

ORDINANCE NO. 042, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE LAND USE CODE OF THE CITY OF FORT
COLLINS TO ADOPT TRANSIT ORIENTED COMMUNITY
STANDARDS

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. Colorado House Bill 24-1313, *Concerning Measures to Increase the Affordability of Housing in Transit-Oriented Communities*, was adopted to help address the shortage of affordable housing in Colorado near transit centers and to establish requirements for local government to be eligible for state funding for qualifying housing development within transit centers.

E. The Land Use Code amendments set forth in this Ordinance are intended to meet the requirements of House Bill 24-1313 regarding transit centers and ensure the City's eligibility for available state funding opportunities in transit centers.

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. The Residential Use Table contained in Section 4.2 of the Land Use Code is hereby amended to read as follows:

Section 3. Section 6.3.12 (C) of the Land Use Code is hereby amended to read as follows:

6.3.12 Step 12: APPEALS/ALTERNATE REVIEW

...

- (C) **Appeal of Minor Amendment, Changes of Use, and Basic Development Review Decisions by the Director.** The Director's final decision on a minor amendment or change of use application pursuant to Section 6.3.10(A) or basic development review application pursuant to Division 6.4, with the exception of final decisions regarding accessory dwelling units and multi-unit developments in transit centers pursuant to Section 4.3.1(H)(1), may be appealed to the Planning and Zoning Commission as follows:

...

Section 4. Section 6.4.1 of the Land Use Code is hereby amended to read as follows:

6.4.1 PURPOSE AND APPLICABILITY

The purpose of the basic development review (“BDR”) is to establish an internal administrative process for approval of a site specific development plan where the decision maker is the Director. There is no public hearing and the basic development review process shall be deemed final upon issuance of a decision by the Director. The basic development review shall be the review process for:

...

- (A) Those uses listed as such in each of the Article Four use tables.
- ...
- (G) Affordable housing developments.
- (H) Multi-unit dwellings located in transit centers pursuant to Section 4.3.1(H)(1).

Section 5. Section 6.4.3(L) of the Land Use Code is hereby amended to read as follows:

6.4.3 BASIC DEVELOPMENT REVIEW AND MINOR SUBDIVISION REVIEW PROCEDURES

An application for Basic Development Review or Minor Subdivision shall be processed according to, in compliance with, and subject to the provisions contained in Division 6.2 and Steps (1) through (12) of the Common Development Review Procedures (Sections 6.3.1 through 6.3.12, inclusive), as follows:

...

- (L) **Step 12** (Appeals): Applicable pursuant to Section 6.3.12(C). Regardless of the foregoing the *Appeals* step is not applicable to applications for accessory dwelling units or multi-unit dwellings located in transit centers pursuant to Section 4.3.1(H)(1).

...

Section 6. Section 7.2.2 of the Land Use Code is hereby amended by the addition of a new definition “*Transit center*” which reads in its entirety as follows:

7.2.2 Definitions

...

Transit center shall mean the areas shown in the figure below in which multi-unit dwelling developments on lots not exceeding five (5) gross acres in size are permitted by basic development review and a minimum density of fifteen (15) dwelling units per acre is allowed in compliance with the requirements of Colorado State House Bill HB24-1313, concerning increasing the affordability of housing in transit oriented communities. Transit centers shown on the below figure are located within the boundaries of the Transit-Oriented Development Overlay and a more detailed view of the boundaries is shown on the map contained in Section 2.6.1.

Introduced, considered favorably on first reading on April 7, 2026, and approved on second reading for final passage on April 21, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: May 1, 2026
 Approving Attorney: Brad Yatabe

Exhibit: None