

ORDINANCE NO. 175, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REPEALING 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,”
ORDINANCE NO. 137, 2023, UPDATING CITY CODE REFERENCES TO ALIGN
WITH THE ADOPTION OF THE REVISED LAND USE CODE AND ORDINANCE NO. 138,
2023, AMENDING THE ZONING MAP OF THE CITY OF FORT COLLINS TO RENAME
ALL NEIGHBORHOOD CONSERVATION LOW DENSITY, NEIGHBORHOOD
CONSERVATION MEDIUM DENSITY, AND NEIGHBORHOOD CONSERVATION
BUFFER ZONE DISTRICTS TO THE OLD TOWN ZONE DISTRICT IN CONJUNCTION
WITH THE ADOPTION OF THE REVISED LAND USE CODE

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WHEREAS, under Article X, Section 2(e) of the City Charter, if the Ordinance is not repealed, the Council must refer the same to a vote of the registered electors at the next regular or special city election, or, in the alternative, call a special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WHEREAS, Council has determined that the Ordinance should be repealed; and

WHEREAS, Council has also determined that Ordinance 137, 2023, and Ordinance 138, 2023, both adopted concurrent with Ordinance 136, 2023, and respectively making conforming changes to City Code. in light of the adoption of the revised Land Use Code and rezoning the

Neighborhood Conservation zone districts to rename them as the Old Town zone district in alignment with the revised Land Use Code, should also be repealed.

NOW, THEREFORE, BE IT ORDAINED 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 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”, is hereby repealed in its entirety.

Section 3. That Ordinance No. 137, 2023, Updating City Code References to Align with the Adoption of the Revised Land Use Code, is hereby repealed in its entirety.

Section 4. That Ordinance No. 138, 2023, Amending the Zoning Map of the City of Fort Collins to Rename All Neighborhood Conservation Low Density, Neighborhood Conservation Medium Density, and Neighborhood Conservation Buffer Zone Districts to the Old Town Zone District in Conjunction with the Adoption of the Revised Land Use Code, is hereby repealed in its entirety.

Introduced, considered favorably on first reading, and ordered published this 19th day of December, 2023, and to be presented for final passage on the 16th day of January, 2024.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 16th day of January, 2024.

Mayor

ATTEST:

City Clerk