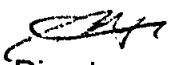


**TO:** Interested Parties

**FROM:** Cameron Gloss   
Current Planning Director

**DATE:** February 3, 2005

**SUBJECT:** Administrative Interpretation #1-05 regarding the application of the measurement of building height in stories found in Section 3.8.17 of the Land Use Code.

#### **BACKGROUND**

A recent request for a modification to the building height standards established for the Neighborhood Conservation-Medium Density zone district has spurred an interpretation of the Land Use Code clarifying the definition of "story" as used in a residential context.

The specific code language of Section 4.7(F)(2)(a)(1) states that the "maximum building height shall be two (2) stories..." within the NCM zone district.

Section 3.8.17(A)(2) of the Land Use Code, *Building Height Measured in Stories*, also sets a rule for measuring the height of a building in stories based on the following: "No story of a commercial or residential building shall have more than than twenty five (25) feet from floor to floor".

A previous Administrative Interpretation, #4-02, that addressed the same issue, at least in part, is still applicable today and helps to guide an interpretation addressing this particular request:

*"At the time the Land Use Code was initially drafted, there was considerable staff deliberation on which unit of measurement was most appropriate to use. Staff chose to use a height limit of "stories" principally to address the needs of industrial buildings that may have substantially greater floor to ceiling heights than in other types of residential and non-residential structures".*

## **INTERPRETATION:**

The maximum story height described in Section 3.8.17 does not imply a right to build 25 foot stories in a neighborhood characterized by residential units with typical residential floor to ceiling heights. That would violate the intent of Section 3.5.1 Building and Project Compatibility and also the intent of the 2-story height limitation in the Neighborhood Conservation Zone Districts found in Article 4.

A more appropriate limitation on what constitutes a residential building story should be based on typical floor to ceiling heights in the surrounding area and on residential building design and construction practices most commonly used in Fort Collins. The International Residential Code (IRC) helps provide some parameters. For wood wall framing with bracing, the IRC permits stud clear heights up to 12 feet. Masonry walls are allowed a maximum bearing wall clear height of 12 feet. Since wood frame and masonry are the most common construction types in the City's residentially-zoned areas, this seems like a reasonable application. Consideration also needs to be given toward an additional 16 inches of floor framing.

Conclusion:

**A maximum of a twelve (12) foot- eight (8) inches of vertical height shall be permitted for each residential "story".**

cc: Peter Barnes  
Ted Shepard  
Anne Aspen  
Gregory Byrne  
Paul Eckman  
Felix Lee  
Clark Mapes