sign District						
Outside of Residential Neighborhood Sign District ¹						
Type of Sign Standards	Downtown	Commercial/Industrial	Mixed-Use	Multi-Unit	Single-Unit	Within Residential Neighborhood Sign District ¹
Primary Detached Signs						
Max. #	1 per frontage ¹	1 per frontage ¹	1 per frontage for nonresidential, mixed-use, or multi-unit property. ¹	1 per site for nonresidential, mixed-use, or multi-unit uses ¹ ; 1 per site for single-unit detached or duplex if the lot fronts on an arterial; 2 per public vehicular entry into residential subdivision or multifamily unit site (one single face sign on each side of entry).	1 per site for nonresidential, mixed-use, or multi-unit uses ¹ ; 1 per site for single-unit detached or duplex if the lot fronts on an arterial; 2 per public vehicular entry into residential subdivision or multifamily unit site (one single face sign on each side of entry).	1 per site for nonresidential, mixed-use, or multi-unit uses ¹ ; 2 per public vehicular entry into residential subdivision or multifamily unit site (one single face sign on each side of entry).
...						
Secondary Detached Signs						
Max. #	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.
...						

...

Section 20. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.3 COMMON DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS, Section 6.3.6 STEP 6: NOTICE, subparagraph (D) Supplemental Notice Requirements is hereby amended to read as follows:

DIVISION 6.3 COMMON DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS

...

6.3.6 STEP 6: NOTICE

...

(D) **Supplemental Notice Requirements.** The following table indicates the required notice radius for a mailed notice and posted sign size for development applications.

<i>Development Project</i>	<i>Minimum Notice Radius</i>	<i>Sign Size</i>
...		
Developments proposing more than fifty (50) and less than one hundred (100) single family unit or two family unit lots or dwelling units.	800 feet	12 square feet
Developments proposing more than twenty-five (25) and less than one hundred (100) multi-family unit dwelling units.	800 feet	12 square feet
...		
Developments proposing one hundred (100) or more single-family unit or two-family unit lots or dwelling units.	1,000 feet	12 square feet
Developments proposing one hundred (100) or more multi-family unit dwelling units.	1,000 feet	12 square feet
...		

...

Section 21. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.22 EXPANSIONS AND ENLARGEMENTS OF EXISTING BUILDINGS, Section 6.22.1(C) Expansions and Enlargements of Single-Family Dwellings, Two-Family Dwellings and Accessory Buildings is hereby amended to read as follows:

DIVISION 6.22 EXPANSIONS AND ENLARGEMENTS OF EXISTING BUILDINGS

6.22.1 EXPANSIONS AND ENLARGEMENTS OF EXISTING BUILDINGS

...

(C) **Expansions and Enlargements of Single-Family Unit Dwellings, Two-Family Unit Dwellings and Accessory Buildings.** Any proposal for the enlargement or expansion of a single-unit dwelling, two-unit dwelling or

accessory building shall be subject to Building Permit review in accordance with standards of this code.

Section 22. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended by the deletion of the definitions of “*Extra occupancy*”, “*Family*”, and “*Group home*”.

...

DIVISION 7.2 DEFINITION

...

SECTION 7.2.2. DEFINITIONS.

...

~~*Extra occupancy* shall mean the use of a building or portion of a building by a number of occupants that exceeds the occupancy limits set forth in 5.14.1.~~

...

~~*Family* shall mean any number of persons who are all related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, and who live together as a single housekeeping unit and share common living, sleeping, cooking and eating facilities.~~

...

~~Group home shall mean either of the following:~~

- ~~(A) Residential group home shall mean a residence operated as a single dwelling, licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.~~
- ~~(B) Large group care facility shall mean a residential facility that is planned, organized, operated and maintained to offer facilities and services to a specified population and is licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical~~

~~condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.~~

Section 23. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended to read as follows:

...

DIVISION 7.2 DEFINITION

...

SECTION 7.2.2. DEFINITIONS.

...

~~Occupant, in relation to extra occupancy and in other parts of this Code,~~ shall mean a person who occupies habitable space in a dwelling unit or any portion thereof.

...

Site specific development plan shall mean and be limited to a final plan as approved pursuant to this Land Use Code, including a plan approved pursuant to basic development review; or, under prior law in effect on the day before the effective date of this Land Use Code, any of the following: the final plan; the final subdivision plat; a minor subdivision plat; cluster development plans; ~~group home review;~~ a PUD Comprehensive Plan for the purpose of acquiring a vested property right with respect to uses, densities, development standards and engineering standards for which variances have been granted pursuant to Section 2.6.3(K); and a development agreement in connection with a PUD Comprehensive Plan that grants a vested property right for a period exceeding three (3) years, in addition, a site specific development plan shall mean a final plan or plat that was approved by Larimer County for property that, at the time of approval, was located in the county but has been subsequently annexed into the city. All references to districts or sections herein pertain to the law in effect on the day before the effective date of this Land Use Code and which is repealed by the adoption of this Land Use Code.

...

Introduced, considered favorably on first reading on June 18, 2024, and approved on second reading for final passage on July 2, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: July 12, 2024
Approving Attorney: Brad Yatabe