

RESOLUTION 2023-115  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
REFERRING ORDINANCE NO. 136, 2023, REPEALING AND REENACTING  
SECTION 29-1 OF THE CODE OF THE CITY OF FORT COLLINS TO ADOPT THE  
REVISED LAND USE CODE AND SEPARATELY CODIFYING THE 1997 LAND USE  
CODE AS THE “PRE-2024 TRANSITIONAL LAND USE REGULATIONS” TO A VOTE OF  
THE REGISTERED ELECTORS OF THE CITY AT THE NEXT MUNICIPAL ELECTION

WHEREAS, on October 17, 2023, the City Council adopted on second reading Ordinance No. 136, 2023, Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins to Adopt the Revised Land Use Code and Separately Codifying the 1997 Land Use Code as the “Pre-2024 Transitional Land Use Regulations” (the “Ordinance”); and

WHEREAS, on October 27, 2023, a registered elector commenced referendum proceedings by filing with the City Clerk a notice of protest against the Ordinance; and

WHEREAS, on November 8, 2023, the City Clerk approved the form of the referendum petition relating to the Ordinance (the “Referendum Petition”); and

WHEREAS, on November 28, 2023, the petition representatives filed the Referendum Petition with the City Clerk; and

WHEREAS, on December 14, 2023, the City Clerk issued and provided to the City Council her certification that the Referendum Petition contained the requisite number of signatures (at least 4,228) to require further action by the City Council; and

WHEREAS, under Article X, Section 2(e) of the City Charter, the presentation to the City Council of a petition certified by the City Clerk as sufficient for referendum automatically suspends the operation of the Ordinance pending repeal by the Council or final determination by the electors; and

WHEREAS, under Article X, Section 2(e) of the City Charter, if the Ordinance is not repealed, the Council must refer the same to a vote of the registered electors at the next regular or special city election, or, in the alternative, call a special election for that purpose; and

WHEREAS, the City Council has determined that the Ordinance should not be repealed by the Council but should instead be referred to the registered electors at the next City election.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Council hereby directs the City Manager and City Attorney to present for Council consideration on January 16, 2024, a resolution setting the ballot title and

submission clause to refer Ordinance No. 136, 2023, Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins to Adopt the Revised Land Use Code and Separately Codifying the 1997 Land Use Code as the “Pre-2024 Transitional Land Use Regulations”, to the registered electors of the City of Fort Collins at the next city election, in light of the Referendum Petition described above.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 19th day of December, 2023.

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Mayor

ATTEST:

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City Clerk