

ORDINANCE NO. 166, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE LAND USE CODE OF THE CITY OF FORT
COLLINS REGARDING COMMERCIAL CORRIDORS AND
CENTERS

A. The City of Fort Collins, as a home-rule municipality, is authorized by Article XX, Section 6 of the Colorado Constitution, the provisions of state statutes, and its City Charter to develop and implement policies and ordinances regulating the development of land within the City.

B. In 2024, City Council approved Ordinance 055, 2024, with an effective date of May 27, 2024, to adopt the current Land Use Code by reference to replace the previous Land Use Code originally adopted in 1997.

C. When the current Land Use Code was adopted, City Council and staff understood that the Land Use Code would be subject to future amendments, not only for the purpose of clarification and correction of errors, but also for the purpose of ensuring that the Land Use Code remains a dynamic document responsive to community needs and changing conditions.

D. The Land Use Code amendments set forth in this Ordinance focus on updating the Transit-Oriented Development (TOD) Overlay, the Harmony Corridor and Employment zone districts, building types and design standards, changes of use and amendments, and additional clarifications and corrections of existing Land Use Code provisions.

E. On October 16, 2025, the Planning and Zoning Commission recommended to City Council on a 6-0 vote (Bruxvoort absent) that City Council adopt the Land Use Code amendments set forth in this Ordinance.

F. City Council has determined that adoption of the amendments set forth in this Ordinance is in the best interests of the city and promote the general public health, safety, and welfare.

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 1 GENERAL PURPOSE AND PROVISIONS, DIVISION 1.2 TITLE, PURPOSE, AND AUTHORITY Section 1.2.1, PURPOSE is hereby amended to read as follows:

1.2.2 Purpose

The purpose of this Code is to improve and protect the public health, safety, and welfare by furthering one or more of the following considerations with respect to proposed development:

- (A) Ensuring that all growth and development which occurs is consistent with this Code, and in general alignment with City Plan and its adopted elements, including, but not limited to, the Structure Plan, Principles and Policies, and associated sub-area plans.
- (B) Implementing the vision of the Housing Strategic Plan that everyone in Fort Collins has healthy, stable housing they can afford.
- (C) Supporting *Our Climate Future* goals to reduce energy consumption and greenhouse gas emissions, provide renewable electricity, and achieve zero waste.
- (D) Encouraging innovation and responsive design solutions in land development and redevelopment.
- (E) Fostering the safe and efficient use of the land, the city's transportation infrastructure, and other public facilities and services.
- (F) Ensuring the provision of adequate public facilities and services such as transportation (streets, bicycle routes, sidewalks and mass transit), water, wastewater, storm drainage, fire and emergency services, police, electricity, open space, recreation, and public parks.
- (G) Avoiding the inappropriate development of lands and providing for adequate drainage and reduction of flood damage.
- (H) Encouraging efficient and functional patterns of land use which decrease reliance on automobile travel and encourage trip consolidation.
- (I) Increasing public safety, availability, and access to mass transit, sidewalks, trails, bicycle routes and other alternative modes of transportation.
- (J) Minimizing adverse impacts of development on natural systems and the environment.

- (K) Improving the design, quality and character of development.
- (L) Fostering a more integrated and purposeful development pattern that incorporates a resilient balance of uses.
- (M) Encouraging appropriate development and redevelopment within established areas.
- (N) Encouraging a wide variety of housing opportunities at various densities that are well-served by public transportation for people of all ages, abilities, and income levels.

The purpose statements set forth in this Section and all other purpose statements set forth in this Land Use Code are not intended to be interpreted or applied as binding standards, terms, conditions, requirements, or procedures pursuant to Section 1.2.4 or otherwise, unless specifically referenced in the Land Use Code including but not limited to Sections 6.8.2 and 6.14.4, and only to the extent the purpose statements in this Section reasonably apply in consideration of the specific context. Purpose statements are solely intended to provide guidance in the interpretation and application of the accompanying Land Use Code standards that have been adopted to implement the purposes described in such statements.

Section 2. ARTICLE 1 GENERAL PURPOSE AND PROVISIONS, DIVISION 1.2 TITLE, PURPOSE, AND AUTHORITY Section 1.2.4, APPLICABILITY is hereby amended to read as follows:

1.2.4 Applicability

The provisions of this Code shall apply to any and all development of land, as defined in Article 7 of this Code, within the municipal boundaries of the City, unless expressly and specifically exempted or provided otherwise in this Code. For example, this Code is meant to complement and not override or substitute for the requirements of Chapter 14 of the Code of the City of Fort Collins regarding landmarks. No development shall be undertaken without prior and proper approval or authorization pursuant to the terms of this Code. All development shall comply with the applicable terms, conditions, requirements, standards and procedures established in this Code. However, (1) purpose statements set forth in this Code, and (2) City Council adopted policy plans, including but not limited to City Plan and its adopted elements or sub-area plans, are not intended to establish applicable terms, conditions, requirements, standards or procedures, unless explicitly identified and specified otherwise in this Code. Instead, purpose statements and Council adopted policy plans are solely intended to provide guidance in the interpretation

and application of the accompanying Land Use Code standards that have been adopted to implement the purposes described in such statements.

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Section 3. ARTICLE 2 ZONE DISTRICTS 2.1 RESIDENTIAL DISTRICTS Section 2.1.2 UE Urban Estates District is hereby amended to read as follows:

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The following building types are permitted in the UE District:

BUILDING TYPES	LOT SIZE	LOT WIDTH	BUILDING HEIGHT	ADDITIONAL REQUIREMENTS
Detached House (Urban & Suburban)	21,780 ft ² (1/2 Acre) min.	100' min.	3 Stories max.	Only one detached house on a lot, may include one (1) ADU
Duplex	21,780 ft ² (1/2 Acre) min.	100' min.	3 Stories max.	Only one duplex on a lot, shall not be combined with a detached house or ADU
Accessory Dwelling Unit	N/A	N/A	No taller than Detached house on the same lot	Located on the same lot with a detached house
Detached Accessory Structure	21,780 ft ² (1/2 Acre) min.	100' min.	30' max.	Located on the same lot with a primary use
Shopfront	N/A	N/A	3 Stories max.	See other Articles
General	N/A	N/A	3 Stories max.	See other Articles
Residential Cluster	See section 3.1.10		3 Stories max.	See other Articles

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Section 4. ARTICLE 2 ZONE DISTRICTS 2.1 RESIDENTIAL DISTRICTS Section 2.1.3 RF Residential Foothills District is hereby amended to read as follows:

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The following building types are permitted in the RF District:

BUILDING TYPES	LOT SIZE	LOT WIDTH	BUILDING HEIGHT	ELEVATION	ADDITIONAL REQUIREMENTS
Detached House (Urban & Suburban)	100,000 ft ² (2.29 Acres) min.	200' min.	3 Stories max.	No elevation of any building built on a lot in the RF District shall extend above five thousand two hundred fifty (5,250) feet above mean sea level.	Only one detached house on a lot, may include one (1) ADU
Accessory Dwelling Unit	N/A	N/A	No taller than Detached house on the same lot		Located on the same lot with a detached house
Detached Accessory Structure	100,000 ft ² (2.29 Acres) min.	200' min.	30' max.		Located on the same lot with a primary use
General	N/A	N/A	3 Stories max.		See other Articles
Residential Cluster	See section 3.1.10		3 Stories max.		See other Articles

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Section 5. ARTICLE 2 ZONE DISTRICTS 2.1 RESIDENTIAL DISTRICTS Section 2.1.4 RL Low Density Residential District is hereby amended to read as follows:

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BUILDING TYPES

The following building types are permitted in the RL District:

BUILDING TYPES	# OF UNITS*	LOT AREA	ADDITIONAL REQUIREMENTS
Detached House (Urban & Suburban)	1 max.	The greater of 6000 ft ² or three (3) times the total floor area of all buildings excluding an ADU	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	Located on the same lot with a detached house
Detached Accessory Structure	See Section 3.1.8		Located on the same lot with and behind a detached house
General	N/A	N/A	See other Articles

*The total number of units shall not exceed one (1) Detached house **and one** (1) ADU.

Refer to Building Types Article 3 and Use Standards Article 4 for specific definitions.

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HEIGHT SETBACK

Upper Story Setback	Above 2 stories, a 25' m upper story setback shall apply.
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Applies only to the General Building Type.

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Section 6. ARTICLE 2 ZONE DISTRICTS 2.1 RESIDENTIAL DISTRICTS Section 2.1.5 MH Manufactured Housing District is hereby amended to read as follows:

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The following building types are permitted in the MH District:

BUILDING TYPES	BUILDING HEIGHT	FOOTPRINT	ADDITIONAL STANDARDS
Mobile Home	3 Stories max.	N/A	Lot may include one (1) ADU.
Accessory Dwelling Unit (Detached & Attached)	No taller than Mobile Home on the same lot.	No greater than Mobile Home on the same lot.	Only one (1) ADU on a lot with a Mobile Home.
Detached Accessory Structure	28' max.	800 ft ²	Located on the same lot with a primary use.
General	3 Stories max.	5,000 ft ²	See Articles 4 and 5

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Section 7. ARTICLE 2 ZONE DISTRICTS 2.1 RESIDENTIAL DISTRICTS Section 2.1.6 OT Old Town District is hereby amended to read as follows:

PURPOSE

The Old Town District is intended to preserve the unique history, character, and scale of the neighborhoods and buildings located adjacent to Downtown and Colorado State University (CSU). The District is divided into three (3) subdistricts intended to encourage a mix of building types and intensities as permitted by each subdistrict, which are described on the following pages. The Old Town Districts consists of the following three (3) sub-districts:

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OT-A Old Town District, Low

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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 ² min.	2,400 ft ² max.	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use
General	N/A	N/A	N/A	See other Articles

*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-B Old Town District, Medium

PURPOSE

The Old Town District, Medium (OT-B) subdistrict is intended to preserve and enhance the character of existing neighborhoods that have a predominance of single-unit and low- to medium-density multi-unit housing.

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 ² min.	2,400 ft ² max.	N/A
Duplex	2 max.	5,000 ft ² min.	40% of lot area max.	N/A
Triplex	3 max.	6,000 ft ² min.	70% of lot area max.	N/A
Apartment Building	4 max.	6,000 ft ² min.	85% of lot area max.	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House, Duplex, or Triplex
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use
General	N/A	N/A	N/A	See other Articles

*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-C

Old Town District, High

PURPOSE

The Old Town District, High (OT-C) subdistrict is intended as a transition between Downtown, the CSU campus, and adjacent neighborhoods. OT-C supports a more intensive mix of commercial and residential land uses.

BUILDING TYPES

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

BUILDING TYPES	UNITS	LOT AREA	FLOOR AREA	ADDITIONAL SITE REQUIREMENT
Detached House (Urban & Suburban)	1 max.	4500 ft ² min.	2,400 ft ² max.	N/A
Duplex	2 max.	4500 ft ² min.	No max.	N/A
Apartment Bldg. (Triplex and other)	3 min.	4500 ft ² min. & additional 750 ft ² min. for each unit greater than 3 units	No max.	N/A
Rowhouse	2 min. to 3 max.	4500 ft ² min.	No max.	N/A
	4 max.	6000 ft ² min.	No max.	N/A
	5 max.	7500 ft ² min.	No max.	N/A
Cottage Court	5 min.	9000 ft ² min.	See Section 3.1.3	N/A
Shopfront	3 min.	4500 ft ² min. & additional 750 ft ² min. for each unit greater than 3 units	No max.	N/A
General	N/A	N/A	N/A	See other Articles
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House, Duplex, or Triplex
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use

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

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ACCESSORY BUILDING - LOT STANDARDS

ADU Floor Area	See Section 3.1.8
ADU Setback from Primary Dwelling	5' min.

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Section 8. ARTICLE 2 ZONE DISTRICTS 2.2 MIXED-USE DISTRICTS Section 2.2.1 LMN Low Density Mixed-Use Neighborhood District is hereby amended to read as follows:

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BUILDING TYPES

The following building types are permitted in the LMN District:

LMN BUILDING TYPES	# OF UNITS	MAXIMUM DENSITY*		MIN. DENSITY*
		BASE	BONUS	
General	N/A	N/A	N/A	N/A
Shopfront	1 min.	1 unit per 3,630 sq. ft. of site area	No max. density for affordable housing projects	1 unit per 10,000 sq. ft. of site area
Apartment	3+ min.			
Rowhouse	2+ min.			
Cottage Court	3+ min.			
Duplex	2 max.			
Detached House - Urban	1 max.			
Detached House - Suburban	1 max.			
ADU	1 max.	N/A	N/A	N/A
Detached Accessory Structure	See Section 3.1.8	N/A	N/A	N/A

**Minimum and Maximum Density applies to an entire site or subdivision.*

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BUILDING HEIGHT

Residential - Up to 3 Units	2.5 Stories max. D
Residential - 4+ Units	3 Stories max. E
General & Shopfront	1.5 Stories min. 2.5 Stories max.

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BUILDING FOOTPRINT

General & Shopfront	20,000 ft ² max.
Schools, Places of Worship/Assembly	25,000 ft ² max.

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BUILDING MASS & SCALE

BUILDING MASS

Residential - 4+ Units	Walls >40 ft in width require Variation in Massing and Facade Articulation F
General & Shopfront	>10,000 sf requires Variation in Massing

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ROOF DESIGN

General & Shopfront	Buildings with a footprint >4000 sf shall have a minimum of 3 Roof Planes Variation in roof plane shall relate to overall massing and facade design
Residential - 4+ Units G	Roof Shape shall be sloped (min pitch 6:12), flat, or curved, and must include 2 Roof Design Elements: • Change in roof shape or plane • Variation in height • Flat roof that is stepped or terraced to form usable space, such as a balcony or green roof • Roof element that is directly related to the primary entrance and/or facade articulation

ENTRANCES & ORIENTATION

Residential	Varies by Building Type
	Clearly identifiable and visible connection from the street and public areas. H
	Incorporate architectural elements and landscaping.
General & Shopfront	Entrance faces street, opens directly onto adjoining local street

PARKING

General & Shopfront	Rear or Side Yards; Parking shall not be between the primary facade and the street. I
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Section 9. ARTICLE 2 ZONE DISTRICTS 2.2 MIXED-USE DISTRICTS Section 2.2.2 MMN Medium Density Mixed-Use Neighborhood District is hereby amended to read as follows:

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BUILDING TYPES

The following building types are permitted in the MMN District:

MMN BUILDING TYPES	# OF UNITS	MAX. DENSITY*	MINIMUM DENSITY*	
			> 20 AC	< 20 AC
General	N/A	N/A	N/A	N/A
Shopfront	1 min.	None	1 unit per 3,500 sq. ft. of site area	1 unit per 5,000 sq. ft. of site area
Apartment	3+ min.			
Rowhouse	2+ min.			
Cottage Court	3+ min.			
Duplex	2 max.			
Detached House - Urban	1 max.			
Detached House - Suburban	1 max.			
ADU	1 max.	N/A	N/A	N/A
Detached Accessory Structure	See Section 3.1.8	N/A	N/A	N/A

*Minimum and Maximum Density applies to an entire site or subdivision.

BUILDING MASS

Residential - 4+ Units	Walls >40 ft in width require Variation in Massing and Facade Articulation F
General & Shopfront	>10,000 sf requires Variation in Massing

Variation in Massing includes:

- Massing, wall plane, roof design proportions similar to detached house, so that larger buildings can be integrated into surrounding lower scale neighborhood
- Projections, recesses, covered doorways, balconies, covered box or bay windows and/or other similar features
- Dividing large facades and walls into human-scaled proportions similar to the adjacent single- or two unit dwellings
- Shall not have repetitive, monotonous undifferentiated wall planes.

Facade articulation can be accomplished by offsetting the floor plan, recessing or projection of design elements, or change in materials.

ROOF DESIGN

General & Shopfront	Buildings with a footprint >4000 sf shall have a minimum of 3 Roof Planes Variation in roof plan shall relate to overall massing and facade design
Residential - 4+ Units G	Roof Shape shall be sloped (min pitch 6:12), flat, or curved, and must include 2 Roof Design Elements: • Change in roof shape or plane • Variation in height • Flat roof that is stepped or terraced to form usable space, such as a balcony or green roof • Roof element that is directly related to the primary entrance and/or facade articulation

ENTRANCES & ORIENTATION

Residential	Varies by Building Type H Clearly identifiable and visible connection from the street and public areas. Incorporate architectural elements and landscaping.
General & Shopfront	Entrance faces street, opens directly onto adjoining local street

If a building has more than one (1) front facade, and if one (1) of the front facades faces and opens directly onto a street sidewalk, the primary entrances located on the other front facade(s) need not face a street sidewalk or connecting walkway.

PARKING

General & Shopfront	Rear or Side Yards; Parking shall not be between the primary facade and the street. I
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Section 10. ARTICLE 2 ZONE DISTRICTS 2.2 MIXED-USE DISTRICTS Section 2.2.3 HMN High Density Mixed-Use Neighborhood District is hereby amended to read as follows:

PURPOSE

The High Density Mixed-Use Neighborhood District is intended to be a setting for higher density multi-unit housing and group quarter residential uses (dormitories, fraternities,

sororities, etc.) closely associated with, and in close proximity to, the Colorado State University Main Campus. Multistory buildings and structured parking are encouraged in order to promote efficient utilization of the land and the use of alternative modes of travel.

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BUILDING TYPES

The following building types are permitted in the HMN District:

HMN BUILDING TYPES	# OF UNITS	MAXIMUM DENSITY	MINIMUM DENSITY
General	N/A	N/A	N/A
Shopfront	4+ min.	None	1 unit per 2,000 sq. ft. of site area
Apartment	4+ min.		
Rowhouse	3+ min.		
ADU (with an existing Detached House)	1 max.		N/A
Detached Accessory Structure (with an existing Detached House)	1 max.		N/A

Minimum and Maximum Density applies to an entire site or subdivision.

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BUILDING MASS	
Residential - 4+ Units	Walls >40 ft in width require Variation in Massing and Facade Articulation D
General & Shopfront	>10,000 sf requires Variation in Massing

Variation in Massing includes:

- Massing, wall plane, roof design proportions similar to detached house, so that larger buildings can be integrated into surrounding lower scale neighborhood
- Projections, recesses, covered doorways, balconies, covered box or bay windows and/or other similar features
- Dividing large facades and walls into human-scaled proportions similar to the adjacent single- or two unit dwellings
- Shall not have repetitive, monotonous undifferentiated wall planes.

Facade articulation can be accomplished by offsetting the floor plan, recessing or projection of design elements, or change in materials.

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ROOF DESIGN

General & Shopfront	Buildings with a footprint >4000 sf shall have a minimum of 3 Roof Planes Variation in roof plan shall relate to overall massing and facade design
Residential - 4+ Units E	Roof Shape shall be sloped (min pitch 6:12), flat, or curved, and must include 2 Roof Design Elements: • Change in roof shape or plane • Variation in height • Flat roof that is stepped or terraced to form usable space, such as a balcony or green roof • Roof element that is directly related to the primary entrance and/or facade articulation

ENTRANCES & ORIENTATION

Residential	Varies by Building Type Clearly identifiable and visible connection from the street and public areas. F Incorporate architectural elements and landscaping.
General & Shopfront	Entrance faces street, opens directly onto adjoining local street

If a building has more than one (1) front facade, and if one (1) of the front facades faces and opens directly onto a street sidewalk, the primary entrances located on the other front facade(s) need not face a street sidewalk or connecting walkway.

PARKING

General & Shopfront	Rear or Side Yards; Parking shall not be between the primary facade and the street. G
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Section 11. ARTICLE 2 ZONE DISTRICTS 2.2 MIXED-USE DISTRICTS Section 2.2.4 NC Neighborhood Commercial District is hereby amended to read as follows:

PURPOSE / INTENT

The Neighborhood Commercial District is intended to be a mixed-use commercial area, serving as a focal point for a neighborhood, ideally anchored by a market or grocery store

and a transit stop. The purpose of this District is to provide easy access to frequently needed goods and services with an emphasis on serving the surrounding neighborhoods. In addition to smaller-scale retail and service uses, the District may include other neighborhood-oriented uses such as schools, employment, day care, parks, small civic facilities, as well as residential uses.

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BUILDING TYPES

The following building types are permitted in the NC District:

- Shopfront Apartment, Row House and Duplex
- Detached Accessory Structure
- ADU only with an existing Detached House
- See Division 3.1 for more details
- All General buildings permitted under this Section, including industrial buildings, shall meet the standards in Section 5.15.2 of this Code

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Section 12. ARTICLE 2 ZONE DISTRICTS 2.3 COMMERCIAL DISTRICTS
Section 2.3.1 CC Community Commercial District is hereby amended to read as follows:

PURPOSE

The Community Commercial District provides for a mix of retail, offices, services, cultural facilities, civic uses and higher density housing. Multi-story buildings and mixed-use developments are encouraged to provide both residential and nonresidential uses. Offices and residential uses are encouraged to locate above ground-floor retail and services.

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BUILDING TYPES

The following building types are permitted in the CC District:

- Shopfront, Apartment, Row House and Duplex
- Detached Accessory Structure
- ADU only with an existing Detached House.
- See Division 3.1 for more details
- All General buildings permitted under this Section, including industrial buildings, shall meet the standards contained in Section 5.15.2 of this Code

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Section 13. ARTICLE 2 ZONE DISTRICTS 2.3 COMMERCIAL DISTRICTS
Section 2.3.2 CCN Community Commercial – North College District is hereby amended to read as follows:

PURPOSE

The Community Commercial - North College District provides a retail/commercial core extension from the Downtown area north of the Poudre River. This District is intended for moderate intensity uses that are supportive of the commercial core and that help to create a transition and a link to surrounding residential areas.

BUILDING TYPES

The following building types are permitted in the CCN District:

- Shopfront Apartment, Row House and Duplex
- Detached Accessory Structure
- ADU only with an existing Detached House
- See Division 3.1 for more details
- All General buildings permitted under this Section, including industrial buildings, shall meet the standards contained in Section 5.15.2 of this Code

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Section 14. ARTICLE 2 ZONE DISTRICTS 2.3 COMMERCIAL DISTRICTS
Section 2.3.3 CCR Community Commercial – Poudre River District is hereby amended to read as follows:

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BUILDING TYPES

The following building types are permitted in the CCR District:

- Shopfront, Apartment, Row House and Duplex
- Detached Accessory Structure
- ADU only with an existing Detached House
- See Division 3.1 for more details
- All General buildings permitted under this Section, including industrial buildings, shall meet the standards contained in Section 5.15.2 of this Code

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Section 15. ARTICLE 2 ZONE DISTRICTS 2.3 COMMERCIAL DISTRICTS
Section 2.3.4 CG General Commercial District is hereby amended to read as follows:

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BUILDING TYPES

The following building types are permitted in the CG District:

- Shopfront, Apartment, Row House and Duplex
- Detached Accessory Structure
- ADU only with an existing Detached House
- See Division 3.1 for more details
- All General buildings permitted under this Section, including industrial buildings, shall meet the standards contained in Section 5.15.2 of this Code

DEVELOPMENT STANDARDS

BUILDING STANDARDS

BUILDING HEIGHT

All Buildings	5 stories max.
Affordable Housing Development Bonus	6 stories max.

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Section 16. ARTICLE 2 ZONE DISTRICTS 2.3 COMMERCIAL DISTRICTS
Section 2.3.5 CS Community Commercial – Poudre River District is hereby amended to read as follows:

PURPOSE

The Service Commercial District is intended for high traffic commercial corridors where a range of uses is encouraged to create a transition from non-residential operations on a highway, arterial street or rail spur, to less intensive use areas or residential neighborhoods.

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BUILDING TYPES

The following building types are permitted in the CS District:

- Shopfront, Apartment, Row House and Duplex.
- Detached Accessory Structure
- ADU only with an existing Detached House
- See Division 3.1 for more details
- All General buildings permitted under this Section, including industrial buildings, shall meet the standards contained in Section 5.15.2 of this Code

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Section 17. ARTICLE 2 ZONE DISTRICTS 2.3 COMMERCIAL DISTRICTS
Section 2.3.6 CL Limited Commercial District is hereby amended to read as follows:

PURPOSE

The Limited Commercial District is intended for areas primarily containing existing, small commercial uses that are adjacent to residential neighborhoods. Many of these areas have transitioned over time from residential to commercial uses. The purpose of this District is to allow small scale non-residential uses to continue to exist or to expand while protecting surrounding residential areas.

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BUILDING TYPES

The following building types are permitted in the CL District:

- Shopfront, Apartment, Row House and Duplex
- Detached Accessory Structure
- ADU only with an existing Detached House
- See Division 3.1 for more details
- All General buildings permitted under this Section, including industrial buildings, shall meet the standards contained in Section 5.15.2 of this Code

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BUILDING STANDARDS

BUILDING HEIGHT	
All Buildings	3 Stories max.
BUILDING MASS	
Residential - 4+ Units	Walls >40 ft require Variation in Massing and Facade Articulation
General & Shopfront	>10,000 sf requires Variation in Massing

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Section 18. ARTICLE 2 ZONE DISTRICTS 2.4 DOWNTOWN DISTRICT Section 2.4.1 DOWNTOWN DISTRICT (D) is hereby amended to read as follows:

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2.4.1(E)5.b.III.

- i. **Industrial Buildings.** Except as otherwise provided in this subsection (3), all new non-residential buildings, including industrial buildings, shall comply with the standards for buildings contained in Section 5.15.2.

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Section 19. ARTICLE 2 ZONE DISTRICTS 2.5 EMPLOYMENT, INDUSTRIAL, OTHER DISTRICTS Section 2.5.1 HARMONY CORRIDOR DISTRICT (HC) is hereby amended to read as follows:

SECTION 2.5.1 HARMONY CORRIDOR DISTRICT (HC)



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2.5.1(B)

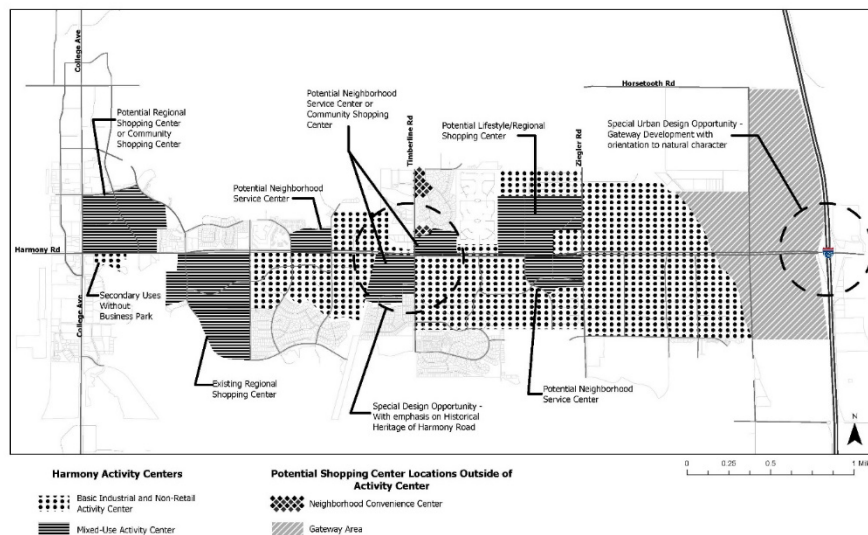
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1. All development in the HC Harmony Corridor District shall comply with the Harmony Corridor land use and locational standards as adopted by the City and the following specific standards to the extent that such standards apply to the property proposed to be developed.

2. All secondary uses shall be integrated both in function and appearance into a larger employment-based development plan that emphasizes primary uses. A secondary use shall be subject to administrative review or Planning and Zoning Commission review as required for such use in Division 4.2. The following permitted uses shall be considered secondary uses in this zone district and together shall occupy any portion less than fifty (50) percent of the total gross area of an overall development plan as described in below Subsection (B)3.

- a. Community facilities.
- b. Public facilities
- c. Child care centers.
- d. Print shops.
- e. Food catering.
- f. Workshops and custom small industry uses.
- g. Residential uses except the following:
 - i. Mixed-use dwellings when the residential units are stacked above a non-residential primary or secondary use which occupies at least 25% of the ground floor.
 - ii. Residential units developed on a surface parking lot which lot was in existence as of January 1, 2026.
 - iii. Residential units part of an affordable housing development.
- h. Lodging establishments.
- i. Convenience shopping centers.
- j. Standard restaurants.
- k. Bed and breakfast establishments.
- l. Clubs and lodges.
- m. Health and membership clubs.
- n. Convention and conference centers.
- o. Places of worship or assembly.
- p. Limited indoor recreation establishments.
- q. Unlimited indoor recreation use and facility.
- r. Food truck rally.
- s. Microbrewery/distillery/winery.
- t. Seasonal overflow shelter.

Figure 2A – Harmony Corridor Plan Use Map



3. **Calculating primary and secondary uses.** To determine the amount of primary and secondary uses in the Harmony Corridor District, apply the following rules:
 - a. The primary-to-secondary use ratio applies only to areas within an approved overall development plan that are zoned Harmony Corridor District, except where exempted per the Harmony Corridor Plan or City Plan.
 - b. Lots within the Harmony Corridor District are exempt from the ratio if they:
 - i. Are not part of an ODP; or
 - ii. Are part of an ODP and are designated as a Mixed Use Activity Center in the Harmony Corridor Plan's Land Use Map (Figure 2A below) or are in the Gateway Area (refer to Harmony Corridor Standards and Guidelines).

Where the ratio applies, calculate the percentage using only the portion of the ODP zoned Harmony Corridor District. Do not include portions of the ODP that are mapped to other zone districts in the calculation.

To determine the amount of primary and secondary uses in the ODP area, the percentage of each use shall be calculated using the total area across the ODP area that is zoned Harmony Corridor District.

(C) Dimensional Standards.

1. Maximum height for all buildings shall be six (6) stories.
2. All new buildings greater than eighty thousand (80,000) square feet in gross leasable area shall be subject to Planning and Zoning Commission review.
3. Any building addition that exceeds eighty thousand (80,000) square feet in gross leasable area and exceeds twenty-five (25) percent of the gross leasable

area of the existing building shall be subject to Planning and Zoning Commission review.

(D) Density/Intensity.

All residential development in the HC Harmony Corridor District shall have an overall minimum average density of fifteen (15) dwelling units per net acre.

(E) Site Design

1. In the case of multiple parcel ownership, to the extent reasonably feasible, an applicant shall enter into cooperative agreements with adjacent property owners to create a comprehensive development plan that establishes an integrated pattern of streets, outdoor spaces, building styles and land uses.
2. Where an employment or industrial use abuts a residential area, there shall be no drastic and abrupt change in the scale and height of buildings.

...

Section 20. ARTICLE 2 ZONE DISTRICTS 2.5 EMPLOYMENT, INDUSTRIAL, OTHER DISTRICTS Section 2.5.2 EMPLOYMENT CORRIDOR DISTRICT (E) is hereby amended to read as follows:

SECTION 2.5.2 EMPLOYMENT DISTRICT (E)



...

2.5.2(B)

...

2. Secondary Uses.

A secondary use shall be subject to administrative review or Planning and Zoning Commission review as required for such use in Division 4.2. The following permitted uses shall be considered secondary uses in this zone district and together shall occupy no more than fifty (50) percent of the total gross area of the development plan.

- a. Veterinary facilities and small animal clinics.
- b. Clubs and lodges.
- c. Child care centers.
- d. Residential uses (except the following are considered primary uses: mixed-use dwellings when the residential units are stacked above a non-residential primary or secondary use which occupies the ground floor; when residential units replace a surface parking lot which lot was in existence as of January 1, 2026; or when residential units are part of an affordable housing development).

...

3. Calculating primary and secondary uses.

- a. To determine the amount of primary and secondary uses in the Employment (E) District, the percentage of each use shall be calculated using the total lot area across all contiguous lots zoned Employment district exclusive of public rights-of-way. To determine the amount of primary and secondary uses in the Employment (E) zone district, the percentage of each use shall be calculated using the total lot area across all contiguous lots zoned Employment District. The percentage of total lot area dedicated to primary and secondary uses shall be calculated using the total area within the zoning district boundary across all contiguous lots, regardless of ownership and exclusive of all public rights-of-way.

4. Dimensional Standards.

- a. Maximum height shall be four (4) stories.
- b. All new buildings greater than fifty thousand (50,000) square feet in gross leasable area shall be subject to Planning and Zoning Commission review.

- c. Any building addition that exceeds fifty thousand (50,000) square feet in gross leasable area and exceeds twenty-five (25) percent of the gross leasable area of the existing building shall be subject to Planning and Zoning Commission review.

(C) Density/Intensity.

All residential development in the E Employment District shall have an overall minimum average density of fifteen (15) dwelling units per net acre.

...

- (E) **Development Standards for the I-25 Corridor.** Development located within one thousand three hundred twenty (1,320) feet (one-quarter [$\frac{1}{4}$] mile) of the centerline of I-25 shall be subject to the requirements of Section 2.6.4.

...

Section 21. ARTICLE 2 ZONE DISTRICTS 2.6 OVERLAY DISTRICTS Section 2.6.1 TRANSIT-ORIENTED DEVELOPMENT OVERLAY (TOD) is hereby amended to read as follows:

(A) Applicability.

1. Subsections 2.6.1(C), Use, and 2.6.1(D), Parking Requirements, apply to all development within the boundary of the TOD Overlay and modify the corresponding requirements in the underlying zoning districts.
2. Subsections 2.6.1(E), Building Placement and Site Design, 2.6.1(F), Streetscape and Pedestrian Connections, and 2.6.1(G), Building Standards, apply only to development within the boundary of the TOD Overlay south of Prospect Road.
3. The TOD Overlay is comprised of the area shown in Figure 2A on the following page.

Figure 2A TOD Overlay Map

[illegible]

(B) Purpose.

The purpose of this Section is to guide land use, site, and building design outcomes that implement City Plan, the Transit Master Plan (TMP) and other adopted policies. The development standards promote a diverse mix of commercial and residential opportunities within convenient walking distance of transit stations to enhance and support the Mason Corridor.

(C) Use.

1. Gasoline Station.

- a. Type 2 review where allowed in base zoning district.
- b. Spacing Requirement:

Prohibited within 1000' of a transit facility, other gasoline stations, and convenience stores with fuel sales.

2. Convenience Store with Fuel Sales.

- a. Type 2 review where allowed in base zoning district.
- b. Spacing Requirement:
 - (1) Prohibited within 1000' of transit facilities, other gasoline stations, and convenience stores with fuel sales.

3. Enclosed mini-storage facility. Prohibited.

4. Boat sales with storage. Prohibited.

(D) Parking Requirements.

- a. **Minimum Parking.** No minimum parking required
- b. **Maximum Parking.** See Section 5.9.1(K)(2) for parking maximums by use.

(E) Building Placement and Site Design.

1. Building Orientation.

- a. Primary commercial and residential building entrances shall face streets, connecting walkways, plazas, parks or similar outdoor spaces, but not parking lots.
- b. Buildings shall face all street frontages to the maximum extent feasible, with highest priority given to east-west streets that lead from transit stations to destinations.

...

(F) Streetscape and Pedestrian Connections.

1. **Streetscape.** Public and private streets shall be subject to approval by the City Engineer in accordance with the design criteria for streets.

2. **On-Street Parking.** On-street parking shall be defined by landscaped curb extensions or bulb-outs. Conventional or enhanced crosswalks shall be provided at all intersections.

3. **Off-Street Parking.** Off-street parking shall be located behind, above, within or below street-facing buildings to the maximum extent feasible. No parking will be allowed between the street and the front or side of a building.

4. Maximum Surface Parking Area.

- a. Maximum area for contiguous surface parking lot: 2.0 acres inclusive of all circulation and landscaping.
- b. Parking lots larger than 1.5 acres must be bounded on at least two sides by streets (public and/or private) that include sidewalks having street trees in sidewalk cutouts with tree grates, planters or other appropriate treatment for the protection of pedestrians. Specific design details shall be subject to approval by the City Engineer in accordance with the design criteria for streets.

(G) Building Standards.

1. Building Height

a. Minimum. All buildings shall have a minimum height of twenty (20) feet, measured to the dominant roof line of a flat-roofed building, or the mean height between the eave and ridge on a sloped-roof building. In the case of a complex roof with different, co-dominant portions, the measurement shall apply to the highest portion.

b. Maximum and Height Incentives. All buildings shall be limited to the maximum height allowed in the underlying zone district unless:

- I. the development is mixed-use and contains at least one-seventh (1/7) of its total building square footage as either residential or office use, in which case the maximum allowable height shall be the base height plus one (1) story; or
- II. the development is mixed-use and contains at least one-seventh (1/7) of its total building square footage as residential use and at least ten (10) percent of the residential units are either affordable housing units for rent

or affordable housing units for sale as defined in Article 5 or structured parking (underground, interior to the site or above ground), in which case the maximum allowable height shall be the base height plus two (2) stories; or

- III. the project is mixed-use and contains at least one-seventh (1/7) of its total building square footage as residential use, and at least ten (10) percent of the residential units are either affordable housing units for rent or affordable housing units for sale as defined in Article 5, and the project contains structured parking (underground, interior to the site or above ground), in which case the maximum height shall be the base height plus three (3) stories.

2. Windows.

a. Minimum glazing on pedestrian-oriented facades of buildings shall be sixty (60) percent on the ground floor.

b. Subject to approval by the decision maker, projects functionally unable to comply with this requirement shall mitigate such noncompliance with ample, enhanced architectural features such as a change in massing or materials, enhanced landscaping, trellises, arcades or shallow display window cases.

Section 22. ARTICLE 2 ZONE DISTRICTS 2.6 OVERLAY DISTRICTS Section 2.6.2 SOUTH COLLEGE GATEWAY OVERLAY (SCG) is hereby amended to read as follows:

...

(B) **Purpose** The purpose of this Section is to provide standards to modify the underlying zone districts north of the intersection of South College Avenue and Carpenter Road to encourage land uses and designs that implement the vision of the South College Corridor Plan regarding the enhancement of the South College Gateway Area (see Figure 16.7).

...

Section 23. ARTICLE 2 ZONE DISTRICTS 2.6 OVERLAY DISTRICTS Section 2.6.3 PLANNED UNIT DEVELOPMENT (PUD) OVERLAY is hereby amended to read as follows:

...

2.6.3(B)2.f. Development patterns in general alignment with the principles and policies of the City's Comprehensive Plan and its adopted elements.

...

2.6.3(D) Step 8 (Standards):

...

2. The PUD Comprehensive Plan provides high quality urban design within the subject property or properties; and

3. The PUD Comprehensive Plan will result in development in general alignment with the principles and policies of the City's Comprehensive Plan and adopted plans and policies;

...

Section 24. ARTICLE 2 ZONE DISTRICTS 2.6 OVERLAY DISTRICTS Section 2.6.4 I-25 DEVELOPMENT STANDARDS is hereby amended to read as follows:

...

2.6.4(B) **Purpose.**

The purpose of this Section is to provide additional, more specific development standards to implement the vision presented in the "Fort Collins I-25 Corridor Subarea Plan" to develop the corridor with a mix of uses, serve as a transition from the interstate to the more urban and suburban neighborhoods and activity centers, and preserve the considerable natural features and resources of the area.

...

Section 25. ARTICLE 3 BUILDING TYPES 3.1 RESIDENTIAL BUILDING TYPES Section 3.1.1 Mixed-Use building type is hereby deleted in its entirety and the remaining residential building types are renumbered.

Section 26. In ARTICLE 3 BUILDING TYPES, a new Division, Division 3.2 NON-RESIDENTIAL BUILDING TYPES, is added and a new Section and new building type, Shopfront building type, is added as Section 3.2.1 as follows:

Shopfront

DESCRIPTION

The shopfront building type is centered on creating a pedestrian-focused streetscape, with active ground-floor uses and direct sidewalk access. It is ideal for commercial, retail, and office uses at the street level, with residential or live-work units typically located on upper floors. The form supports vibrant, walkable environments through minimal or no front setbacks and street-facing entrances. Most shopfront building standards vary by zoning district to ensure compatibility with the surrounding context. Parking is generally located at the side or rear to maintain an uninterrupted pedestrian experience.

ZONE DISTRICTS

The following Zone Districts allow Shopfront building:

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

BUILDING TYPE EXAMPLES



Caspari - Charlottesville, VA



JHP Mid Rise / High Rise by JHP Architecture

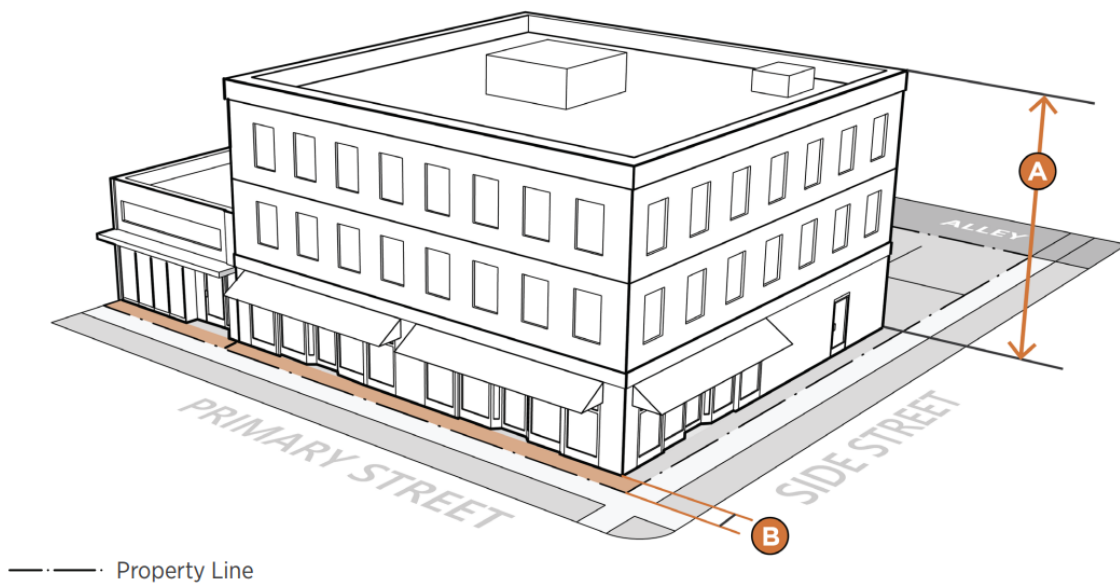


LoopNet.com



ColorProperty.com, IRES MLS

BUILDING STANDARDS



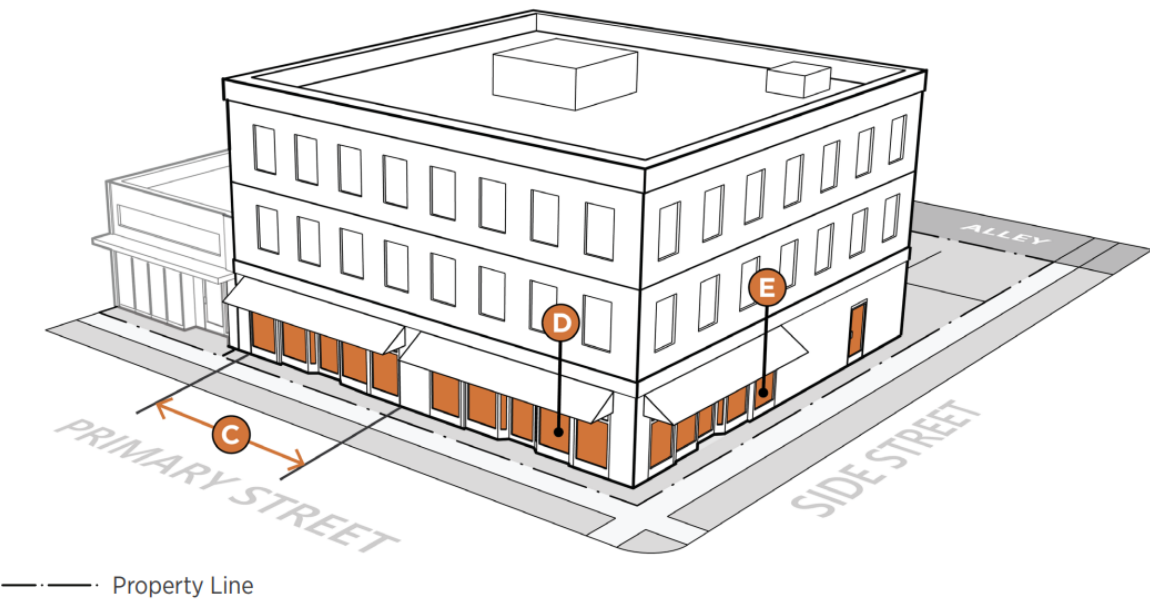
BUILDING HEIGHT		
Maximum	4-12 stories max.*	
Affordable Housing Bonus	1-2 additional stories	

*See Zone District standards for specific maximum height.

BUILD-TO LINES	
Smaller than Arterial	0'min. - 15' max.
On-Street Parking	0'min. - 15' max.
Arterial or larger	10'min. - 25'max.

BUILD-TO LINE EXCEPTIONS	
Plaza, courtyard, patio or garden	Landscaping, low walls, fencing or railings, a tree canopy and/or other similar site improvements are required.
Easement	As required by the City to continue an established drainage channel or access drive, or other easement.
Contextual Build-To	A contextual build-to line may fall at any point between the required build-to line and the build-to line that exists on a lot that abuts, and is oriented to, the same street as the subject lot.

MASSING & ARTICULATION



MASSING

Building Bays* - Maximum Width	30'	C
--------------------------------	-----	---

- Footprints over ten-thousand (10,000) sf shall incorporate recesses/projections with bays no wider than thirty (30) ft.

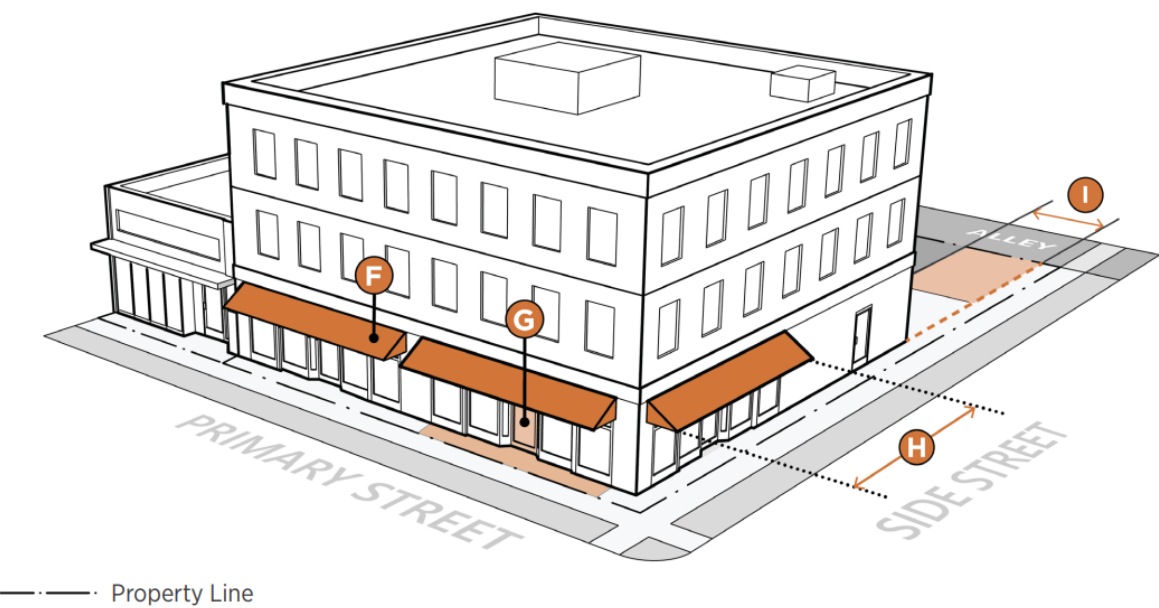
*Building bay is defined as at least two (2) of the following:

- change in plane;
- change in height;
- change in texture or masonry pattern, windows, treillage with vines; and/or
- an equivalent element that subdivides the wall into human scale proportions.

TRANSPARENCY (GROUND FLOOR)

Primary Street	60% minimum	D
Side Street	30% minimum	E

SITE ACCESS



ENTRYWAYS		
Primary Entrance Features	Sheltering Element Required*	F
Primary Entrance Orientation	Opens to a Connecting Walkway With Pedestrian Frontage**	G
Awning Width	No shorter than Single Storefront	H
VEHICULAR ACCESS & PARKING		
Alley Access***	Setback an additional 15' min. from the building wall	I
Off-Street Parking	Shall not be located any closer to a public street right-of-way than the principal building is set back from the street.	

*Includes clearly defined and recessed or framed element such as an awning, arcade, or portico to provide shelter.

**Buildings with vehicle bays and/or service doors for intermittent/infrequent nonpublic access to equipment, storage or similar rooms (e.g., self-serve car washes and self-serve mini-storage warehouses) are exempt from this standard.

***Any new access must obtain access from an alley when present, unless proposed alley access is deemed hazardous by the City Engineer.

Section 27. In ARTICLE 3 BUILDING TYPES, Division 3.2 NON-RESIDENTIAL BUILDING TYPES, a new Section and new building type, General building type, is added as Section 3.2.2 General as follows:

SECTION 3.2.2

General

DESCRIPTION

The general building type is a flexible, non-residential form intended to support a wide range of uses including: office, commercial, institutional, or light industrial, and others. Most design and building standards for this building type are determined by the zoning district in which it is located. This adaptability allows the general building type to respond to varied contexts throughout Fort Collins while maintaining compatibility with surrounding development and supporting pedestrian access.

ZONE DISTRICTS

The general building type is allowed in all zone districts and it varies widely based on use and zone district.

BUILDING TYPE EXAMPLES



Glacier Creek Dental



CBRE.com, Technology Parkway

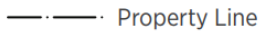


BryanConstruction.com, Harmony Corporate Center



ColoProperty.com, IRES MLS





Setbacks / Build-to	Varies by Zone Districts or Street Type*	A
----------------------------	--	----------

*See Article 2 and Section 5.15 Building Standards for additional information.

Maximum	3-12 stories max.**	B
---------	---------------------	----------

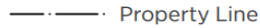
**See Zone District standards for specific maximum height.

Primary Street	30-50%***	
----------------	-----------	---

***See Zone District standards for specific percentage.

Maximum length of unbroken façade****	50'	
---------------------------------------	-----	---

****Articulation must relate to interior organization.



E

[illegible]

percent of the total gross area of any development plan. If the project contains less than ten (10) acres, the development plan must demonstrate how it contributes to the overall mix of land uses within the surrounding area, but shall not be required to provide a mix of land uses within the development.

- (2) In the NC zone district all permitted residential uses, except mixed-use dwellings in multistory shopfront buildings shall be considered secondary uses and, for projects containing five (5) or more acres, together shall occupy no more than thirty (30) percent of the total gross area of any development plan. If the project contains less than five (5) acres, the development plan must demonstrate how it contributes to the overall mix of land uses within the surrounding area but shall not be required to provide a mix of land uses within the development.

...

Section 31. ARTICLE 4 USE STANDARDS 4.3 ADDITIONAL USE STANDARDS
Section 4.3.2 INSTITUTIONAL/CIVIC/PUBLIC USES is hereby amended to read as follows:

4.3.2(C) **Seasonal Overflow Shelter**

(1)The purpose of this Section is to allow for the siting and approval of seasonal overflow shelters while helping to ensure that such shelters are compatible with the adjacent neighborhoods.

(2)General Standards. Seasonal overflow shelters shall be allowed as a permitted use, provided that all of the following conditions are met:

...

4.3.2(D) **Wildlife Rescue and Education Centers**

- (1) In the LMN zone district, wildlife rescue and education centers are limited to within five hundred five hundred (500) feet of East Vine Drive or railroad property abutting and parallel to East Vine Drive.

...

Section 32. ARTICLE 4 USE STANDARDS 4.3 ADDITIONAL USE STANDARDS
Section 4.3.3 COMMERCIAL/RETAIL USES is hereby amended to read as follows:

4.3.3 COMMERCIAL/RETAIL USES

. . .

(E)(2) In the LMN, MMN, HMN, OT-B zone districts such use shall be limited to six (6) beds not including on site owner or staff.

(F) Boat Sales with Storage

(1) Not permitted in the Transit-Oriented Development (TOD) Overlay.

(G) Child Care Center

(1) Outdoor Play Area is required to be the greater of either 1,200 sq. ft. or 75 sq. ft. per child of 33% of the child capacity of the center.

(2) An outdoor play area as stated above shall not be required for drop-in child care centers.

(3) For the purposes of this Subsection, the capacity of the center is calculated based upon indoor floor space reserved for school purposes of forty (40) square feet per child. Any such play area on the site of the child care center within or abutting any residential district shall be enclosed by a decorative solid wood fence, masonry wall or chain link fence with vegetation screening, densely planted. The height of such fence shall be a minimum of six (6) feet and shall comply with other fences regulations within this Code. Where access to child care centers is provided by other than local streets, an off-street vehicular bay or driveway shall be provided for the purpose of loading and unloading children.

(H) Convenience retail stores with fuel sales

. . .

(I) Convenience Shopping Center

(1) In the I zone district such use shall not exceed 25,000 sq. ft. of floor area.

(2) In the I zone district such use may include drive-in restaurants.

(3) In the NC zone district such use shall be three thousand nine hundred sixty (3,960) feet from any other any other such existing or permitted fueling station.

(J) Day Shelter

. . .

(K) Dog Day-Care Facility Regulations

(1) All services provided by a dog day-care facility shall be conducted within a completely enclosed, soundproof building.

(2) All dog day-care facilities shall be designed and constructed in a manner that reasonably mitigates emission of odor and noise to persons owning, occupying or patronizing properties adjacent to such facilities.

. . .

(L) Drive in Restaurant

(1) In the E, I zone districts such use is only permitted in a convenience shopping center.

(2) In the I zone district such use shall not exceed 25,000 sq. ft. of floor area.

. . .

(M) Enclosed Mini-storage Facility

(1) In the CS zoned districts such use shall be at least 150 feet from South College Avenue.

(2) Not permitted in the South College Gateway Area or the Transit Oriented Development (TOD) Overlay.

(3) In the LMN zone district such use shall be located within five hundred (500) feet of East Vine Drive or of the railroad property abutting and parallel to East Vine Drive.

. . .

(M) Reserved.

. . .

(N) Funeral Homes

(1) In the OT-C zone district such use shall be located in the street-fronting principal building.

. . .

(O) Grocery Stores

(1) In the D, CC, CCN, CCR, CS, NC zone districts shall occupy between five thousand (5,000) and forty-five thousand (45,000) square feet.

. . .

(V) Outdoor Storage Facility

(1) In the CL/RA zone district such use may include a towing yard, provided such use is setback at least thirty five (35) from an arterial street.

. . .

(Y) Small Scale Reception center

(1) In the UE zone district such use shall comply with the following performance standards;

. . .

(e) **Non-Residential Abutment.** At least one-sixth (1/6) of the reception center's property boundary must be contiguous to property that is zoned in one (1) or more of the following non-residential zone districts within the City:

- (I) D;
- (II) CC;
- (III) CCN;
- (IV) CCR;
- (V) CG;
- (VI) CS;
- (VII) NC;
- (VIII) CL;
- (IX) HC;
- (X) E;
- (XI) I.

. . .

4.3.3.(BB) Retail Establishment

(1) In the CG zone district such use shall not exceed 25,000 sq. ft.

. . .

4.3.3.(GG) Vehicle Sales and Leasing Establishments for Cars and light trucks

(1) In the CS District, such use shall be limited to ten (10) percent of the total linear frontage of both sides of North College Avenue between Vine Drive and the northern City limits or the intersection of North College Avenue and State Highway 1, whichever results in the shortest linear distance. Additionally in the CS District, such use shall also be located at least one hundred fifty (150) feet from South College Avenue.

. . .

Section 33. ARTICLE 4 USE STANDARDS 4.3 ADDITIONAL USE STANDARDS
Section 4.3.4 INDUSTRIAL USES is hereby amended to read as follows:

4.3.4 INDUSTRIAL USES

(A) Light Industrial

(1) In the LMN zone district such use shall be located within five hundred (500) feet of East Vine Drive.

(2) In the CG zone district such use shall not have outdoor storage.

(3) In the South College Gateway Overlay such use is prohibited.

. . .

(E) Workshops and Custom Small Industry

(1) In the LMN zone district such use shall be located within five hundred (500) feet of East Vine Drive.

Section 34. ARTICLE 4 USE STANDARDS 4.3 ADDITIONAL USE STANDARDS
Section 4.3.5 ACCESSORY/MISCELLANEOUS USES is hereby amended to read as follows:

(A) Accessory Buildings, Structures and Uses

(1) Accessory buildings, structures and uses (when the facts, circumstances and context of such uses reasonably so indicate) may include, but are not limited to, the following:

...

- (l) Solar energy systems;

...

- (p) Community based shelters services;
- (q) Drive-through facilities.

...

(C) Fences and Walls

(1) Fences and walls are allowed in all zone districts as provided in this Section.

(2) If used along collector or arterial streets, such features shall be made visually interesting and shall avoid creating a "tunnel" effect. Compliance with this standard may be accomplished by integrating architectural elements such as brick or stone columns, incorporating articulation or openings into the design, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or similar techniques. In addition to the foregoing, and to the extent reasonably feasible, fences and sections of fences that exceed one hundred (100) feet in length shall vary the alignment or setback of at least one-third ($\frac{1}{3}$) of the length of the fence or fence section (as applicable) by a minimum of five (5) feet.

(3) **Materials:** Chain-link fencing with or without slats shall not be used as a fencing material for screening purposes. Except as permitted below, no barbed wire or other sharp-pointed fence and no electrically charged fence shall be installed or used in any zone districts.

(a) In the Urban Estate (UE), Rural Land (RUL) and Foothills Residential (RF) Districts, barbed wire and portable electrically charged fencing may be used for the purpose of livestock and pasture management. Electrically charged fencing must only be used within permanent fencing. Electrically charged fencing that is located along any public right-of-way shall contain signage that identifies it as being electrically charged. Such signage shall occur every three hundred (300) feet and be a minimum of thirty-six (36) square inches in area. All electrically charged fencing shall be limited to low impedance commercially available electric fence energizers using an interrupted flow of current at intervals of about one (1) second on and two (2) seconds off and shall be limited to two thousand six hundred (2,600) volts at a five-hundred-ohm load at seventeen (17) mililamperes current. All electric fences and appliances, equipment and materials used shall be listed or labeled by a qualified testing agency and shall be installed in accordance with

manufacturers' specifications and in compliance with the National Electrical Code, 1981 Edition NFPA 701981.

(b) In the Employment (E) District and the Industrial (I) District, the Director may grant a revocable use permit that must be renewed every three (3) years for installation of security arms and barbed wire strands atop protective fences or walls, provided that the following conditions are met: the lowest strand of barbed wire must be maintained at least ten (10) feet above the adjoining ground level outside the fence; exterior area security lighting controlled by an automatic light level switch must be installed and maintained in good operating condition; and such lighting must be directed into the site and not outward toward the perimeter.

(4) Fences and walls must be:

(a) No more than four (4) feet high between the front building line and front property line;

(b) No more than four (4) feet high if located in the front yard, or within any required side yard setback area in the front yard, except if required for demonstrated unique security purposes;

(c) No more than six (6) feet high if located within any required rear yard setback area or within any side yard setback area in a rear yard;

(d) No more than forty-two (42) inches in height when located within the visual clearance triangle described in Section 5.16.1(K), and, if over thirty-two (32) inches in height within such triangle, fences shall be constructed of split rail with a minimum dimension of twelve (12) inches between horizontal members;

(e) No closer than two (2) feet to a public sidewalk;

(f) No closer than three (3) feet to a lot line along an alley where an alley-accessed garage door is set back at least twenty (20) feet from the lot line, and no closer than eight (8) feet to a lot line along an alley where an alley-accessed garage door is set back less than twenty (20) feet from the lot line, except that alley fences on lots in the RL and OT districts may be located closer to the lot line along an alley when the City Engineer approves such a location is safe.

...

(D) Urban Agriculture

(1) The following standards apply to all urban agriculture land uses, except those urban agriculture land uses that are approved as a part of a site-specific development plan.

(2) The intent of these urban agriculture regulations is to allow for a range of urban agricultural activities at a level and intensity that is compatible with the City's neighborhoods.

(3) Standards

(a) *License required.* Urban agriculture land uses shall be permitted only after the owner or applicant for the proposed use has obtained an urban agriculture license from the City that finds the use complies with the conditions of below Subsection (3)(b). The fee for such a license shall be the fee established in the Development Review Fee Schedule. If active operations have not been carried on for a period of twenty-four (24) consecutive months, the license shall be deemed to have been abandoned regardless of intent to resume active operations. The Director may revoke any urban agriculture license issued by the City if the holder of such license is in violation of any of the provisions contained in subsection(b) below, provided that the holder of the license shall be entitled to the administrative review of any such revocation under the provisions contained in Article 6.

...

(G) **Solar Energy Systems**

(2)(e) Building-mounted solar energy systems are exempt from the height requirements of this Code, except that they must comply with the height limitations of this Section 4.3.5(G), including the following:

Solar Energy Table

<i>Non-residential and residential buildings (excluding single-dwelling unit or duplex dwellings)</i>	
< 2:12 pitch	8 feet high, as measured on a vertical axis to the roof below, to which it is installed (see Figure 16.3 below)
2:12 to 6:12 pitch	4 feet high, as measured on a vertical axis to the roofline below, to which it is installed.

> 6:12 pitch	2 feet high, as measured on a vertical axis to the roofline below, to which it is installed.
<i>Single dwelling unit and duplex dwellings (principal and accessory buildings)</i>	
No higher than 1 foot, as measured on a vertical axis to the roof below, to which it is installed, unless roof pitch is 2:12 or less, in such case 2 feet is permitted. No portion of a solar energy system shall project above the maximum projection line depicted within Figures 16.3 and 16.4 below.	
<i>All buildings</i>	
Building-mounted solar energy systems shall not extend horizontally beyond any roof overhang.	
<i>Building-mounted solar energy systems</i>	
Solar panels installed on the sides of buildings as awnings or attached to buildings as shade elements are permitted so long as the provisions of this and other applicable requirements are met.	

...

- (4) Maintenance. Any solar energy system that has not been in working condition for a period of one (1) year shall be subject to Section 115 (Unsafe Structures and Equipment) of the International Building Code, as determined by the City, which may require the panels and associated equipment to be removed, or the unsafe condition otherwise mitigated if it is determined to be unsafe. If so determined by the Building Official, the panels and associated equipment shall be promptly removed from the property to a place of safe and legal disposal, after which the site and/or building, as applicable, must be returned to its preexisting condition.

...

(H) Wire Communication

- (7)(a) Application types. All WCFs shall be reviewed according to the following timeframes (the review of Eligible Facility Requests is addressed in (7)(c) below):

...

(7)(c) Specific Review Procedures for Eligible Facility Requests (EFR).

- (I) EFR standards. The City shall prepare, and time to time revise as deemed necessary by the Director and make available, an application form requiring the information necessary for the City to consider whether the project covered by an application would:

...

(III) Tolling the timeframe for EFR review.

...

- (ii) If the City fails to approve or deny an EFR within the time frame for review (accounting for any tolling), the request shall be deemed granted; provided that this approval shall become effective only upon the City's receipt of written notification from the applicant after the review period has expired (accounting for any tolling) indicating that the application has been deemed granted.

(IV) Interaction with Telecommunications Act 47 U.S.C. Section 332(c)(7). If the City determines that the applicant's request is not an EFR as delineated in this subsection, the applicant shall be advised as to the relevant provisions of the City Code that govern the process to consider the request, and whether the Code requires any additional information to be submitted in order for the request to be considered complete. If the applicant subsequently indicates an intent for the proposal to be considered under the relevant section of the City Code and submits all required information, the presumptively reasonable timeframe under Section 332(c)(7), as set forth in applicable federal and state law will begin to run from submittal of the required information under the applicable provision of this Code.

...

Section 35. ARTICLE 5 USE STANDARDS 5.2 AFFORDABLE HOUSING
Section 5.2.1 AFFORDABLE HOUSING is hereby amended to read as follows:

5.2.1 AFFORDABLE HOUSING

(C) **Affordability Standards.** Rental and For-sale projects shall provide one of the following minimum unit options:

...

(2) For-Sale Units:

...

(D) **Compliance.** To achieve compliance, all Affordable Housing built under the standards of this Code shall provide the following:

- (1) **Certification Letter.** The applicant shall submit a notarized affidavit to the Director that provides how the development meets the affordability standards above and administrative requirements. Upon review and acceptance of the affidavit in consultation with the Director of the Housing and Community Vitality Department, the Director will provide a letter certifying that the development meets the standards stated above and any administrative requirements (Certification Letter). This letter is required to be submitted as part of the building permit application before a building permit can be issued for the development but is not required to as a part of a land use review.
- (2) **Qualified Preservation Partner (QPP).** If applicable, the Certification Letter shall identify the Qualified Preservation Partner.
- (3) **Covenant/Deed Restriction.** The units will be required by binding legal instrument acceptable to the City, providing rights of enforcement to the City, and duly recorded with the Larimer County Clerk and Recorder, to be occupied by and affordable to low-income households for at least sixty (60) years (the Affordable Housing Covenant). This Affordable Housing Covenant shall be recorded prior to issuance of a building permit for the development. There will be language placed in real estate sales documents, acceptable to the City, clearly noticing the Affordable Housing Covenant as part of the sale, and containing a continued requirement of notice in all future sales.

...

(F) **Annual Reporting.** The applicant or Qualified Preservation Partner shall provide annual documentation to the Director, who shall provide a copy to the Director of the Housing and Community Vitality Department, relating to the affordable dwelling units in the development. This documentation must commence no later than thirty (30)

days following issuance of a Certificate of Occupancy (CO) for the affordable dwelling units and will include, at minimum, the following:

...

(G) Monitoring.

- (1) The Director in consultation with the Director of the Housing and Community Vitality Department shall periodically monitor and verify the commitments made by the applicant or Qualified Preservation Partner in the Affordable Housing Covenant. Upon reasonable notice to the applicant or Qualified Preservation Partner, the applicant or Qualified Preservation Partner shall provide information to the City sufficient to verify the following:
 - (a) Compliance with all Affordable Housing Requirements as set forth in this Division.
 - (b) The affordable dwelling units are occupied by households earning income as required in the Affordable Housing Covenant.
 - (c) The eligibility of each prospective household is verified by the Applicant or Qualified Preservation Partner prior to occupancy of any affordable unit and proof provided to the City upon request. Upon request of the City, Applicants or Qualified Preservation Partners shall submit documentation for certification to the City for a determination of tenant eligibility.
 - (2) City staff shall be entitled to arrange periodic site visits to ensure habitability of affordable units; Applicant or Qualified Preservation Partner will secure any necessary authority to enter the unit and will cooperate with City staff.
 - (3) Monitoring required for compliance as part of a City funding award for affordable units shall satisfy the requirements of this subsection (G).
- (H) Enforcement.** Upon a finding by the City that an Affordable Housing project built under the standards of this Code does not comply with the requirements of Section 5.2, the City make take one or more enforcement actions:

...

Section 36. ARTICLE 5 USE STANDARDS 5.3 RESIDENTIAL DEVELOPMENT
Section 5.3.3 NEIGHBORHOOD CENTERS is hereby amended to read as follows:

5.3.3 NEIGHBORHOOD CENTERS

(C) Use Requirements.

...

(2) No accessory drive-through facilities shall be permitted.

...

Section 37. ARTICLE 5 USE STANDARDS 5.9 BUILDING PLACEMENT AND SITE DESIGN Section 5.9.1 Access, Circulation and Parking is hereby amended to read as follows:

5.9.1 ACCESS, CIRCULATION AND PARKING

(A) **Purpose.** This Section is intended to ensure that the parking and circulation aspects of all developments are well designed with regard to safety, efficiency and convenience for vehicles, bicycles, pedestrians, mobility assistance devices, and transit, both within the development and to and from surrounding areas. Sidewalk or bikeway extensions off-site may be required based on needs created by the proposed development. This Section sets forth parking requirements in terms of numbers and dimensions of parking stalls, landscaping and shared parking. It also addresses the placement of drive-through facilities and loading zones.

...

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

...

(5) Walkways.

(a) Directness and Continuity. Walkways within the site shall be located and aligned to connect areas or points of pedestrian origin and destination. At least one walkways shall be unobstructed by vertical curbs, stairs, raised landscape islands, utility appurtenances or other elements that restrict access and shall link street sidewalks with building entries through parking lots. Such walkways shall be raised or enhanced with a paved surface not less than six (6) feet in width. The private drive connecting to the public right-of-way shall have walkways on both sides.

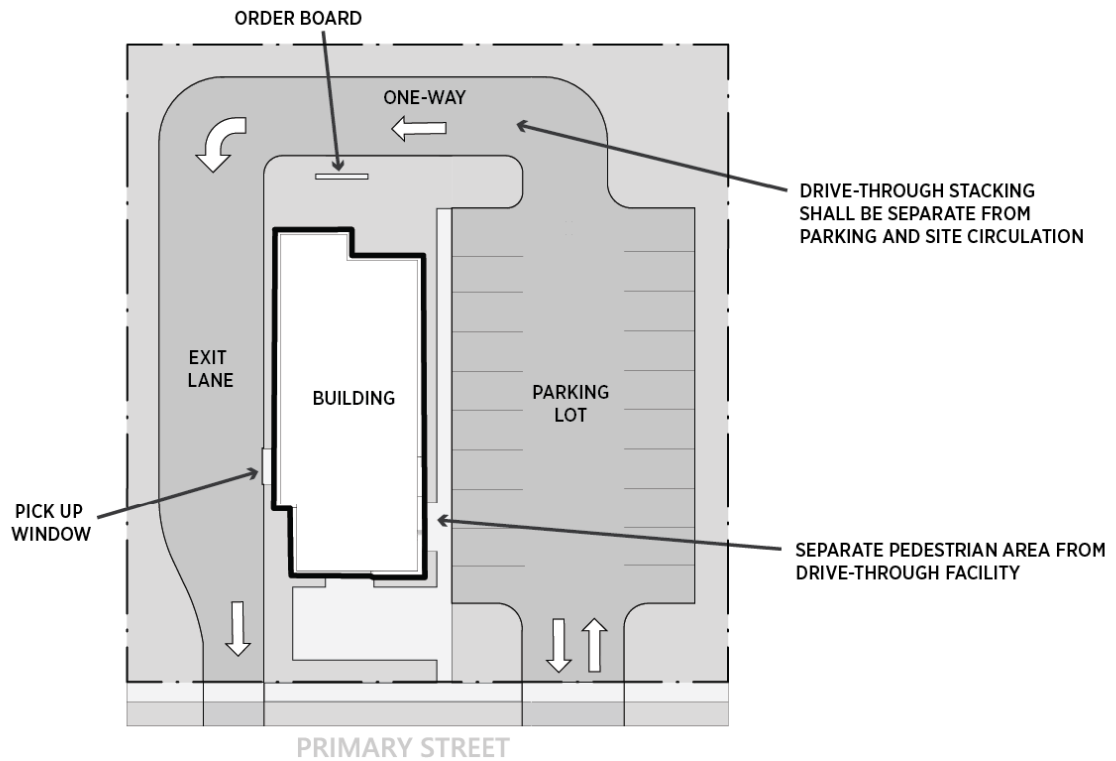
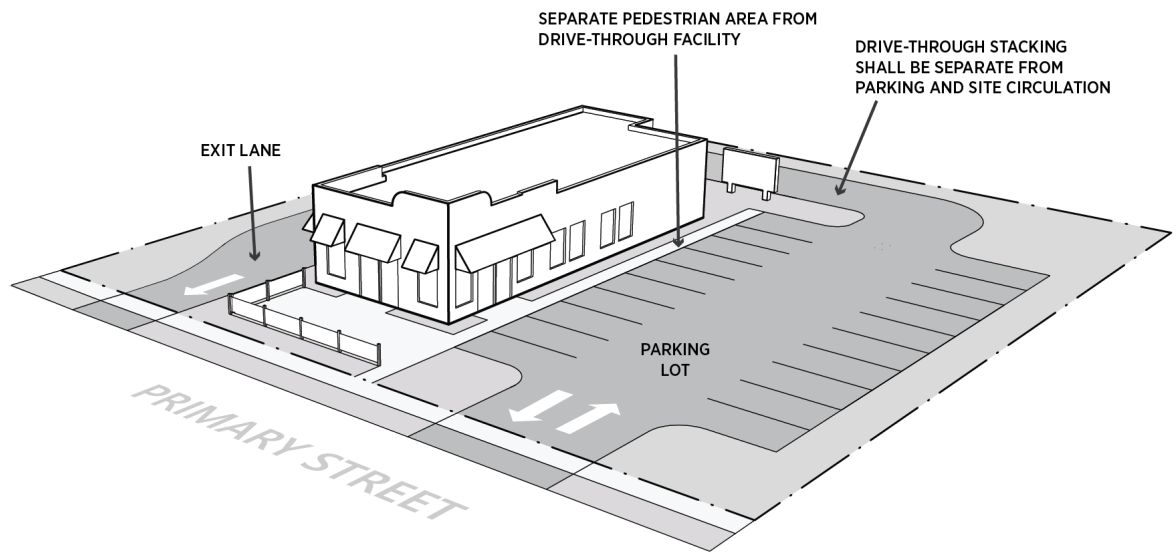
...

(8) **Transportation Impact Study (TIS).** In identifying those facilities that may be required in order to comply with these standards, all development plans must submit a TIS approved by the Traffic Engineer, which study shall be prepared in accordance with the TIS guidelines maintained by the City. For applications related to drive-through facilities, a stacking analysis shall be included in the TIS.

. . .

(H) **Drive-through Facilities.** Any drive-through facilities, if permitted by the zone district regulations set forth in Article 2, shall be secondary in emphasis and priority to any other access and circulation functions. Such facilities shall be located in side or rear locations that do not interrupt direct pedestrian access along connecting pedestrian frontage. The design and layout of drive-through facilities for restaurants, banks, or other uses shall:

- (1) avoid potential individual/vehicle conflicts;
- (2) provide a minimum of four (4) stacking spaces for automobiles before restaurant drive-through lane signs and a minimum of four (4) stacking spaces before pick up windows for drive-through restaurants, which minimums may be increased by the decision maker based upon the TIS;
- (3) design stacking for minimum required spaces to not interfere with parking or site circulation;
- (4) provide adequate directional signage to ensure a free-flow through the facility;
and
- (5) provide a walk-up service option as well as drive-through.



...

Section 38. ARTICLE 5 USE STANDARDS 5.12 EXTERIOR SITE LIGHTING
 Section 5.12.1 EXTERIOR SITE LIGHTING is hereby amended to read as follows:

...

(D) Existing Lighting. Existing lighting shall mean lighting installed or approved prior to March 26, 2021.

(1) Pursuant to Section 6.3.10 changes to exterior light shall comply with the level of review required. All review levels outlined in 6.3.10 shall be limited to meeting Section 5.12.1(A), *Purpose*, Section 5.12.1(C), *Design Standards*, and Section 5.12.1(I), *Limits to Offsite Impacts*. For micro and minor amendments, the Director may impose conditions of approval to ensure lighting meets the purpose and intent of code requirements. The applicant may appeal the Director's decision in the same manner as a basic development review or minor subdivision decision as set forth in Land Use Code Section 6.3.12(C).

(2) Applicants for major amendments pursuant to 6.3.10(A)(4) shall submit a lighting plan for the entire development site that meets the requirements of this Section and, if necessary to meet such requirements, complete a site lighting retrofit for the entire development site.

...

Section 39. ARTICLE 5 USE STANDARDS 5.15 BUILDING STANDARDS Section 5.15.1 BUILDING AND PROJECT COMPATIBILITY is hereby amended to read as follows:

5.15.1 BUILDING AND PROJECT COMPATIBILITY

...

(E) Building Materials.

(1) **Reserved.**

(2) **Glare.** Building materials shall not create excessive glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal and reflective glass, the potential for glare from such materials will be evaluated to determine whether the glare would create a significant adverse impact on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views. If so, such materials shall not be permitted.

(3) **Windows.**

- (a) Mirror glass with a reflectivity or opacity of greater than sixty (60) percent is prohibited.
- (b) Clear glass shall be used for street level commercial display windows and doors.
- (c) Windows shall be individually defined with detail elements such as frames, sills and lintels, and placed to visually establish and define the building stories and establish human scale and proportion.

(F) **Reserved.**

(G) **Modification of Height Limits.** To provide flexibility in meeting the height limits contained in Article 4 of this Code, such height limits can be either increased or decreased by the decision maker in the development review process for the following purposes:

- (I) allowing architectural embellishments consistent with architectural style, such as peaked roof sections, corner turrets, belvederes or cupolas;
- (II) defining and reinforcing the downtown areas the major focal point in the community;
- (III) allowing for maximum utilization of activity centers;
- (IV) providing conscious direction to the urban form of the City through careful placement of tall buildings or structures within activity centers;
- (V) allowing rooftop building extensions to incorporate HVAC equipment.

. . .

Section 40. ARTICLE 5 USE STANDARDS 5.15 BUILDING STANDARDS Section 5.15.2 MIXED-USE, INSTITUTIONAL AND COMMERCIAL is hereby amended to read as follows:

5.15.2 MIXED-USE, INSTITUTIONAL AND COMMERCIAL

. . .

(B) **General Standard.** The street level shall be designed to comport with a pedestrian scale in order to establish attractive street fronts and walkways. Walkways shall be designed principally for the purpose of accommodating pedestrians and pedestrian connections.

. . .

(C) **Relationship of Buildings to Streets, Walkways and Parking.**

. . .

(2) **Building Placement and Build-to Lines.**

- (a) At least thirty (30) percent of the total length of the building along the street shall be extended to the build-to line area.
 - (I) If a parcel, lot or tract has multiple streets, then the building shall be built to at least two (2) of the built to lines, i.e. to a street corner.
 - (II) If there is a choice of two (2) or more corners, then the building shall be built to the corner that is projected to have the most pedestrian activity associated with the building.
- (b) Buildings shall be located no more than fifteen (15) feet from the right-of-way of an adjoining street if the street is smaller than a full arterial or has on-street parking.
- (c) Buildings shall be located at least ten (10) and no more than twenty-five (25) feet behind the street right-of-way of an adjoining street that is larger than a two-lane arterial that does not have on-street parking.
- (d) Exceptions to the build-to-line standards shall be permitted:
 - (I) In order to form an outdoor space such as a plaza, courtyard, patio or garden between a building and the sidewalk. Such a larger front yard area shall have landscaping, low walls, fencing or railings, a tree

canopy and/or other similar site improvements along the sidewalk designed for pedestrian interest, comfort and visual continuity.

- (II) If the building abuts a four-lane or six-lane arterial street, and the Director has determined that an alternative to the street sidewalk better serves the purpose of connecting commercial destinations due to one or more of the following constraints:

- a. High volume and/or speed of traffic on the abutting street(s).

- b. Landform.

- (III) An established pattern of existing buildings that makes a pedestrian-oriented streetfront infeasible. Such an alternative to the street sidewalk must include a connecting walkway(s) and may include internal walkways or other directly connecting outdoor spaces such as plazas, courtyards, squares, or gardens.

- (IV) If a larger or otherwise noncompliant front yard area is required by the City to continue an established drainage channel or access drive, or other easement.

- (V) In order to conform to an established pattern of building and street relationships, a contextual build-to line may fall at any point between the required build-to line and the build-to line that exists on a lot that abuts, and is oriented to, the same street as the subject lot. If the subject lot is a corner lot, the contextual build-to line may fall at any point between the required build-to line and the build-to line that exists on the lot that is abutting and oriented to the same street as the subject lot. A contextual build-to line shall not be construed as allowing a vehicular use area between the building and the street.

(D) **Variation in Massing.**

(1) Changes in mass shall be related to entrances, the integral structure and/or the organization of interior spaces and activities and not merely for aesthetic effect. False fronts or parapets create an insubstantial appearance and are prohibited.

(E) **Building Standards.** In new buildings and, to the extent reasonably feasible, in development projects involving changes to existing building walls, facades or awnings, the following standards shall apply:

(1) **Facade Treatment.** Minimum Wall Articulation. Building bays shall be a maximum of thirty (30) feet in width. In order to avoid the effect of a single, long or massive wall with no relation to human size, the following additional standards shall apply:

. . .

(2) **Facades.** Facades that face streets or connecting pedestrian frontage shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, treillage with vines, along no less than fifty (50) percent of the facade.

(3) **Entrances.** Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.

(4) **Parking Structure Design.** To the extent reasonably feasible, all parking structures shall meet the following design criteria:

(a) Where parking structures face streets, retail or other uses shall be required along at least fifty (50) percent of the ground level frontage to minimize interruptions in pedestrian interest and activity. The decision maker may grant an exception to this standard for all or part of the ground level frontage on streets with low pedestrian interest or activity.

(b) Auto entrances shall be located and designed to minimize pedestrian/auto conflicts. Where service entries or parking structure entries are needed, the following standards shall be met:

(I) The crown of the underground parking access ramp shall be at least four (4) feet behind the back edge of the sidewalk;

(II) The beginning of the ramp for an above-ground parking garage shall be at least four (4) feet behind the back edge of the sidewalk;

- (III) The sidewalk pavement shall be continuous across the drive aisle. Any break in the paving surface or scoring shall be in the drive surface and not in the pedestrian surface; and
- (IV) Appropriate cautionary signage shall be used to alert pedestrians to the presence of entering and exiting vehicles and to inform drivers that pedestrians have priority.

(5) **Encroachments.** Special architectural features, such as bay windows, decorative roofs and entry features may project up to three (3) feet into street rights-of-way, provided that they are not less than nine (9) feet above the sidewalk. Trellises, canopies and fabric awnings may project up to five (5) feet into front setbacks and public rights-of-way, provided that they are not less than eight (8) feet above the sidewalk. No such improvements shall encroach into alley rights-of-way.

(6) **Illumination prohibition.** Exterior-mounted exposed neon/fiber optic/rope L.E.D. lighting, illuminated translucent materials (except signs), illuminated striping or banding, and illuminated product displays on appurtenant structures (e.g., fuel dispensers) shall be prohibited.

...

Section 41. ARTICLE 5 USE STANDARDS 5.15 BUILDING STANDARDS
Section 5.15.3 LARGE RETAIL ESTABLISHMENTS is hereby amended to read as follows:

5.15.3 LARGE RETAIL ESTABLISHMENTS

...

(B) **Reserved.**

...

(D) **Development Standards.**

(1) **Building Design**

(a) **Building Placement and Build-to Lines.**

- (I) At least thirty (30) percent of the total length of the building along the street shall be extended to the build-to line area.
 - a. If a parcel, lot or tract has multiple streets, then the building shall be built to at least two (2) of the build-to lines, i.e. to a street corner.
 - b. If there is a choice of two (2) or more corners, then the building shall be built to the corner that is projected to have the most pedestrian activity associated with the building.
- (II) Buildings shall be located no more than fifteen (15) feet from the right-of-way of an adjoining street if the street is smaller than a full arterial or has on-street parking.
- (III) Buildings shall be located at least ten (10) and no more than twenty-five (25) feet behind the street right-of-way of an adjoining street that is larger than a two-lane arterial that does not have on-street parking.
- (IV) Exceptions to the build-to line standards shall be permitted:
 - 1. In order to form an outdoor space such as a plaza, courtyard, patio or garden between a building and the sidewalk. Such a larger front yard area shall have landscaping, low walls, fencing or railings, a tree canopy and/or other similar site improvements along the sidewalk designed for pedestrian interest, comfort and visual continuity.
 - 2. If the building abuts a four-lane or six-lane arterial street, and the Director has determined that an alternative to the street sidewalk better serves the purpose of connecting commercial destinations due to one or more of the following constraints:
 - a. High volume and/or speed of traffic on the abutting street(s).
 - b. Landform.

An established pattern of existing buildings that makes a pedestrian-oriented streetfront infeasible. Such an

alternative to the street sidewalk must include a connecting walkway(s) and may include internal walkways or other directly connecting outdoor spaces such as plazas, courtyards, squares, or gardens.

- (3) In the case of large retail establishments, supermarkets or other anchor-tenant buildings that face internal connecting walkways with pedestrian frontage in a development that includes additional outlying buildings abutting the street(s).
- (4) If a larger or otherwise noncompliant front yard area is required by the City to continue an established drainage channel or access drive, or other easement.
- (5) In order to conform to an established pattern of building and street relationships, a contextual build-to line may fall at any point between the required build-to line and the build-to line that exists on a lot that abuts, and is oriented to, the same street as the subject lot. If the subject lot is a corner lot, the contextual build-to line may fall at any point between the required build-to line and the build-to line that exists on the lot that is abutting and oriented to the same street as the subject lot. A contextual build-to line shall not be construed as allowing a vehicular use area between the building and the street.

(b) Facades and Exterior Walls:

...

- (c) Small Retail Stores. Where large retail establishments contain additional, separately owned stores that occupy less than twenty-five thousand (25,000) square feet of gross floor area, with separate, exterior customer entrances, the street level facade of such stores shall be transparent between the height of three (3) feet and eight (8) feet above the walkway grade for no less than sixty (60) percent of the horizontal length of the building facade of such additional stores.

...

- (d) Detail Features. Building facades must include:

...

(e) Roofs. Roofs shall have no less than two (2) of the following features:

...

(f) Materials and colors.

(I) Facade colors shall be low reflectance. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

(II) Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

...

(5) **Central Features and Community Space.** Each large retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two (2) of the following: patio/seating area, pedestrian plaza with benches, transportation center, window shopping walkway, outdoor playground area, kiosk area, water feature, clock tower or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the appropriate decision maker, adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape. (See Figure 15.)

...

Section 42. ARTICLE 5 USE STANDARDS 5.15 BUILDING STANDARDS Section 5.15.4 CONVENIENCE SHOPPING CENTER is hereby amended to read as follows:

5.15.4 CONVENIENCE SHOPPING CENTER

...

(B) **Reserved.**

(C) **Land Use.**

- (1) **Size of Development.** A convenience shopping center shall be situated on seven (7) or fewer acres with four (4) or more business establishments located in an area that is planned and developed as a whole.
- (2) **Permitted Uses.** Permitted uses include retail stores, personal and business services, convenience retail stores (with accessory gas pumps), restaurants without drive-through windows, equipment rental (not including outdoor storage), professional offices, limited banking services such as automated teller machines, multi-unit dwellings, medical offices and clinics, small animal veterinary clinics, and day care services.
- (3) **Phasing of Improvements.** If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements.

(D) Buildings.

- (1) **Architectural Style.** Standardized architecture, recognized as a prototype of a larger chain of establishments, shall be customized to enhance the distinctive character of the immediate neighborhood and the City as a whole, as described below.

...

Section 43. ARTICLE 5 USE STANDARDS 5.16 SIGNS Section 5.16.2 PERMANENT SIGNS is hereby amended to read as follows:

...

TABLE (G)(1) Freestanding Permanent Signs	
...	
Restaurant Drive-Through Lane Signs	
...	

Section 44. ARTICLE 5 USE STANDARDS 5.17 WATER ADEQUACY DETERMINATIONS Section 5.17.5 PROCEDURES AND STANDARDS FOR WATER ADEQUACY DETERMINATIONS: OTHER POTABLE WATER SUPPLY ENTITIES is hereby amended to read as follows:

5.17.5 PROCEDURES AND STANDARDS FOR WATER ADEQUACY DETERMINATIONS: OTHER POTABLE WATER SUPPLY ENTITIES

(A) Application Requirements for Other Potable Water Supply Entities.

Applications for a water adequacy determination for all or portions of a development to be served with potable water by other potable water supply entities shall be a form as required by the Director. Such applications shall include all of the following:

...

- (8) An other potable water supply entity with an approved ODP or PUD Overlay as outlined in Division 6.5 and Section 2.6.3 that includes the entire proposed service area, may at either the other potable water supply entity's, or Director's discretion, submit an application that describes their entire proposed service area once with the initial phase of development and then update the initial determination with a letter from a professional engineer for each subsequent phase with the information required in Subsection 5.17.4; or as required based on any material changes to:

- (a) Any of the requirements set forth in this Section;
- (b) The reported water supply as set forth in Subsection 5.17.3; or
- (c) The proposed development, as determined by the Director.

...

(B) Review of Application.

...

(2) Review.

- (a) The Director shall review the materials provided by the applicant following the completion of the agreement identified in Subsection 5.17.5(B)(1). The time needed for the Director's review shall be based on the complexity of the application, the proposed water supply, and proposed water supply system.

- (b) Following the submission of the application, the Director shall be entitled to require any such additional or supplemental information from the applicant as may be required to review and ensure compliance with all review criteria.
- (c) The review will be completed concurrently with the required Final Plan, Basic Development Review, Development Construction Permit, or any plan amendments as specified in Section 5.17.3.

...

Section 45. ARTICLE 6 ADMINISTRATION AND PROCEDURES 6.2 GENERAL PROCEDURAL REQUIREMENTS Section 6.2.2 OVERVIEW OF DEVELOPMENT REVIEW PROCEDURES is hereby amended to read as follows:

6.2.2 OVERVIEW OF DEVELOPMENT REVIEW PROCEDURES

...

(B) **What uses are proposed?** Next, an applicant must identify which uses will be included in the proposed project. If *all* of the applicant's proposed uses are listed as permitted uses in the applicable zone district for the project, then the applicant is ready to proceed with a development application for a permitted use. If *any* of the applicant's proposed uses are *not* listed as permitted uses in the applicable zone district for the project, then the applicant must either:

- eliminate the nonpermitted uses from their proposal;
- seek the addition of a new permitted use pursuant to Division 6.9;
- seek a text amendment to this Land Use Code pursuant to Division 6.25;

...

Section 46. ARTICLE 6 ADMINISTRATION AND PROCEDURES 6.3 COMMON DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS REQUIREMENTS Section 6.3.10 Step 10 Amendments and Change of Use is hereby amended to read as follows:

6.3.10 STEP 10: AMENDMENTS AND CHANGES NOT REQUIRING AMENDMENT

(A) **Applicability.** This Section applies to proposed amendments and changes not requiring an amendment to (1) approved development plan or site specific development plans, whether approved under this Code or prior law; and (2) any developed lot with a legally established use that is currently allowed in the respective zone district where it is located and for which an approved plan does not exist. This Section does not apply to (1) nonconforming uses addressed in Division 6.16 or existing limited permitted uses addressed in Division 6.17 except for a change of use to an allowed use, or (2) lots without a legally established use. In instances where no approved plan exists but an amendment is required, the City may require submittal of a site plan or other documentation sufficient to memorialize existing and proposed development.

Subsequent to the approval of a development plan or site specific development plan approved under this Code or a prior plan, or in instances where no approved plan exists but a legally established use that continues to be allowed, amendments or changes to such plans may be made per the requirements of this Section. Outlined below are levels of change that are characterized by different review procedures, degree of change, and required site improvements to bring the site into further or total compliance with current standards. Percentages listed in below Subsection (D) through (G) are maximum percentages in the aggregate. These levels include:

(1) No Amendment. If no amendment is required as described in below Subsection (D), changes are reviewed through an applicable building permit, and if no building permit is required, changes compliant with this Code may proceed without further review.

(2) Micro Amendment and Parkway Landscape Amendment. If a micro amendment or parkway landscape amendment is required per below Subsection (E), changes are reviewed through an amendment application prior to applicable permits and additional site improvements to enhance multi-modal transportation as identified in below Subsection (H). The decision maker is the Director.

(3) Minor Amendment. If a minor amendment is required per below Subsection (F), changes are reviewed through a minor amendment application prior to other applicable permits and require site improvements limited to those as identified in below Subsection (H). The decision maker is the Director unless referred to the Planning and Zoning Commission or the City Council pursuant to below Subsection (I).

The Director may decide minor amendments to an approved PUD Comprehensive Plan as long as the PUD Comprehensive Plan as amended continues to comply with the standards of this Code, as such standards may have been modified in the existing PUD Comprehensive Plan, and so long as the amendment is consistent

with the existing PUD Comprehensive Plan. Otherwise, the minor amendment must be referred to the original decision maker for decision.

(4) Major Amendment. If a major amendment is required per below Subsection (G), changes are reviewed through a major amendment application prior to other applicable permits and require site improvements to bring the site into full compliance with the standards of this Code as identified in below Subsection (H).

(B) Decision Maker Review and Decision; Determination of Appropriate Review for Changes Not Listed in Subsections (D) Through (G).

(1) Review and Decision. The decision maker may approve an amendment if the amendment complies with the criteria described in the applicable table, and the site as amended will not reduce the existing level of compliance with this Code. The decision maker may also approve an amendment if conditions can be imposed that, when satisfied, allow the amendment to comply with the criteria described in the applicable table and allow the site, as amended, to comply with this Code. If the amendment does not meet the criteria described in the applicable table or the site, as amended, will not comply with this Code, or both, and reasonable conditions of approval to ensure compliance are not available, the decision maker shall deny the proposed amendment.

(2) Changes Not Listed in Subsections (D) Through (G). The Director shall determine the appropriate review per this Section for changes not listed in Subsection (D) through (G) based on the similarity of the proposed unlisted change to other listed changes and the impacts of the change in the context of the neighborhood where the property to which the change would apply is located. The Director's decision is not subject to appeal.

(C) Additional Requirements. In addition to satisfying applicable Code requirements and unless specifically noted in 6.3.10(H), amendments and changes not requiring an amendment per (D)-(G) must satisfy all other applicable code and permit requirements including, but not limited to, building, fire, engineering, utility, and historic preservation. All demolition is subject to applicable historic review, construction waste and recycling requirements, demolition noticing, permitting, and proper disconnection of utilities.

(D) No Amendment. No amendment is required per this Subsection for the following changes:

NO AMENDMENT
Exterior Changes
Any change to existing facade.
Any increase or decrease to windows or doors.
Replacement of mechanical equipment similar in size and location.
Upgrade existing light fixtures to compliant fixtures.
Required changes to meet Building Code accessibility requirements.
Reduction of 50% or less of building footprint and replacing with landscaping.
Up to 100% demolition of existing building with no changes to landscaping.
Up to 25% change of landscaping materials, square footage, or changes to compliant species, none of which are located in the public right of way.
Adding EV chargers, EV capable, or EV ready equipment in existing parking spaces meeting utility separation requirements.
Interior Changes
Any change to floor plan.
Change to a use in full or portion of the structure(s) on the site within the same Use Table permitted in the zone district.
Reestablish the last approved use if it has been abandoned for less than two years and is still permitted in the zone district.

(E) Micro Amendment or Parkway Landscape Amendment is required for the following changes:

Micro and Parkway Landscape Amendment
Exterior Changes:
Reduction greater than 50% of building footprint with landscaping changes.

Decrease in vehicle parking spaces and/or paved area.
Greater than 25% change of landscaping materials, square footage, or changes to compliant species, none of which are located in the public right of way.
Any change of landscaping materials, square footage, or changes to compliant species in the public right of way only that does not meet the threshold for “no amendment” above.
Increase or decrease in height of building or structure 10 feet or less.
25% or less increase of vehicle parking spaces.
Additional mechanical equipment.
Any increase in exterior lighting.
Interior Changes:
Increase of 5% or less in residential dwelling units.
Revisions to utility plans with no changes to site or landscape plans.

(F) Minor Amendment is required for the following changes:

Minor Amendment
Exterior Changes:
Addition of up to 50% increase of the total building footprint(s) on site.
Increase in height by greater than 10 feet and less than 30 feet.
Tree removal of 6” caliper or greater.
Increase lot size up to 50%.
Increase greater than 25% and less than 50% of the number of vehicle parking spaces.

Interior Changes:
Change from 0 to 4 existing dwelling units up to maximum of 5 total dwelling units on the site.
Increase greater than 5% and less than 15% of dwelling units.
Change of use to a different Use Table permitted in the applicable Zone District. (e.g., Residential Use Table to the Commercial/Retail Use Table)
Reestablish the last approved use if it has been vacated for more than two and less than five years and is still permitted in the zone district.

(G) Major Amendment is required for the following changes:

Major Amendment
Exterior Changes:
Addition greater than 50% of the total building footprint(s) on site.
Increase greater than 50% of the current lot size.
Increase in height by 30 feet or greater.
Increase of greater than 50% of vehicle parking spaces.
Interior Changes:
Addition of Permitted Use

(1) Major Amendments shall be processed as required for the land use or uses proposed for the amendment as set forth in Article 4 (i.e., BDR, Type 1 review, or Type 2 review) for the zone district in which the land is located for both plans approved under this Code or prior law. Any major amendments to an approved project development plan or site specific development plan shall be recorded as an amendment in accordance with the procedures established for the filing and recording of such initially approved plan. City Council approval of a major amendment to a PUD Comprehensive Plan shall be by ordinance.

(2) Any partial or total abandonment of a development plan or site specific development plan approved under this Code, or of any plan approved under the laws of the City for the development prior to the adoption of this Code, is a major amendment, and shall be processed as a Type 2 review. However, if a new land use is proposed for the property subject to the abandonment, then the abandonment and new use shall be processed as required for the land use or uses proposed as set forth in Article 4 (i.e., BDR, Type 1 review or Type 2 review) for the zone district in which the land is located. The criteria established in Subsection 6.2.4(C) shall additionally apply.

(3) If a new land use is proposed for land, it shall be processed as required for the land use or uses proposed as set forth in Article 4 (i.e., BDR, Type 1 review or Type 2 review) for the zone district in which the land is located.

(H) **Site Improvements.** Site improvements include physical changes to land or buildings, dedication of land or easements, and updates to legal descriptions, all as required per applicable provisions of the Land Use Code.

All amendments and changes not requiring an amendment are required to remain at the current level of compliance with the Code or increase the level of compliance with the Code. In connection with above Subsections (D) through (F), the following site improvements are required:

Site Improvements				
	No Amendment	Micro & Parkway Amendment	Minor Amendment	Major Amendment
Plat or replat when no plat exists, current legal description is metes and bounds, or expanding beyond the original boundary of the development			Applicable	Applicable
Right of way or easement dedication			Applicable	Applicable
Stormwater infrastructure and treatment			Applicable	Applicable

Landscaping			Applicable	Applicable
Street trees		Applicable	Applicable	Applicable
Lighting			Applicable	Applicable
Trash enclosure			Applicable	Applicable
Bicycle spaces		Applicable	Applicable	Applicable
Vehicle parking spaces			Applicable	Applicable
Connecting walkway		Applicable	Applicable	Applicable
All other site improvements unless the Director determines otherwise*				Applicable

*For site improvements not included in this list, the Director may determine if such additional unlisted site improvements have a reasonable nexus to the proposed change to require such additional improvements. Notwithstanding the foregoing per the Building Code and Fire Code, certain changes may require a building permit, right of way permit, and historic preservation.

(I) **Referral.** For minor amendments, the Director may refer the minor amendment to the Planning and Zoning Commission for a decision, or to City Council in the case of a minor amendment of a City Council approved PUD Comprehensive Plan. If so referred, the decision maker's decision shall constitute a final decision, subject only to appeal as provided for development plans under Divisions 6.2.3 (B), (C), (D), (E), and (G) as applicable, for the minor amendment. City Council approval of a minor amendment to a PUD Comprehensive Plan shall be by ordinance.

(J) **Appeals.** Appeals of decisions of approval, approval with conditions, or denial shall only apply to minor amendments and major amendments and shall be filed and processed in accordance with Section 6.3.12 (Step 12). Micro amendments and parkway landscape amendments are not subject to appeal.

(K) **Notification.** Written notice must be mailed to the owners of record of all real property abutting the property that is the subject of the minor amendment application at least fourteen (14) calendar days prior to the Director's decision. Major amendments shall follow notification requirements in Section 6.3.6 (Step 6).

...

Section 47. ARTICLE 6 ADMINISTRATION AND PROCEDURES 6.8
MODIFICATION OF STANDARDS Section 6.8.2 MODIFICATION REVIEW
PROCEDURES is hereby amended to read as follows:

6.8.2 MODIFICATION REVIEW PROCEDURES

...

(H) Step 8

...

(4) the plan as submitted will not diverge from the standards of the Land Use Code that are authorized by this Division to be modified except in a nominal, inconsequential way when considered from the perspective of the entire development plan, and will continue to advance the applicable purposes of the Land Use Code as contained in Section 1.2.2 to the extent the purposes are reasonably applicable to the standard for which the modification is requested.

Any finding made under subparagraph (1), (2), (3) or (4) above shall be supported by specific findings showing how the plan, as submitted, meets the requirements and criteria of said subparagraph (1), (2), (3) or (4).

...

Section 48. ARTICLE 6 ADMINISTRATION AND PROCEDURES 6.14 VARIANCES
Section 6.14.4 VARIANCE REVIEW PROCEDURES is hereby amended to read as follows:

6.14.4 VARIANCE REVIEW PROCEDURES

...

(H) Step 8 (Standards): Applicable and the Director or Land Use Review Commission may grant a variance from the standards of Articles 2-5 and only if it finds that the granting of the variance would neither be detrimental to the public good nor authorize any change in use other than to a use that is allowed subject to basic development review; and that:

...

- (3) the proposal as submitted will not diverge from the standards of the Land Use Code that are authorized by this Division to be varied except in a nominal, inconsequential way when considered in the context of the neighborhood, and will continue to advance the applicable purposes of the Land Use Code as contained in Section 1.2.2 to the extent the purposes are reasonably applicable to the standard for which the modification is requested.

...

Section 49. ARTICLE 6 ADMINISTRATION AND PROCEDURES 6.25
AMENDMENT TO TEXT OF CODE AND/OR ZONING MAP Section 6.25.4 TEXT AND
MAP AMENDMENT REVIEW PROCEDURES is hereby amended to read as follows:

6.25.4 TEXT AND MAP AMENDMENT REVIEW PROCEDURES

...

(H) **Step 8** (Standards): Applicable, as follows:

...

(2) *Mandatory Requirements for Quasi-judicial Zonings or Rezonings.* Any amendment to the Zoning Map involving the zoning or rezoning of six hundred forty (640) acres of land or less (a quasi-judicial rezoning) shall be recommended for approval by the Planning and Zoning Commission or approved by the City Council only if the proposed amendment is:

...

(a) in general alignment with the principles and policies of the City's Comprehensive Plan; and/or

...

Section 50. ARTICLE 7 RULES OF MEASUREMENT AND DEFINITIONS 7.1
MEASUREMENT Section 7.1.2 RULES OF MEASUREMENT is hereby amended to read as follows:

7.1.2. RULES OF MEASUREMENT

...

Build-to line shall mean the line on which the front of a building or structure must be located or built and which is measured as a distance from a public right-of-way street. To establish "build-to" lines, buildings shall be located and designed to align or approximately align with any previously established building/sidewalk relationships that are consistent with applicable standards.

...

Section 51. ARTICLE 7 RULES OF MEASUREMENT AND DEFINITIONS 7.2
DEFINITION Section 7.2.2 DEFINITIONS is hereby amended to read as follows:

7.2.2 DEFINITIONS

...

Accessory drive-through facilities shall mean a facility that by design, physical facilities, service or packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles and without parking the vehicle. Examples include but are not limited to banks and pharmacies. This definition does not include drive-through restaurants.

...

Affordable housing development shall mean a development project in which a specified minimum percentage of said dwelling units (the "affordable housing units") are to be available for rent or purchase on the terms described in the definitions of affordable housing unit for rent or affordable housing unit for sale (as applicable).

...

Affordable housing unit for rent shall mean a dwelling unit that is available for rent on terms that would be affordable to a households earning a specified percentage or less of the Area Median Income (AMI) as calculated for Fort Collins by the Department of Housing and Urban Development (HUD) and adjusted for household size, and at a cost that does not exceed the rental rate published by the Colorado Housing and Finance Authority for that income level and size dwelling unit.

...

Affordable housing unit for sale shall mean a dwelling unit that is available for purchase on terms that would be affordable to a household earning a specified percentage or less of the Area Median Income (AMI) as calculated for Fort Collins by the Department of Housing and Urban Development (HUD) and adjusted for household size based on 1.5 people per bedroom (rounded down), and at a cost that results in a household paying less than thirty-eight (38) percent of their gross income for housing, including principal, interest, taxes, insurance, utilities and homeowners' association fees.

. . .

Connecting walkway shall mean (1) any street sidewalk, or (2) any walkway that directly connects a main entrance of a building along the shortest distance to the street sidewalk.

. . .

Convenience shopping center shall mean a shopping and service center situated on seven (7) or fewer acres with four (4) or more business establishments with separate exterior entrances, located in a complex that is planned, developed and managed as a single unit, and located within and intended to primarily serve the consumer demands of adjacent employment areas. The principal uses permitted include retail stores; business services; convenience retail stores with fuel sales (possibly including an accessory one-bay automatic carwash); personal business and service shops; standard or fast food restaurants (without drive-through windows); vehicle minor repair, servicing and maintenance uses; liquor sales (for on- or off-premise consumption); beauty or barber shops; dry-cleaning outlets; equipment rental (not including outdoor storage); limited indoor recreational uses; pet shops; and uses of similar character. Secondary uses may include professional offices; limited banking services such as branch banks (including accessory drive-through facilities) and automated teller machines; multi-unit dwellings; medical offices and clinics; small animal veterinary clinics; child care centers; and elderly day care facilities.

. . .

Drive aisles shall mean the lanes in a parking lot devoted to the passage of vehicles, as opposed to the parking stalls. The term drive aisle does not include lanes used only or primarily for drive-through customer service.

. . .

Private drive shall mean a parcel of land not dedicated as a public street, over which a private easement for road purposes has been granted to the owners of property adjacent thereto, which intersects or connects with a public or private street, and where the

instrument creating such easement has been recorded in the Office of the Clerk and Recorder of Larimer County.

. . .

Restaurant, drive-in shall mean any establishment in which the principal business is the sale of foods and beverages to the customer in a ready-to-consume state and in which the design or principal method of operation of all or any portion of the business is to allow food or beverages to be served directly to the customer while parked in a motor vehicle without the need for the customer to exit the motor vehicle.

. . .

Restaurant, drive-through shall mean any establishment in which the principal business is the sale of foods and beverages to the customer in a ready-to-consume state and in which the design or principal method of operation of all or any portion of the business is to allow food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit or park the motor vehicle.

. . .

Sign, awning shall mean a sign that is painted on, integrated into, or attached to an awning. For the purposes of this definition, an awning is a projection from the building that is supported entirely from the exterior wall of the building, and that gives shelter from the sun or weather over doors, windows, or street level storefronts. An awning is different from a canopy in that an awning is covered with fabric or other flexible material.

...

Sign, interactive window shall mean one (1) or more illuminated screens that are displayed inside street level storefront windows that can be programed to allow customers to navigate content interactively from outside the window.

. . .

Section 52. The definitions of *Auto-related and roadside commercial*, *Drive-in use*, *Party-in-interest*, *Restaurant fast food*, and *Transit-oriented development (TOD) Overlay Zone* contained in ARTICLE 7 RULES OF MEASUREMENT AND DEFINITIONS 7.2 DEFINITION Section 7.2.2 DEFINITIONS are hereby deleted in their entirety:

Section 53. Community Development and Neighborhood Services staff in their role as the codifier of the Land Use Code are directed to review the Land Use Code and make sure that the term mixed-use is consistently spelled with the hyphen joining the words.

Section 54. Community Development and Neighborhood Services staff in their role as the codifier of the Land Use Code are directed to review the Land Use Code and make sure that the term non-residential is consistently spelled with the hyphen joining the words.

Section 55. Community Development and Neighborhood Services staff in their role as the codifier of the Land Use Code are directed to make changes to the Land Use Code tables of contents corresponding to the changes set forth in this Ordinance.

Section 56. The table entitled “BUILDING ENVELOPE” contained in ARTICLE 2 ZONE DISTRICTS 2.3 COMMERCIAL DISTRICTS Section 2.3.1 CC Community Commercial District is hereby amended to read as follows:

BUILDING ENVELOPE

BUILDING HEIGHT	
All Buildings	5 stories max.
Affordable Housing Development Bonus	6 stories max.

Section 57. ARTICLE 5 USE STANDARDS, SECTION 5.17.4 PROCEDURES AND STANDARDS FOR WATER ADEQUACY DETERMINATIONS: ESTABLISHED POTABLE WATER SUPPLY ENTITIES is hereby amended to read as follows:

(A) *Application Requirements.*

(1) Requests under this Section shall include a letter as described in Subsection (a), unless exempted pursuant to Subsection (b).

(A) A letter prepared by a registered professional engineer or by a water supply expert from the established potable water supply entity that contains the following information:

...

All letters shall be provided to City Council for informational purposes only and kept on file with the City's ~~Community~~ **Planning and** ~~Development and Neighborhood~~ Services Department. At the established potable water supply entity's discretion, the letter may describe their entire service area and be submitted for a determination once updated as required based on any material changes to any of the requirements in this Section or in their reported supply as described in Subsection 5.17.3 (C). If the letter describes the entire service area, then the entity does not need to resubmit the approved letter with each letter as outlined in Subsection 5.17.4(A)(2) but should be referenced within the letter content in addition to what is outlined in Subsection 5.17.4(A)(2).

(b) The letter described in Subsection (a) shall not be required if the established potable water supply entity has a water supply plan, or other plans that cumulatively provide the information that:

...

All water supply plans, or other plans that cumulatively provide the information required above shall be provided to City Council for informational purposes only and kept on file with the City's ~~Community~~ **Planning and** ~~Development and Neighborhood~~ Services Department. The Director may defer providing the Council with any water supply plan or other plans until such time as the established potable water supply entity updates their existing water supply plan. Once the plan, or plans, are on file, they do not need to be resubmitted with each letter as outlined in Subsection 5.17.4(A)(2) but should be referenced within the letter content in addition to what is outlined in Subsection 5.17.4(A)(2).

...

Section 58. ARTICLE 6 ADMINISTRATION AND PROCEDURES 6.27.17 MAPS is hereby amended to read as follows:

Maps referred to in any such designations and regulations shall be available for inspection in the offices of the ~~Community~~ **Planning and** ~~Development and Neighborhood~~ Services Department.

...

Section 59. ARTICLE 7 RULES OF MEASUREMENT AND DEFINITIONS 7.2 DEFINITION Section 7.2.2 DEFINITIONS is hereby amended to read as follows:

7.2.2 DEFINITIONS

. . .

Boat sales with storage shall mean the use of any land for the (1) sales of watercraft or (2) the display, storing, or repair of new or used watercraft outside of an enclosed building. This use does not include temporary sidewalk, tent, or open-air sales of watercraft, any of which are accessory to a retail store and have, as applicable, been City approved.

. . .

Department shall mean the ~~Community~~ **Planning and** ~~Development and Neighborhood Services~~ Department, or the successor department existing from time-to-time in the City's organizational structure.

. . .

Vehicle sales and leasing for farm equipment, mobile homes, recreational vehicles, **and** large trucks ~~and boats with outdoor storage~~ shall mean the use of any building, land area or other premises for the display and sale or lease of new or used large trucks, trailers, farm equipment, mobile homes, **and** recreational vehicles, ~~boats and watercraft~~, and may include the outside storage of inventory, any warranty repair work or other repair service conducted as an accessory use.

Introduced, considered favorably on first reading on October 21, 2025, and approved on second reading for final passage on December 2, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: December 12, 2025
Approving Attorney: Brad Yatabe

Exhibit: None