

July 1, 2025

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS

5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. Declaring the Month of July 2025 as Park and Recreation Month.

PP 2. Declaring the Month of July 2025 as Disability Pride Month.

Mayor Pro Tem Emily Francis presented the above proclamations at 5:00 p.m.

REGULAR MEETING

6:00 PM

B) CALL MEETING TO ORDER

Mayor Pro Tem Emily Francis called the regular meeting to order at 6:00 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

C) PLEDGE OF ALLEGIANCE

Mayor Pro Tem Emily Francis led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

Mayor Pro Tem Emily Francis
Councilmember Susan Gutowsky
Councilmember Julie Pignataro
Councilmember Tricia Canonico
Councilmember Melanie Potyondy
Councilmember Kelly Ohlson (arrived at 7:29 p.m.)

ABSENT

Mayor Jeni Arndt

STAFF PRESENT

City Manager Kelly DiMartino
City Attorney Carrie Daggett
City Clerk Delynn Coldiron

E) CITY MANAGER'S AGENDA REVIEW

City Manager Kelly DiMartino provided an overview of the agenda, including:

- No changes to the published agenda.
- Items 1-21 on the Consent Calendar are recommended for adoption.
- Items 22 and 23 related to a public hearing and resolution regarding the Foothills Metro District Service Plan and Development Agreement are recommended for postponement to August 19th rather than July 15th.

F) COMMUNITY REPORTS – None.

G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS (Including requests for removal of items from Consent Calendar for individual discussion.)

Kevin Cross, Fort Collins Sustainability Group, discussed the City's current climate goals and unlikely chance the goals will be realized. He urged Council to accelerate efforts related to meeting the 2026 and 2030 goals.

Marianne Dick opposed the proposed changes related to short-term rentals (STR's) stating they would have a negative impact on the STR she owns in Old Town North. She stated she carefully screens her guests and noted there are ways to successfully manage STRs.

David Cordova commented on the difficulty of finding places to stay in Fort Collins and stated he acquired a STR in 2021 which has a professional manager to care for the property when he is not present. He requested Council opt for option 1 to continue to allow STRs.

Elizabeth Claire Williams spoke about issues with Housing Catalyst. She read from comments she prepared and earlier sent to City Leaders.

Shaun Armon noted he owns a STR management company and has listened to concerns of residents. He stated most are doing everything they can to be good neighbors and shared associated examples. He spoke about the importance of these owner investments and the need for them to continue. He urged Council to consider a path forward that does not restrict STRs or transfers thereof.

Andi Rose noted she is the owner of two businesses in Old Town and commented on the economic benefits of having STRs nearby. She stated having these rentals is important to keeping businesses alive.

Kyle Knapp noted both sides of the STR issue have valid concerns. He stated he owns a vacation rental company in Fort Collins and requested Council opt for regulations that would continue to support STRs and their transfer. He commented on some improvements his company has made to rental properties to ensure violations are dealt with and complaints are minimized. He asked Council to adopt some additional items that he recommended, including requiring an on-call 24/7 person available within 30 minutes of the property, utilizing exterior cameras, and installing noise detection systems to prevent disturbances.

Suzanne Doyle noted she and her husband own two STRs and stated the properties have brought substantial economic gain through rentals and the ancillary spending that occurs, including through lodging taxes. She stated they keep their properties at the highest standards, are good neighbors, and are committed to operating with integrity. She asked Council to recognize the benefits STRs bring to the city.

Kimberly Conner advocated for Council to adopt a Gaza ceasefire resolution and provided information about what is happening in the area. She stated some residents in the community are no longer speaking out due to concerns about being deported.

Tamera Dishman shared concerns about the proposed pickleball complex at Fossil Creek Park citing noise concerns. She stated it would violate the existing City's noise ordinance and would have negative impacts on area wildlife. She suggested the pickleball courts should be located where the tennis courts are and the tennis courts moved to where the pickleball courts are proposed.

Lori Rasmussen spoke about the need for workforce housing in Fort Collins and asked that this be prioritized as part of the CCIP tax by allocating \$25M for this purpose.

Ryan Hogan noted he is a resident of Old Town North and discussed issues with STRs. He encouraged Council to place a hold on approvals and transfers until STRs in his neighborhood come in line with STRs throughout the community. He commented on the detrimental impacts of having so many STRs in the area and shared concerns about parking and safety that have increased. He urged Council to consider residents over investors.

Sara Horner stated she has a small business in town and has raised her children here. She stated rentals have been the answer to help set up for retirement. She stated Old Town North is designated as an opportunity zone and STRs have fulfilled the goal of bringing investors into the area. She respectfully reminded Council that when buyers buy a property in the area, they have a chance to review what is allowed. She stated they have followed the rules and now the rules are shifting. She expressed concern about the economic impact that would result.

Dan Blonder noted the commercial zoning in Old Town North was not an oversight when it was put in place in 2017. He stated that the City decided to set this neighborhood apart to enable a different experience and rental opportunity and stated the percentage of rental properties was done by design. He stated the oversight is from the homeowners that bought into the area despite the zoning. He suggested many of the homeowners have likely applied for and received their own short-term rental licenses to protect property values. He stated these issues are being caused by ten to twelve organized unhappy homeowners.

Juliana Blonder noted she is a resident of Old Town North and a realtor. She stated they worked hard to purchase a property that could be used as a STR, which is why they chose Old Town North. She noted the homeowners complaining now knew about the neighborhood zoning when they bought their home. She commented on the various events that are available for neighbors which many of the complaining property owners do not attend.

Adam Hirschhorn noted he lives at Redtail Ponds and commented on some recent destruction to the building stating 30% of the residents were flooded out due to a 4th floor fire and he is therefore living in a hotel. He commented on the victory of Zohran the Destroyer and stated there needs to be some justice for the people living in Palestine.

Kyle Leto noted he is an STR owner in Old Town North and urged Council not to change the current regulations. He stated the current regulations were put in place after thoughtful design and it would be unfair to take this away now. He added it would undermine public trust and impact people's livelihood. He asked Council to focus on better enforcement and to protect fairness, housing choice and the rights of responsible owners.

Public comment concluded at 7:05 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Potyondy thanked the speakers and noted Council will continue to discuss the STR agenda item later this evening. She expressed sympathy for Mr. Hirshhorn being displaced from his home.

Councilmember Canonico thanked the speakers and noted there is an upcoming work session during which Council will discuss pickleball. She thanked the resident who came to speak on that topic.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the June 17, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the June 17, 2025 Regular meeting.

Approved.

2. Items Relating to the Appropriation of Federal Funds in the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program Funds.

A. Second Reading of Ordinance No. 097, 2025, Making Supplemental Appropriations in the Community Development Block Grant Fund.

B. Second Reading of Ordinance No. 098, 2025, Making Supplemental Appropriations in the HOME Investment Partnerships Grant Fund.

C. Second Reading of Ordinance No. 099, 2025, Making Supplemental Appropriations in the HOME Investment Partnerships Grant American Rescue Plan Act Fund.

These Ordinances, unanimously adopted on First Reading on June 17, 2025, appropriate the City's Fiscal Year (FY) 2025 Community Development Block Grant (CDBG) Entitlement Grant and FY2025 Home Investment Partnerships Program (HOME) Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), CDBG program income from FY2023 & FY2024 and HOME Program Income from FY2023 & FY2024, and supplemental funding to the FY21 HOME American Rescue Plan Act (HOME-ARP) Fund.

All Ordinances Adopted on Second Reading.

3. Second Reading of Ordinance No. 100, 2025, Updating Various Provisions of the Code of the City of Fort Collins Related to Affordable Housing.

This Ordinance, unanimously adopted on First Reading on June 17, 2025, conforms the definitions relating to affordable housing in the City Code to those in the Land Use Code, removes language for a program that was repealed, and removes the requirement of a specific fee amount when requesting affordable housing fee delays.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 101, 2025, Authorizing the Conveyance of a Permanent Drainage Easement on Fossil Creek Reservoir Natural Area to South Fort Collins Sanitation District.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, authorizes the conveyance of a drainage easement to South Fort Collins Sanitation District ("SFCSD") across the southwest side of Fossil Creek Reservoir Natural Area. The request is tied to an expansion of SFCSD's infrastructure at their headquarters immediately adjacent to the natural area. The proposed easement alignment would cross Highway 392 (north to south) via a culvert into Duck Lake.

Adopted on Second Reading.

5. **Second Reading of Ordinance No. 102, 2025, Authorizing the Conveyance of One Drainage Easement and One Temporary Construction Easement on Golden Meadows Park.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, authorizes the conveyance of one (1) Temporary Construction Easement of 0.0474 acres (the "TCE") and one (1) Drainage Easement of 0.0168 acres (the "DE") (the "Easements"), being a portion of City property presently known as Golden Meadows Park, for the construction and installation of stormwater outfall infrastructure improvements.

Adopted on Second Reading.

6. **Second Reading of Ordinance No. 103, 2025, Vacating Alley Right-of-Way in the Ghent Subdivision Subject to Conditions.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, vacates 16 feet of public right-of-way dedicated by the Ghent subdivision plat. The right-of-way is no longer desirable or necessary to retain for street purposes. The right-of-way vacation will be conditional upon the relocation of an existing Lumen utility line which is currently within the right-of-way.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 104, 2025, Correcting an Error in Ordinance No. 046, 2023, Regarding Financial Disclosure Requirements by Deleting Obsolete Section 2-638.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, deletes language that was inadvertently left in place with the adoption of Ordinance No. 046, 2023, which enacted updated requirements for financial disclosures.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 105, 2025, Making a Supplemental Appropriation of Railroad Crossing Elimination Program Grant Funds for the Vine/Timberline Rail Grade Separation Planning Project.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, enables the City to receive and expend Railroad Crossing Elimination (RCE) Program funds through the Federal Railroad Administration (FRA) for the Vine/Timberline Rail Grade Separation Planning project (Project). The funds will be used to conduct planning for the capital project that intends to grade separate Timberline Road over Vine Drive and the BNSF railroad, eliminating the at-grade crossing of the railroad. The grant funding is not eligible for contributions to the Art in Public Places (APP) program. Previously appropriated funding from development contributions to construction will provide the City's cost share obligation under the federal grant, as well as providing additional

funds needed for Project completion. The development contributions are subject to APP program transfers that are complete. If approved, the item will appropriate \$765,616 in RCE Program grant funds to the Project.

Adopted on Second Reading.

9. **Second Reading of Ordinance No. 106, 2025, Amending the Land Use Code to Remove Non-Primary Short Term Rentals from the Community Commercial - North College District.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, amends the Land Use Code to remove Non-Primary Short Term Rentals from the list of licensed uses in the Community Commercial-North College (CCN) zone district.

Ordinance No. 106, 2025 and Ordinance No. 107, 2025 were presented together on first reading. However, Ordinance No. 106, 2025, will be considered under the Consent Calendar section of the Agenda, and Ordinance No. 107, 2025, due to a split vote on first reading, is to be considered under the Discussion section of the Agenda.

Adopted on Second Reading.

10. **Second Reading of Ordinance No. 108, 2025, Submitting to a Vote of the Registered Electors of the City of Fort Collins a Proposed Charter Amendment Amending Sections 1 and 18 of Article II of the City Charter Related to Vacancies and Application of Term Limits to Partial Terms.**

*This Ordinance, unanimously adopted on First Reading on June 17, 2025, sets ballot language regarding a proposed amendment to the City Charter resulting from the Charter Update Project and submits the question to the voters at the November 4, 2025, election. The Council has considered and taken action on five amendments, and this item completes action on the Charter amendments that have been identified as part of the Charter Update Project. **Updates were made on First Reading to clarify that any person, whether appointed or elected to fill a vacancy on the Council, is considered to have served a term in that office for purposes of applying the term limit if they serve in total more than one-half of the term of office, unless the partial term was served before 2026.***

The Ordinance does not include an amendment number for the proposed ballot question. The Council will establish the order of the amendments to be presented on the ballot by separate action.

Adopted on Second Reading.

11. **Second Reading of Ordinance No. 109, 2025, Establishing the Charter Amendments to Appear on the November 4, 2025, Municipal Election Ballot and the Related Ballot Order.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, finalizes the Charter Amendments to be placed on the November 4, 2025, ballot and sets the preferred order for them.

Adopted on Second Reading.

12. **First Reading of Ordinance No. 110, 2025, Appropriating Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services.**

The purpose of this item is to request an appropriation of \$134,447 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a

variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

Adopted on First Reading.

- 13. First Reading of Ordinance No. 111, 2025, Appropriating Prior Year Reserves to Support the Gardens on Spring Creek Master Plan, Strategic Plan, and Interpretive Plan.**

The purpose of this item is to consider an appropriation of \$150,000 from Gardens on Spring Creek reserves to engage consultant(s) who will facilitate development of a Master Plan, Strategic Plan, and Interpretive Plan.

Adopted on First Reading.

- 14. First Reading of Ordinance No. 112, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Safe Routes to School Zach Elementary School Project.**

The purpose of this item is to provide a supplemental appropriation to the Safe Routes to School (SRTS) Zach Elementary School Project (Project). Poudre School District (PSD) contributed \$25,000 to the Project and this contribution was incorrectly appropriated in Ordinance No. 144, 2023. If approved, this item will correct this error and correctly appropriate the \$25,000 PSD contribution to the Project. No new funding will be appropriated to the Project. As no new funding is being appropriated, there is no proposed additional contribution to the Art in Public Places (APP) program.

Adopted on First Reading.

- 15. First Reading of Ordinance No. 113, 2025, Approving a Collateral Assignment of a Lease at the Northern Colorado Regional Airport.**

The purpose of this item is to request Council approval of a Collateral Assignment of Lease ("Assignment") involving CO Fire Aviation Leasing, Inc., the cities of Loveland and Fort Collins (the "Cities"), and FMS Bank. The Assignment allows CO Fire Aviation Leasing, Inc. (the "Sublessee") to assign its leasehold interest as security for a \$920,000 loan from FMS Bank (the "Lender").

The underlying ground lease permits such assignments with the consent of the Cities. The Assignment, attached to proposed Ordinance No. 113, 2025, will serve as the Cities' acknowledgement of the assignment and provide the Lender rights to receive notice of any Sublessee default, to cure such defaults, and request a new lease of the Sublease is terminated.

Adopted on First Reading.

- 16. First Reading of Ordinance No. 114, 2025 Authorizing the Conveyance of a Permanent Access Easement to Josh and Dusti Sanger Across City Property on Trilby Road.**

The purpose of this item is to authorize conveyance of a permanent access easement to Josh and Dusti Sanger on approximately 0.5 acres of Coyote Ridge Natural Area. The Sangers own a 5-acre residential inholding (2887 W. Trilby Road) within the natural area. Domestic water infrastructure (a cistern and electric pump) that exists on the adjacent natural area pre-dates the City's ownership and provides water to the Sangers' residence. The access easement is intended

to formally document the Sangers' access to the existing cistern and electric pump on the Natural Area and require the Sangers to use the easement in accordance with City parameters.

Adopted on First Reading.

17. First Reading of Ordinance No. 115, 2025, Vacating the City's Property Rights in a Railroad Easement at 3842 Redman Drive, Fort Collins.

The purpose of this item is to review and potentially recommend the vacation of the City's rights in an unused and unusable railroad easement on the Super Vacuum Manufacturing Inc./Bonfire, LLC (Super Vac) property at 3842 Redman Drive.

Adopted on First Reading.

18. First Reading of Ordinance No. 116, 2025, Extending the Terms of a Non-Exclusive Franchise by the City of Fort Collins to Comcast of California/Colorado LLC and its Successors and Assigns for the Right to Make Reasonable Use of, and Erect, Construct, Operate and Maintain Through, the Public Rights-of-Way, Easements and other Public Property any Equipment Necessary and Appurtenant to the Operation and Maintenance of a Cable System and the Provision of Cable Services to City Residents.

The purpose of this item is to request an extension to the terms of the current cable franchise agreement which expires on July 31, 2025. Staff is in current negotiations with Comcast representatives and in the best interests of both parties, recommend this extension so that negotiations can continue. The extension will run through October 31, 2025.

Adopted on First Reading.

19. Resolution 2025-067 Updating the 2013 Paved Recreational Trails Master Plan and Renaming it the 2025 Strategic Trails Plan.

The purpose of this item is to approve the 2025 Strategic Trails Plan (STP). The completion of this plan involved a 14-month planning process comprised of three distinct project phases.

This Agenda Item Summary shares the following high-level details of plan development and provides an overview of next steps as the project team moves into the implementation phase.

- 1. Plan purpose, overarching goals, and council priority alignment*
- 2. Key community engagement themes*
- 3. The proposed trails map and related items:*
 - Guiding principles used to develop 60 miles of proposed trails*
 - Project prioritization criteria*
 - Trail development timeline and costs*
 - Trail safety strategy*
- 4. Additional completed deliverables*
- 5. Next Steps – STP Implementation*

Since the January 14, 2025, Work Session, staff has been working to finalize the Strategic Trails Plan incorporating community feedback from on-line and in-person engagement, draft plan review and input from City boards, including the Parks and Recreation Advisory Board, Senior Advisory Board, Active Modes Advisory Board, and the Land Conservation and Stewardship Board.

Collectively, this input as part of the third and final phase of community engagement has resulted in several refinements to the Strategic Trails Plan, including proposed trail and plan language adjustments and further development of discrete recommendations.

Beginning July 2025, staff will move forward on initiating the predevelopment phases for northeast and western trail alignments, including two spur trail projects. Staff will also pursue several near-term plan recommendations, including the development of a FoCo Trails Program and administrative environmental review policy for trail development.

Adopted.

20. **Resolution 2025-068 Approving the 2025 Certification to the Larimer County Assessor Pursuant to Colorado Revised Statutes Section 31-25-807(3)(a)(IV)(B) for the Downtown Development Authority Property Tax Increment.**

The purpose of this item is to certify to the Larimer County Assessor the percentages of property tax distributions to be allocated for the Downtown Development Authority by the Assessor as tax increment from the 2025 property taxes payable in 2026 to the City and to all other affected taxing entities.

Adopted.

21. **Resolution 2025-069 Making Appointments to the Downtown Development Authority Board.**

The purpose of this item is to fill vacancies that will exist as of June 30, 2025.

Adopted.

END OF CONSENT CALENDAR

Councilmember Pignataro moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-21 on the Consent Calendar.

The motion carried 5-0.

- K) CONSENT CALENDAR FOLLOW-UP** *(This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)*

Councilmember Gutowsky welcomed the new DDA members to the board.

Councilmember Potyondy celebrated that the City was moving forward with a new Strategic Trails Plan and commended the staff work on the Plan.

Mayor Pro Tem Francis echoed Councilmember Potyondy's comments and thanked staff and community members who have worked on the Plan.

- L) STAFF REPORTS – None.**

M) COUNCILMEMBER REPORTS

Councilmember Susan Gutowsky

- Commented on the grand opening of Poudre Fire Authority Station 7 in Laporte.
- Commended the Juneteenth festivities at Foothills Mall.
- Announced the upcoming Poudre Fire Authority graduation at the CSU Alumni Center.
- Announced the 4th of July parade event.
- Announced she will be seeking another Council term.

Councilmember Melanie Potyondy

- Commended staff members who recently presented at the Colorado Municipal League Conference in Breckenridge.

Councilmember Tricia Canonico

- Commended the World Refugee Day celebration last Saturday.
- Commended the Juneteenth festivities at Foothills Mall.
- Attended a tour of Elderhaus.

Mayor Pro Tem Emily Francis

- Announced the 4th of July parade event and fireworks.
- Noted private fireworks are illegal and can have damaging impacts for veterans and pets.

Clerk's Note: Mayor Pro Tem Francis called for a break at 7:11 p.m., noting the meeting would resume in 10 minutes.

N) CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR FOR INDIVIDUAL DISCUSSION

None.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

22. **Public Hearing and Resolution 2025-059 Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District.**

Per the City's Financial Management Policy 10 – Metro Districts (the "Policy"), authorized by Resolution 2021-045, the procedures for conducting a hearing on metropolitan district service plan or plan amendment will be in accordance with the Council's adopted procedures and Section 3.K. of the Policy, which sets the order of the proceedings on such a public hearing as follows:

- 1. Announcement of item;*
- 2. Consideration of any procedural issues;*
- 3. Explanation of the application by City staff;*
- 4. Presentation by the applicant;*
- 5. Public testimony regarding the application;*
- 6. Rebuttal testimony by the applicant;*
- 7. Councilmember questions of City staff and the applicant; and*
- 8. Motion, discussion and vote by City Council.*

In 2012, the District was organized to redevelop the then existing Foothills Mall (approval of the formation of the District and its original Service Plan by City Council was by Resolution 2012-084). Council approved the current Amended and Restated Service Plan for the Foothills Metropolitan District (the "District") on May 7, 2013 (Resolution 2013-044).

Since the District's formation and redevelopment, some of the planned activation has been successful. However, several factors have affected the commercial leasing of all property, which has impacted the revenues dedicated for debt service payment. To address the underperforming aspects, MXD Fort Collins, LLC (the "Current Developer") is currently designing a new redevelopment plan. The First Amendment supports this new approach to redevelopment by:

1. Increasing the maximum amount of debt the District can have outstanding.
2. Extending the length of the debt the District is allowed to incur and clarifying refunding.
3. Making other changes to ensure consistency with the new redevelopment plan.

The First Amendment expands the list of eligible improvements but does not expand the list of eligible improvements for which the City or the Fort Collins Urban Renewal Authority (the "Authority") are obligated to participate in or contribute revenues to finance. This item is related to another item on the agenda, Resolution 2025-060, Approving a Development Agreement to Secure Public Benefits for Foothills Mall Redevelopment, which, if adopted, would approve a Public Benefits Agreement that would be effective upon the effective date of this Resolution 2025-059.

Staff is requesting that Council make the following motion to continue the public hearing and postpone consideration of this Resolution to allow the applicant additional time to draft and finalize details concerning the dedication of affordable housing in the related item Resolution 2025-060, Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment.

Motion: "I move to continue the public hearing and postpone consideration of Resolution 2025-059, Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District, to July 15, 2025."

Councilmember Pignataro moved, seconded by Councilmember Gutowsky, to continue the public hearing and postpone consideration of Resolution 2025-059, Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District to August 19, 2025.

The motion carried 5-0.

23. Resolution 2025-060 Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment.

The purpose of this item is to seek approval of a Development Agreement to Secure Public Benefits for Foothills Mall Redevelopment. This item is related to another item on the agenda, Resolution 2025-059 Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District.

Staff is requesting that Council make the following motion to postpone consideration of this Resolution to allow the applicant additional time to draft and finalize details relating to the dedication of affordable housing in the Public Benefits Agreement.

Motion: "I move to postpone consideration of Resolution 2025-060, Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment, to July 15, 2025."

Councilmember Pignataro moved, seconded by Councilmember Potyondy, to postpone consideration of Resolution 2025-060, Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment, to August 19, 2025.

The motion carried 5-0.

24. Second Reading of Ordinance No. 107, 2025, Amending the Code of the City of Fort Collins to Clarify the Conditions of Renewal of Existing Non-Primary Short Term Rental Licenses.

This Ordinance, adopted on First Reading on June 17, 2025 by 4-3 (Nays: Ohlson, Gutowsky, Potyondy), amends the City Code to allow existing Non-Primary Short Term Rentals licenses to be renewed.

On second reading, Council will have two options. The first option is the original language which allows for transfer of license upon sale. The second option removes the ability to transfer upon sale.

To most effectively address the unintended concentration of Non-Primary Short-Term Rentals in this zone, staff recommends adoption of the second option.

Beyond Council action, staff will continue to review and update policies and fee structures related to STRs. Any actions or recommendations will be provided through memo update.

Ordinance No. 106, 2025 and Ordinance No. 107, 2025 were presented together on first reading. However, Ordinance No. 106, 2025, will be considered under the Consent Calendar section of the Agenda, and Ordinance No. 107, 2025, due to a split vote on first reading, is to be considered under the Discussion section of the Agenda.

PUBLIC COMMENT

Walter Abercrombie noted he is a resident of Old Town North and thanked Council for adopting Ordinance No. 106, 2025. He also thanked Council for recognizing that Old Town North is a residential neighborhood and urged Council not to allow STR transfers. He also requested additional changes beyond what is being considered, such as increasing fees and improving responsiveness with some of that extra revenue.

Linda Abercrombie noted she is a resident of Old Town North and thanked Council for listening to their concerns. She was grateful that new licenses would not be allowed and urged Council not to allow transfers. She thanked Council for recognizing Old Town North is a residential neighborhood and wants to be like all of the other neighborhoods in Fort Collins with a sense of community.

Sarah Payne noted she is a resident of Old Town North and thanked Council for approving Ordinance No. 106, 2025. She requested Council approve the amended Ordinance No. 107, 2025 that would not allow transfers. She stated many false narratives were provided tonight and commented on the property rights of permanent homeowners. She also encouraged Council and staff to find solutions that would reduce the number of STRs.

Christine Dianni noted she and her husband have been residents of Old Town North for 18 years and stated the original vision of a New Urbanist community would have included commercial development that would have supported the residents who lived there. She stated she does not feel STRs fit that vision. She and her husband thanked Council for approving Ordinance No. 106, 2025 and urged Council to remove the ability to transfer STRs and to reduce the number of overall STRs.

Blair Oliver noted he is a resident of Old Town North and thanked Council for approving Ordinance No. 106, 2025. He urged Council not to allow STR transfers and to find a way to reduce the number of overall STRs. He suggested STR fees need to be raised and oversight and enforcement need to be increased. He asked that their neighborhood be treated like all others.

Harry Derderian noted he is a resident of Old Town North and requested that Council oppose the transferability for STRs. He stated he was surprised to hear about financial ruin being eminent for people who had invested in Old Town North and noted they will still have their licenses and continue to be able to operate their businesses. He concurred there are insufficient hotel rooms but stated Old Town North is an exciting neighborhood that should be treated like other neighborhoods in Fort Collins. He commented on the amount of time it will take to reduce the number of STRs even if transfers are not allowed. He encouraged Council to support residents over investors.

Stevey Ertl noted he is a resident of Old Town North and owns a long-term rental in the neighborhood that has had no problems. He asked about the resources the City has allocated to enforcement. He thanked Council for passing Ordinance No. 106, 2025 and encouraged Council to support not allowing transfers. He stated homeowners are investors too and questioned why their investments are less important than those of investors.

(Clerk's Note: Councilmember Ohlson joined the meeting at 7:29 p.m.)

Paul Francisco thanked Council for approving Ordinance No. 106, 2025 and urged Council to support not allowing transfers for STRs. He noted this would not impact existing STR owners as they can continue to operate. He asked Council not to prioritize new investors over residents and stated the lodging problems need to be solved separately. He commented on the imbalance of STRs in this neighborhood and stated it has resulted in a complete lack of balance.

Tami Bond thanked Council for listening and expressed support for not allowing STR transfers. She commented on the imbalance in the number of STRs in Old Town North and stated it should be treated like other Fort Collins neighborhoods.

Dolores Williams noted she owns two townhouses in Old Town North and stated she has great long-term renters. She noted properties can be used for things other than STRs and commented on the problems that can come from STRs with lack of cohesiveness. She thanked Council for approving Ordinance No. 106, 2025 and suggested allowing one-year licenses without renewals until the numbers become more reasonable.

Dave Watkins thanked Council for halting STR licenses in Old Town North and stated residents want to protect the livability, character, and safety of the neighborhood. He commented on the negative impacts of STRs and noted residents are investors as well. He stated the number of STR licenses is alarming and stated if the licenses are allowed to be transferred, nothing will change. He also encouraged stronger enforcement of STR rules and noise ordinances, including revocation of licenses for problem properties.

Kerri Watkins stated she became a STR owner when this process started and commented on the ease and low cost of acquiring the STR license. She noted no one actually came to the property to inspect it and stated the City is not enforcing any rules. She stated allowing license transfers will perpetuate the problems in the neighborhood and urged Council to prioritize residents over investors.

Mark Driscoll noted he is a resident of Old Town North and urged Council to adopt option 1 which protects the ability to transfer STR licenses upon sale. He stated changing the rules midstream undermines trust and signals that Fort Collins is not a reliable place to invest or plan for the future.

He commented on the thoughtful community-driven process that led to the adopted zoning of the neighborhood in 2017 and discussed the financial benefits of STRs to the community. He stated he is not seeing the negative issues that have been discussed in his rental and noted property management is important.

Kurt Kniegge noted he owns a property in Old Town North which he and his family lived in for a number of years then converted to a STR. He stated he has no other retirement income and would like to have the ability to transfer the license to his children. He urged Council to work on other solutions without restricting transferability and stated the 40% number of STRs is inflated and would not be supported by the market.

Kay Osentowski noted she was one of the first developers of Old Town North and provided some history of the evolution of the neighborhood. She stated the zoning designation was responsible for turning around the neighborhood and increasing interest. She commented on the economic benefits provided by STRs and stated they contribute to the vibrancy of the neighborhood and city. She stated transfers ensure this will continue and discussed ancillary jobs produced by STR's. She urged Council to approach this matter with the goal of fostering collaboration and establishing policies that address concerns.

Drew Carpenter noted he owns property in Old Town North and used to live there. He asked Council to consider that there are a vast majority of homeowners that have not come to Council because they live peaceably with STRs. He stated limiting licenses and transfers would negatively impact financial viability for owners and the economic impact to the city. He commented on the vibrancy STRs bring to the neighborhood and stated those who are now complaining failed to do their due diligence when they purchased their properties. He stated blanket zoning changes are a gross overreaction to this issue.

Josh Tinker noted he lives in Fort Collins and owns a STR in Old Town North, which he has run for five years without incident. He commented on problems with the second option of Ordinance No. 107, 2025, that removes the ability to transfer a STR license, stating it will do nothing to alleviate issues with unruly guests and unfairly punishes responsible owners who ensure guests are good neighbors. Additionally, he stated it would still take decades to accomplish the goal of reducing the number of STRs even if transfers are not allowed. He requested Council vote for option one and stated collaborative and sensible solutions need to focus on guest behavior and enforcement, not blanket restrictions.

Bryan Willson noted that he and his wife built a home in Old Town North and stated they were attracted to the New Urbanist concept. He stated the growing prevalence of STRs has displaced many original owners and has created a very different experience with parking and behavioral issues on the weekends. He thanked Council for adopting Ordinance No. 106, 2025, and urged Council to consider adopting the second option of Ordinance No. 107, 2025. He expressed concern about the recent rush to obtain STR licenses stating having a 'rental neighborhood' designation will scare off potential long-term neighbors. He urged Council to examine solutions to roll back STR licensing and to continue to look for solutions to help heal the damaged neighborhood.

Spencer Douthit noted he is the president of the HOA for Old Town North townhomes and stated that since the inception of STRs in the townhome community, they have not received a single complaint. He stated STRs can be located harmoniously with long-term residents and read a guest review he had received. He invited each Councilmember to explore the many positive guest reviews that have been received.

Bill Kiester stated there were fewer than ten STRs when he purchased his home in Old Town North. He stated his biggest concern is with the non-primary STR licenses and stated their

prevalence has started to make him feel isolated. He expressed concern about the lack of community and stated property values will hold given the location of the neighborhood even if the number of STRs decreases.

Kyle Anderson noted he is a disgruntled resident of Old Town North and stated residents need some tools to help them deal with the imbalance in the number of STRs. He supported not allowing license transfers and commented on the County's STR regulations that may be a good example for the City. He suggested there could be a way to implement a fee structure that would fund better enforcement.

Jennifer Kelly, Old Town North resident, urged Council to consider continuing to allow transferability. She suggested expanding the area where STRs are allowed to help with the saturation of STRs in Old Town North.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Pignataro thanked the individuals who have made comments and commented on changes that have occurred since 2017, including COVID changing the way people travel and record low interest rates. She also concurred the commercial component of the New Urbanism concept did not envision high numbers of STRs. She stated she would like to see a review of STRs for the entire city during the next Council term and stated she is leaning toward option two noting things could change again with further review.

Councilmember Potyondy noted her support for option two and stated that while STRs have a place, they are oversaturated in Old Town North and do not meet the desired balance of economic, social, and environmental goals. She concurred more conversations are needed, but noted guests are not neighbors. She stated she walked the neighborhood and talked with residents who are truly being impacted by the lack of community. She commended option two as being a good first step in stopping the proliferation of the uses that are changing the community.

Councilmember Canonico also supported option two and supported Councilmember Pignataro's suggestion to look at this more thoroughly. She also suggested the City needs to look at fees, regulations, and enforcement in a way that balances the needs of residents and STR owners.

Councilmember Gutowsky agreed with the other comments and noted the process will be a slow one. She stated she would support option two as not supporting it would perpetuate the problems. She concurred with residents that a residential community should be the goal.

Councilmember Ohlson stated every two-year work plan he has been a part of has had an option for protecting livability, safety and quality of life in a neighborhood. He stated issues have been created that were not expected and he will support option two. He stated he would not want to broaden allowing STRs everywhere in the city to dilute the issue in this area and encouraged a thoughtful process.

Mayor Pro Tem Francis agreed with supporting option two and noted owners will still be able to operate their STRs until they sell their homes. She added that Council is aware that just stopping the transferability does not stop the problems and agreed that a more comprehensive review of fees and enforcement is needed. She also noted STRs take away housing from long-term residents.

Councilmember Pignataro moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 107, 2025, Amending the Code of the City of Fort Collins to Clarify the Conditions of Renewal of Existing Non-Primary Short Term Rental Licenses, option two, on Second Reading.

The motion carried 6-0.

P) RESUMED PUBLIC COMMENT

Q) OTHER BUSINESS

OB 1. **Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.**

OB 2. **Consideration of a motion to cancel the Tuesday, August 5, 2025, Regular Council meeting:**

Councilmember Pignataro moved, seconded by Councilmember Canonico, pursuant to City Code Section 2-28(a), that Council cancel its regular meeting on Tuesday, August 5, 2025, due to Neighborhood Night Out.

Mayor Pro Tem Francis encouraged residents to attend Neighborhood Night Out.

The motion carried 6-0.

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 8:22 p.m.

Mayor

ATTEST:

Sr. Deputy City Clerk