

Final Draft – Code Framework

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[TBD]

Article 11. Definitions & Terms

- 11.01 Description of Uses
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SECTION MAP & SUMMARY – ARTICLE 1 GENERAL PROVISIONS		
DRAFT DEVELOPMENT CODE	EXISTING CODE [RELEVANT SECTIONS]	SUMMARY
1.01 Overview		
A. Title	16-1 Title	No substantive change. Broadened to “development code” for incorporating of zoning and subdivision regulations
B. Authority & Jurisdiction	16-4 Territorial Limits of Regulations 16-198 City of Fort Lupton 3-mile Area Plan 17-2 Scope of Regulations	Merged related sections into one; broadened scope and emphasis of the specific reference the 3-mile statutory planning area for potential application of street / subdivision regulations.
C. Purposes	16-2 Purpose (zoning) 16-197 Fort Lupton Master Plan 17-1 Purpose (subdivision)	No substantive change. Added specific connections between statutory authority and comprehensive plan goals and objectives. Beginning to establish the following hierarchy of non-regulatory guiding language: <ul style="list-style-type: none"> • <i>Purposes</i> – broad and general; connecting statutory authority to specific planning policies; applies to entire code • <i>Intent</i> –targeted planning principles; applies to specific topics, articles, or districts • <i>Design Objectives</i> – specific and detailed - desired outcomes for design techniques; applies to specific sections and subsections
D. Severability	16-125(h) General Provisions; Severability 17-9 Severability	No substantive change. Broadened some of the specific circumstances where things could be considered invalid or not applicable.
E. Transition Provisions	n/a	New section to account for transition from current code.
1.02 Interpretation		
A. Rules of Construction	17-3 General Provisions	No substantive change. Consolidated a wide range of interpretation-related provision into one section and then reorganized into different subsections and added new interpretation aids. This section will then serve as the one-stop place for rules and statements on how to administer and interpret the code; in this manner they will then not need to be restated throughout the code and can enable a more “plain language” drafting approach throughout the rest of the code. This section also begins to establish how some of the administrative flexibility and discretionary approvals by staff and/or Planning Commission will be guided under the code, helping establish the balance of allowing flexibility while improving expectations.
B. Conflicts	16-3 Interpretation; Conflicts with other Laws	
C. Computations of Time		
D. Building & Structure Measurements	16-16-60 General 16-61 Yards & Setbacks	
E. Lot Measurements	16-60 General 16-61 Yards & Setbacks	
F. Interpretation of Zoning Map	16-5 Zoning of Annexed Areas 16-8 Boundaries and Districts, Interpretation	
G. Non-regulatory Provisions	n/a - new	
H Resources, Guides and Industry Standards.	n/a - new	
I Official Interpretations.	n/a - new	
1.03 Administration		
A. Staff	n/a - new	No substantive change. New, or coordinated section from other development code or municipal code sections to clarify different roles of these groups specific to the development code.
B. Planning Commission	n/a – new, but related to Chapter 2, Article VIII of municipal code	
C. City Council	n/a - new	
D. Board of Adjustment	16-11 Board of Adjustments	
E. Historic Preservation Board	n/a – new, but related to Chapter 2, Article X of municipal code	
1.04 Enforcement		
	16-10 Enforcement	No substantive change.

SECTION MAP & SUMMARY – ARTICLE 1 GENERAL PROVISIONS		
A. Violations B. Enforcement C. Penalty	17-4 Penalties	
1.05 Nonconformities		
A. Intent B. Nonconforming Uses C. Nonconforming Structures D. Nonconforming Site Conditions E. Nonconforming Lots F. Nonconforming Signs G. Burden of Proof H. Benign Nonconformance's	16-63 Non-conforming Use Regulations 16-64 Non-conforming Lots	Created greater distinctions between the types of non-conforming situations that may occur to allow more nuanced or graduated application of different design standards (this reflects the codes greater emphasis on site and building design). Added section for "benign non-conformances" which can be determined at the time of rezoning and give greater rights than otherwise afforded for specific situations.