

# PLANNING AND ZONING COMMISSION

## EXCERPT - RECOMMENDATION

### TYPE OF MEETING – REGULAR

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September 28, 2022 6:00pm – 1:30am

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Vice Chair Shepard made a motion that the Fort Collins Planning and Zoning Commission recommend that the City Council approve the proposed rezoning to rename the current Neighborhood Conservation Low Density Zone District, Neighborhood Conservation Medium Density Zone District and Neighborhood Conservation Buffer Zone District to be the Old Town District. This recommendation is based upon the materials and the comments provided to the Commission and Commission's discussion. Member Sass seconded. No discussion. Vote: 6:1.

Chair Katz made a motion that the Fort Collins Planning and Zoning Commission recommend that City Council approve the proposed Land Use Code. This recommendation is based upon the materials and the comments provided to the Commission and the Commission's discussion. This recommendation is with the following changes:

- Change the title of the code to Land Use and Development Code. To more clearly reflect the content of the code.
- Direct staff to reanalyze the old town C zone District with respect to floor area. The Planning and Zoning Commission believes that the proposed code should maintain parity with what is permitted by current code.
- Increase the permitted floor area allowance of detached homes in Old Town A and Old Town B zones from 2,000 square feet to 2,400 square feet.
- Re-evaluate the permitted floor allowance of detached homes in the Old Town C Zone code to ensure parity with the current code which currently permits homes larger than 2,400 square feet. If the Council prefers to retain the 2,400 square feet, the Commission recommends that the effected residents be informed of the potential impact of the proposed changes.
- In the HMN zone, retain the current required set back of 15 feet, which is currently proposed at 10 feet, and retain the current code set-back metrics contained in 4.10(d)(2)(b).
- Enhance the wording regarding the façade articulation to ensure the wording clearly conveys its intent.
- Add additional narrative to row house and duplex building types to specifically prohibit slot houses.
- Add narrative to the row house and duplex building types to provide standards for units that front a green.
- In the cottage court building type permit attached units, throughout the document cross-reference design standards wherever necessary.
- In the detached house suburban building type, eliminate the driveway width requirement of 12 feet.
- With respect to approval authorities ensure the project with a substantial impact in the community are subject to public hearing. Metrics should be utilized to establish approval levels.
- Create a table outlining options for meeting requirements for substantial variation.
- Extend deed restrictions for affordable housing to 99 years.
- Allow duplexes in the RL zone district.
- Adjust measurements of floor area to improve clarity and consistency.

- Allow a detached ADU up to 600 square feet for primary houses that have 1,335 square feet of floor area or less. All others must meet the 45% floor requirement.
- Keep mixed-use dwellings as a use in the Old Town C Zone District.
- Recommend to Council to review new parking standards in 5.9(1)(k)(1)(a) that the Planning and Zoning Commission could not come to a strong majority on the matter with a large concern there will be spill over parking in adjacent communities.
- The commission further recommends Council seek community feed back on the proposed parking requirement.
- Recommendation that Council use the proposed building variation matrix completed by staff as guidance in the new land use code.
- Recommendation that City Council provide ample time for public input at the first reading.

Amendment by Member Haefele, point of clarification, I think that last one you mentioned is there where you said create a table outlining options for meeting requirements for substantial variation. Chair Katz accepted amendment.

Member Stackhouse seconded. Member Shepard asked if the commission wanted to further define or articulate the desire to see City Council use first reading as a public reading and then specifically say that there could be further 1<sup>st</sup> reading or if the commission wanted to get into that level of detail?

Member Schneider offered an amendment to finish the motion that needs to be per documentation as the motion was not completed, the final statement. Chair Katz responded that he did say that this recommendation is based upon the materials and comments provided to the commission with the following changes.

Vice Chair Shepard is ok with what was stated and wondered if it is stated as clear as it was discussed.

Amendment by Member Stackhouse. She offered an option that does not get into specifically directing the Council on how we would say to recommend. "That the Council provide ample time for public input after the 1<sup>st</sup> reading. Council's meeting will raise the public's attention to important issues so providing adequate time for comment is critical". Chair Katz accepted the amendment.

Member Hogestad asked if EDR's and the concern about public input was in there. Chair Katz responded that what was not called out was BDR, but it was development review metrics. Member Hogestad would like to see BDR's in there. Member Schneider commented that the commission did include a recommendation that staff would need to look at the size of the project and see if they could come up with a metrics or a threshold. Member Hogestad would like this to be in the motion, that it is predicated on the size, complexity and so on for the proposed project. Member Schneider commented that it was in the list that Meaghen had, and Chair Katz commented that this work as well as staff's work will all be delivered to Council.

Vice Chair Shepard recommend an amendment, "acknowledge the gap between the description of what is called the apartment housing type and the cottage court housing type, recognizing that the gap is significant, and the gap could be filled by acknowledging that there are smaller scale multi-family apartment buildings, could we add another housing type? It would fall between 3.1.2

Apartment and 3.1.3 A Cottage recognizing that there are small apartment buildings. Chair Kat accepted the amendment.

Member Schneider asked if there was really a need to add another housing type? This may be better in round 2. Vice Chair Shepard responded that it is already defined with specifications and parameters. It is in the missing middle housing book By Dan Parolick. Member Haefele would feel less uncomfortable with some kind of different definition than just apartment building. She is not comfortable with adding it at all unless the deference's are defined. Member Stackhouse suggested that rather than say add it, suggest that Council directs staff to determine the benefits of adding it. Vice Chair Shepard agreed. City Attorney Yatabe asked for clarification; Member Stakehouse suggested that the previous amendment be amended to suggest that Council direct staff to look at the benefits of adding this additional housing type. Vice Chair Shepard said that this is acceptable to him. Chair Katz also accepted.

Member Haefele will not be supporting this without caveats about additional public input is sufficient and is more than concerned that public hearings are being dropped and no certainty that Council will take these recommendations from us. Eliminating single family single-family zoning and not including a requirement for affordable housing. This does not achieve the principle for what this set out to be. It is more readable and clear. Member Schneider thanked staff and appreciates the organization and this will be better. Vice Chair Shepard thanked staff. Member Stackhouse said it is phenomenal. Member Hogestad has a fundamental concern with the lack of public input on this item. The BDR is concerning as the public would not have any input, parking has an impact on the communities. He cannot support this. Member Sass thanked staff. Chair Katz thanked the staff and would like to see more public input.

Vote: 5:2 (Haefele, Hogestad nay)