



Land Use Code Amendments: Transit Oriented Communities Legislation

Adoption of Land Use Code changes to support the City's compliance with Transit Oriented Communities State legislation. Proposed changes will:

- Designate portions of the community as 'Transit Centers'
- Change the review and appeals process for multi-unit dwelling projects 5 acres in size or less in Transit Centers
- Make other minor fixes and consistency changes in areas of the code being updated

HB24-1313 Housing in Transit-Oriented Communities ('TOC Bill')

State legislation passed in 2024 to promote housing development opportunities near existing or planned high-frequency transit. Key requirements:

- **Develop a Housing Opportunity Goal**

Benchmark for dwelling unit capacity based on the size of State-designated Transit Areas. Transit Areas are locations near rail stations and high-frequency transit corridors.

- **Designate Transit Centers**

Select locations near high frequency transit with zoning capacity that meets or exceeds the Housing Opportunity Goal. Transit Centers require minimum densities and administrative review process.

- **Housing Affordability / Displacement Mitigation Strategies**

Implement various strategies to address affordable housing and displacement risk.

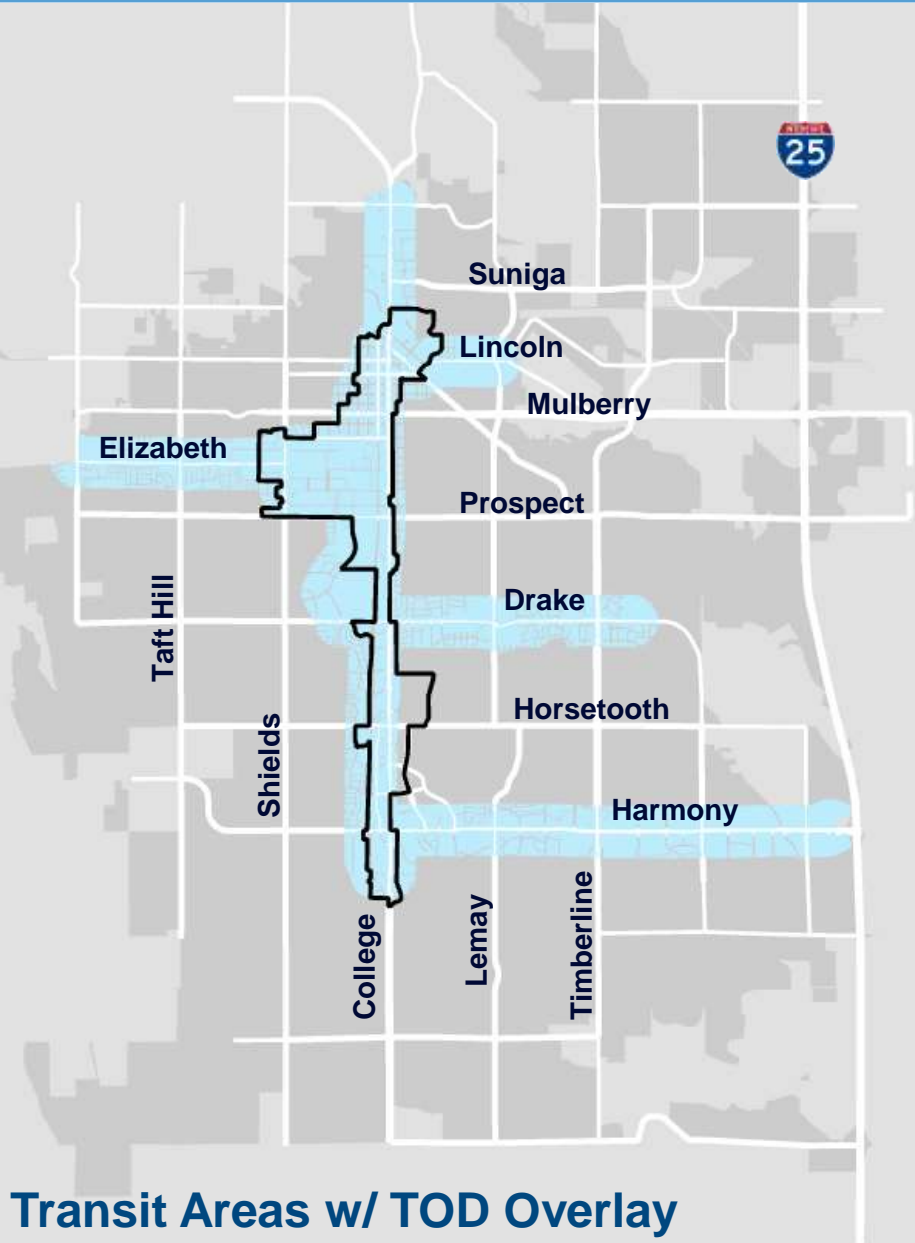
- **Ongoing Reporting**

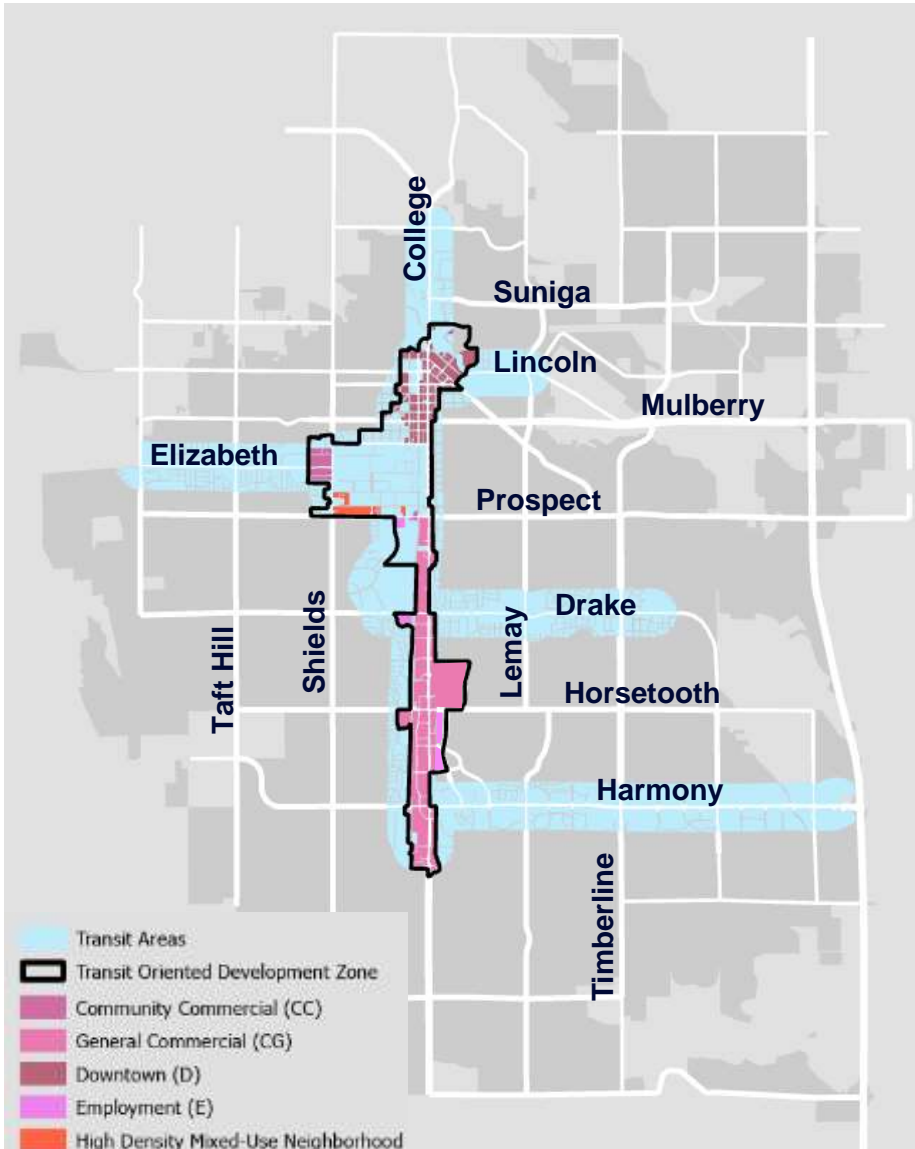
Compliance reports to Department of Local Affairs every three years.

Transit Centers

TOC Bill requires the City to designate portions of the community as Transit Centers. In total, all Transit Centers must have zoning capacity equal to or exceeding the Housing Opportunity Goal. Transit Centers also require:

- **Location** – Within ½ mile of a rail station and/or ¼ mile buffer of bus routes
- **Minimum Density** – 15 dwelling units per acre
- **Approval Process** – Administrative review for multifamily development (no public hearing requirement)



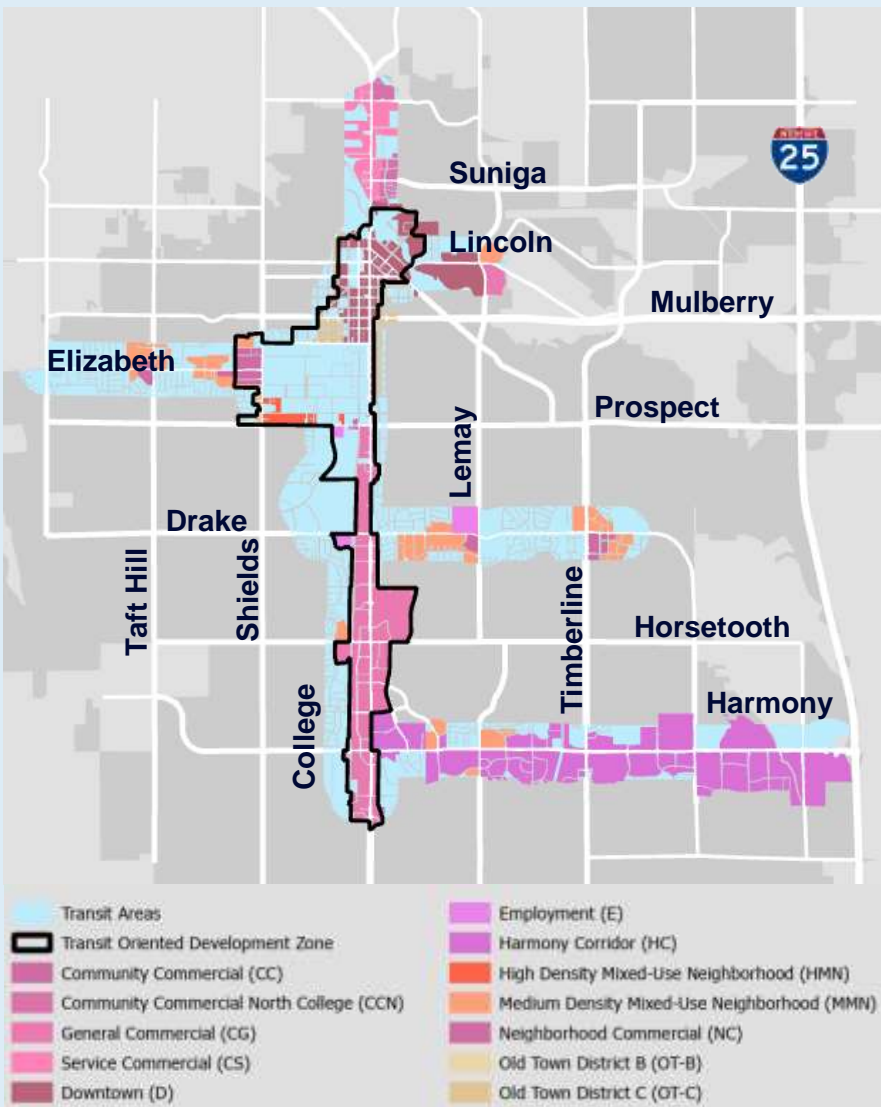


Utilize Existing Zoning inside TOD Overlay

Housing Opportunity Goal zoning capacity can be met by designating Transit Centers within the TOD using the following zone districts:

- Community Commercial (CC)
- General Commercial (CG)
- Downtown (D)
- Employment (E)
- High Density Mixed-Use Neighborhood (HMN)

Designating Transit Centers – Future Phases



Density-Eligible Zoning within TOD Overlay Zone:

- General Commercial [CG]
- Community Commercial [CC]
- Downtown [D]
- High Density Mixed-Use Neighborhood [HMN]
- Old Town, High [OTC]

Other Density-Eligible Zoning outside TOD Overlay Zone:

- Employment [E]
- Neighborhood Commercial [NC]
- Harmony Corridor [HC]
- Medium Density Mixed-Use Neighborhood [MMN]
- Community Commercial, North College [CCN]
- Service Commercial [CS]

Fort Collins Zoning – Eligibility as Transit Centers

- Most residential zoning **does not** meet minimum density threshold (15 units/acre)
- Most commercial and mixed-use zoning **does** meet minimum density threshold
- All zoning except two Downtown subdistricts do not meet administrative approval requirement
- Land Use Code changes are necessary to allow administrative review where Transit Centers are designated.

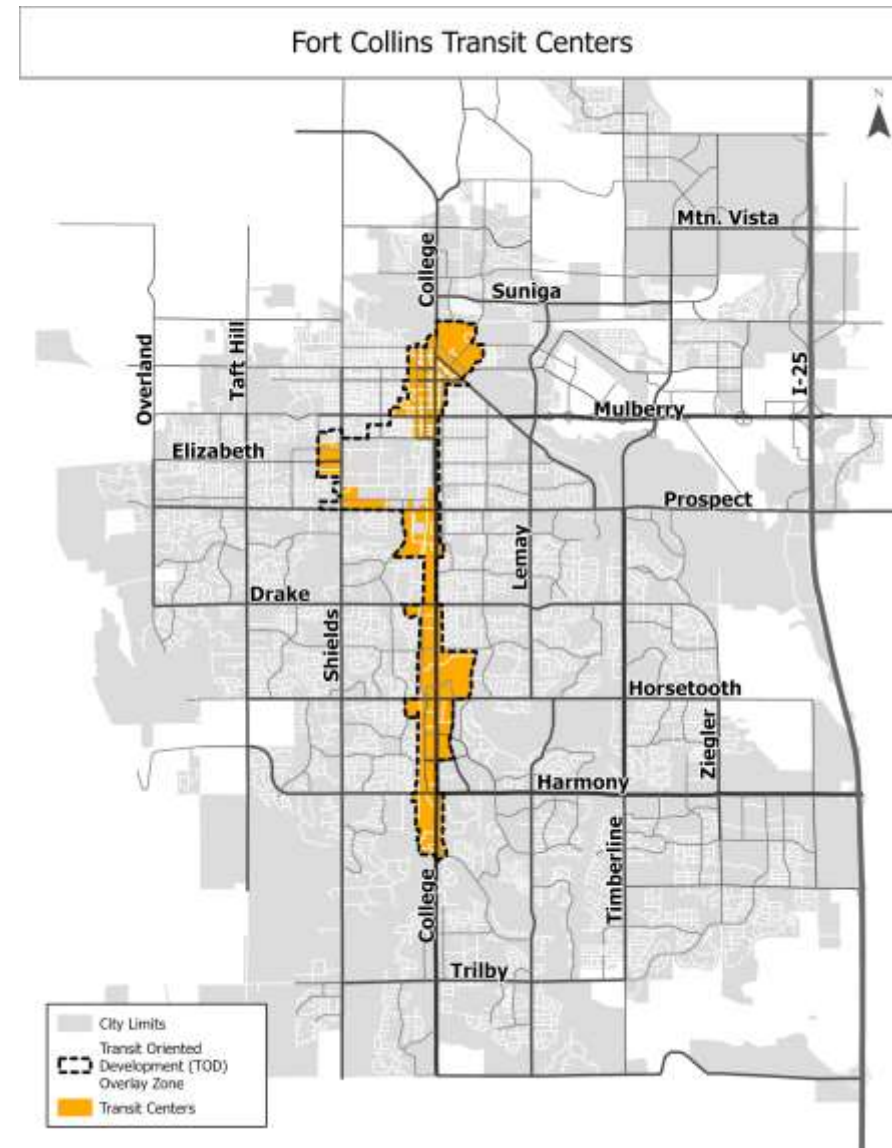
Code Update Summary: Relationship to Legislative Requirements



LEGISLATIVE REQUIREMENT	PROPOSED CODE CHANGE
Designate local Transit Centers	<ul style="list-style-type: none">▪ Define Transit Centers [Article 7]▪ New Transit Center map defining geographic boundaries of locally-designated Transit Centers [Article 7]
Administrative Review Process for Multi-Unit Development in Transit Centers	<ul style="list-style-type: none">▪ Multi-unit dwelling projects 5 acres or less in size within Transit Centers subject to basic development review [Articles 4 & 6]
Multi-Unit Development Appeals Process in Transit Centers	<ul style="list-style-type: none">▪ Update appeals process section for basic development review indicating no appeal process for multi-unit dwelling projects 5 acres or less in size within Transit Centers [Article 6]

Defining Transit Centers

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.



Section 4.3.1

- (H) **Multi-Unit Dwelling** has three or more habitable dwelling units contained within a permitted building type. The land underneath the primary structure is not divided into separate lots.
- (I) **Multi-unit dwelling developments proposed to be located on lots of five (5) gross acres or less in size and located within a transit center shall be reviewed through basic development review regardless of the level of review indicated in Division 4.2. Transit center locations are shown on the map accompanying the transit center definition in Section 7.2.2.**

6.3.12 STEP 12: APPEALS/ALTERNATE REVIEW

- (A) **Appeals.** Appeals of any final decision of a decision maker under this Code shall be only in accordance with Chapter 2, Article II, Division 3 of the City Code, unless otherwise provided in this Article.

- (B) **Alternate Review.** Despite the foregoing, if the City is the applicant for a development project, there shall be no appeal of any final decision regarding such development project to the City Council. In substitution of an appeal of a development project for which the City is the applicant, the City Council may, by majority vote, as an exercise of its legislative power and in its sole discretion, overturn or modify any final decision regarding such project, by ordinance of the City Council. Any Councilmember may request that the City Council initiate this exercise of legislative power but only if such request is made in writing to the City Clerk within fourteen (14) days of the date of the final decision of the Planning and Zoning Commission. City Council shall conduct a hearing prior to the adoption of the ordinance in order to hear public testimony and receive and consider any other public input received by the City Council (whether at or before the hearing) and shall conduct its hearing in the manner customarily employed by the Council for the consideration of legislative matters. When evaluating City projects under alternate review, the City Council may, in its legislative discretion, consider factors in addition to or in substitution of the standards of this Land Use Code.

- (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:

6.4.3 BASIC DEVELOPMENT REVIEW AND MINOR SUBDIVISION REVIEW PROCEDURES

- (H) *Step 8* (Standards): Applicable.
- (I) *Step 9* (Conditions of Approval): Applicable.
- (J) *Step 10* (Amendments): Applicable.
- (K) *Step 11* (Lapse): Applicable.
 - Step 11(A)*: (Application Submittals): Applicable.
 - Step 11(B and C)* (Lapse): Not Applicable.
 - Step 11(D)(1–8)*: (Final Plan and Plan and Other Site Specific Development Plan): Applicable.
 - Step 11(D)(9)*: (Post denial re-submittal delay): Not Applicable.
 - Step 11(D)(10)*: (Automatic repeal; waiver): Applicable.
- (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)**.

“Administrative Approval Process” means a process in which:

(a)(i) A development proposal for a specified project is approved, approved with conditions, or denied by local government administrative staff based solely on its compliance with Objective Standards set forth in Local Laws; and (ii) does not require, and cannot be elevated to require, a public hearing, a recommendation, or a decision by an elected or appointed public body or a hearing officer.

DIVISION 6.4 BASIC DEVELOPMENT REVIEW

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.
- (B) Existing Limited Permitted Uses (Division 6.17).
- (C) Expansions and Enlargements of Existing Buildings (Sections 6.22 and 6.23.1).
- (D) Building Permit Applications (Division 6.13).
- (E) Minor Subdivisions (Section 6.4.2).
- (F) Plugging and Abandonment and Decommissioning of Wells and Pipelines (Section 4.3.4(F)) provided such Plugging and Abandonment and Decommissioning is not part of a development application subject to a development review process other than BDR|
- (G) Affordable housing developments.
- (H) Multi-unit dwellings located in transit centers pursuant to Section 4.3.1(H)(I).

- Fixing capitalization & general consistency edits to similar administrative approval processes recently implemented for other land uses (e.g. affordable housing) in affected Code sections

Regardless of the level of review indicated in the Residential Uses table above all affordable housing developments shall be reviewed through basic development review (BDR).

Regardless of the level of review indicated in the Residential Uses table above, multi-unit dwelling developments shall be reviewed through basic development review (BDR) if located within a transit center as further described in Section 4.3.1(H)(1).

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- (G) Affordable housing developments.
- (H) Multi-unit dwellings located in transit centers subject to Section 4.3.1(H)(1).

6.4.2 MINOR SUBDIVISIONS

A minor subdivision is a plat or replat that does not create more than one (1) new lot. A minor subdivision shall not be permitted if the property is within a parcel, any part of which has been subdivided by a minor subdivision plat within the immediately preceding twelve (12) months. For an unplatted metes and bounds lot undergoing the minor subdivision process to create a platted lot with the same boundaries, Step 6 (Notice) of Section 6.4.3 is not applicable.

- Dedicated project webpage with state legislation information and searchable Transit Center map
- Meetings and information provided to business groups operating in Transit Center locations:
 - Midtown Business Improvement District
 - Downtown Development Authority
 - Local Legislative Affairs Committee
- Direct mailings to properties in Phase 1 Transit Center Locations (~1950 parcels)

Public testimony at the March 25, 2026, Planning and Zoning Commission Hearing:

- Concern around lack of awareness of projects; general neighborhood impacts or displacement occurring unknowingly
- Concern staff should not have the ability to approve projects without public input
- Further intensification around Center Avenue given preexisting flooding and stormwater issues

Planning & Zoning Commission voted 5-0 at their March 25, 2026, hearing to recommend to Council adoption of the proposed Code Changes. In addition, the Commission recommends:

- Updating the Land Use Code to require a neighborhood meeting for multi-unit development projects utilizing the new administrative review process in Transit Centers.
- Request Council direct staff to investigate and implement an internal appeals process.



Back-Up Slides

Switchgrass Crossing

- Senior affordable housing project
- 45 units
- 30 – 60% Area Median Income
- Located in Midtown adjacent to Mason Place, near Mason & Horsetooth

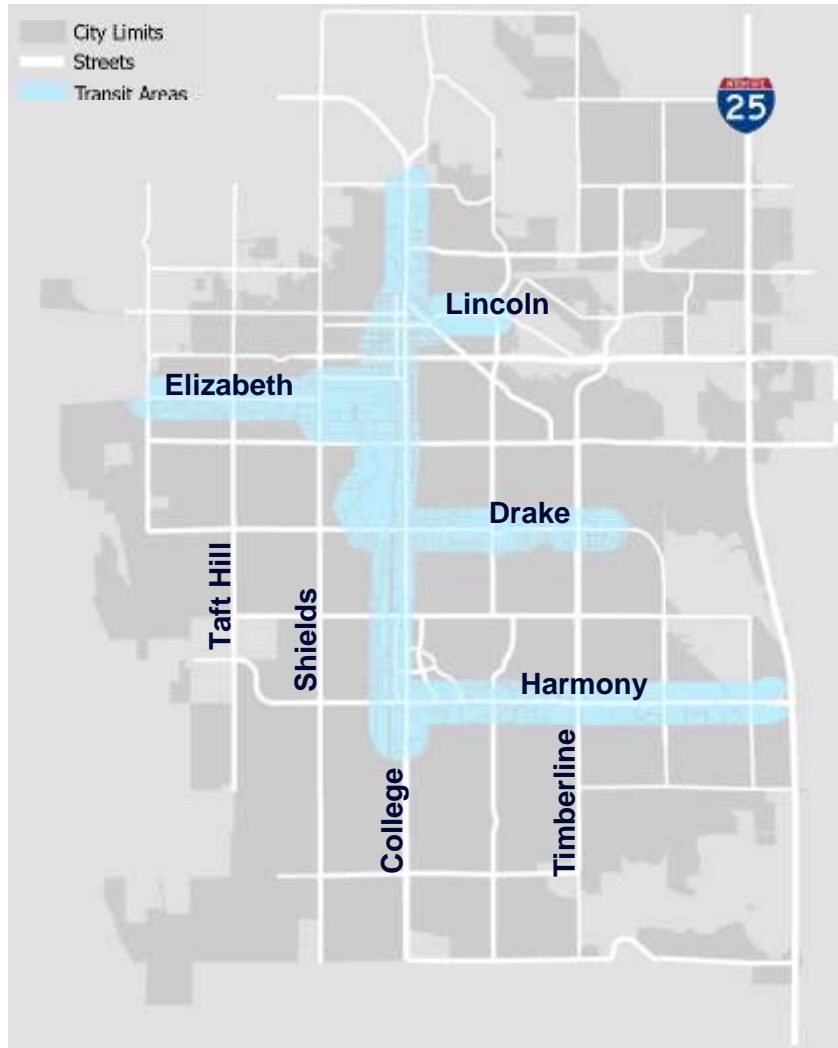


Fort Collins submitted a Transit Oriented Communities Infrastructure (TOCI) Pilot Grant Application to support the proposal. Grant funding to be used for site infrastructure and frontage improvements

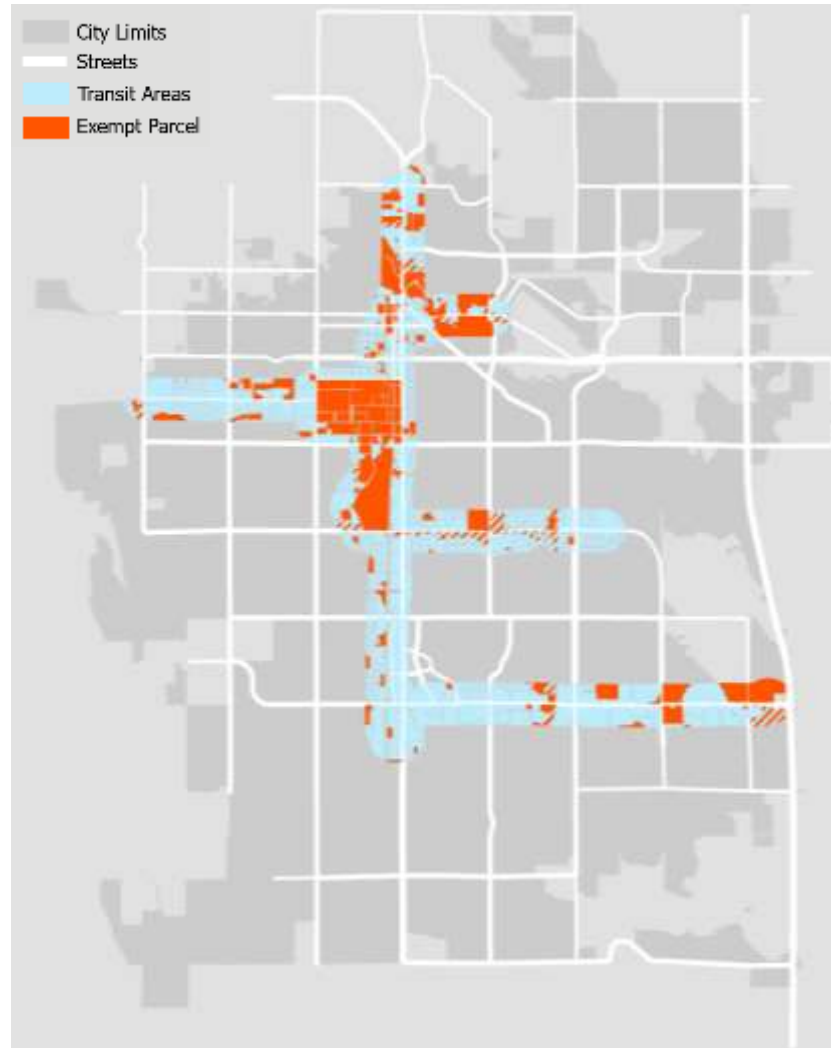
If awarded, funding is contingent on Fort Collins becoming HB24-1313 certified Spring 2026

Funding Request: \$800,000+

Visualized: Fort Collins Transit Areas



Transit Areas
6,159 acres



Transit Areas after exemptions
3,380 acres

Exemptions:

- Parks
- Schools
- Government-Owned Property
- Cemeteries
- Mobile Home Parks
- Natural Hazards
- Natural Areas
- Conservation Easements
- Utility Easements
- Industrial Uses
- Lack of Utility Infrastructure/Resources

Total exemption size: 2,779 acres

Fort Collins Housing Opportunity Goal: 135,160 units

3,380 acres x 40 dwelling units per acre

- Housing Opportunity Goal is a benchmark for zoning capacity, not a requirement for the number of new dwelling units.
- Legislative research indicates the number of units built corresponds to approximately 10% of zoning capacity.
- Fort Collins' Housing Opportunity Goal may amount to 13,500 new & existing units over time.

Transit Centers Opportunities

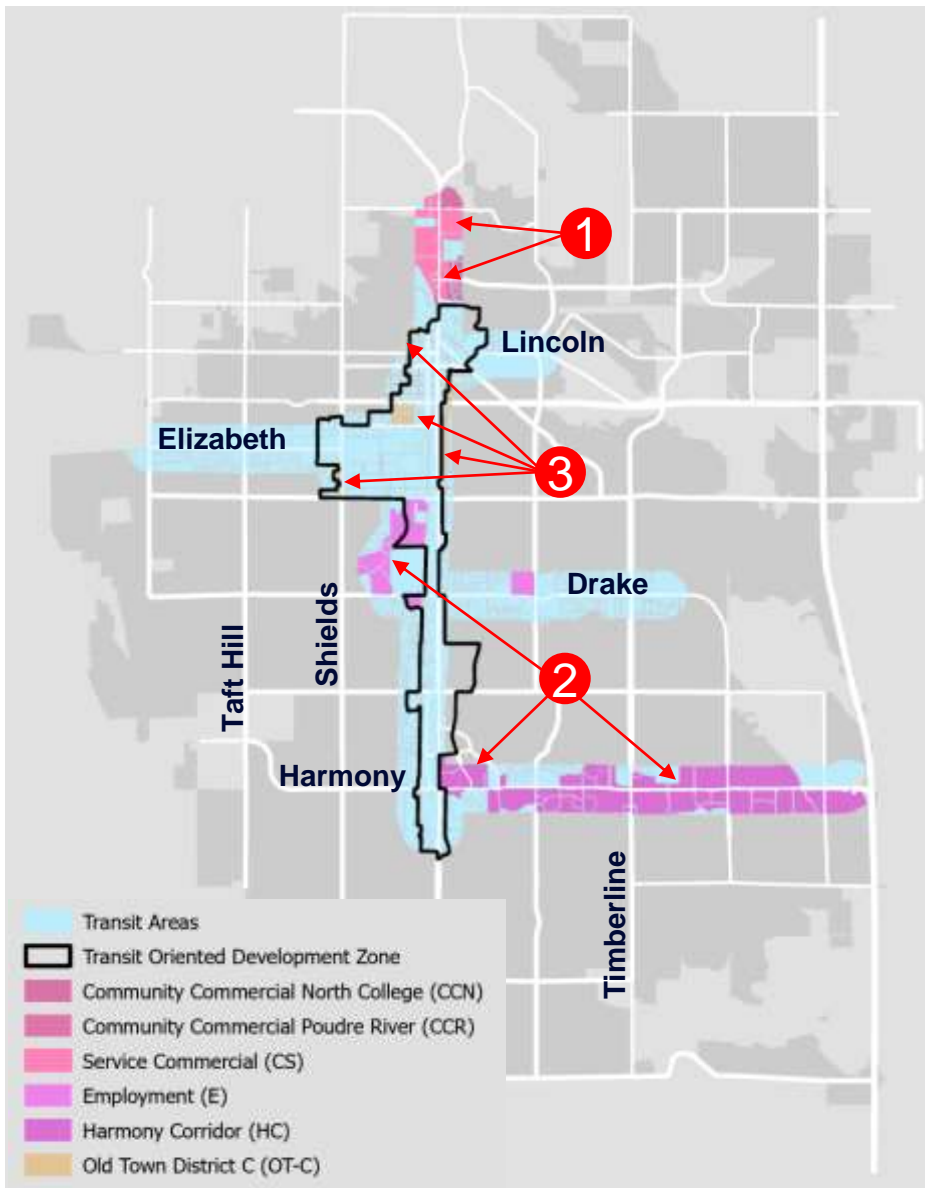
Beyond legislative requirements, Transit Centers enable funding opportunities for infrastructure and affordable housing:

- Transit Oriented Communities Infrastructure Grant *
- Transit Oriented Communities Tax Credit for affordable housing

Designated Transit Center may also be used by State agencies to determine eligibility for future projects, programs, and incentives.

* Spring 2026 TOC certification enables grant opportunity for a proposed affordable housing project in Midtown

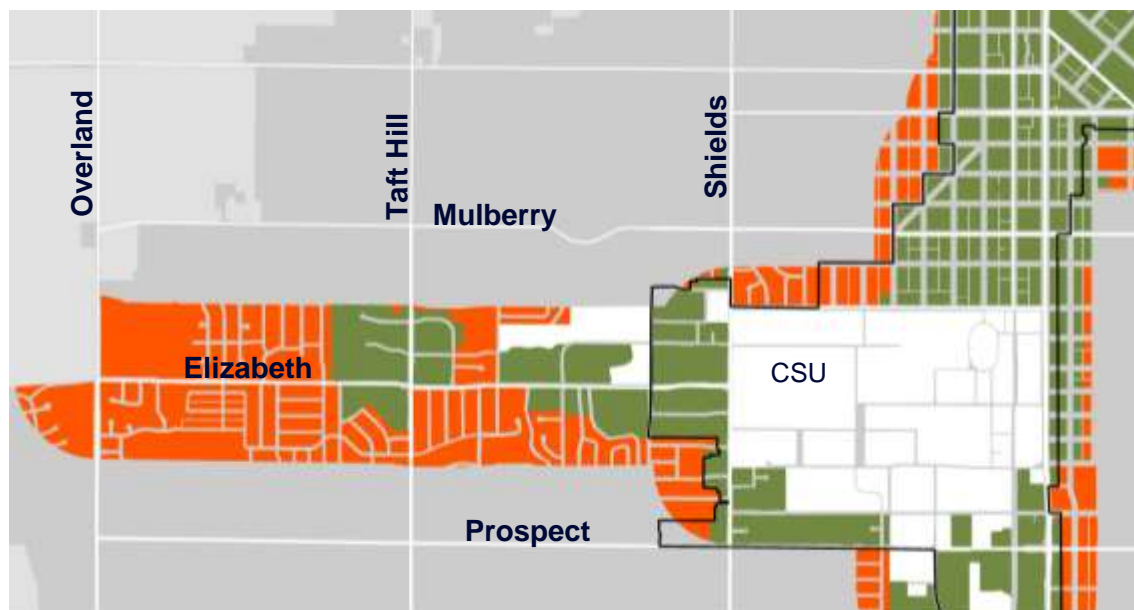
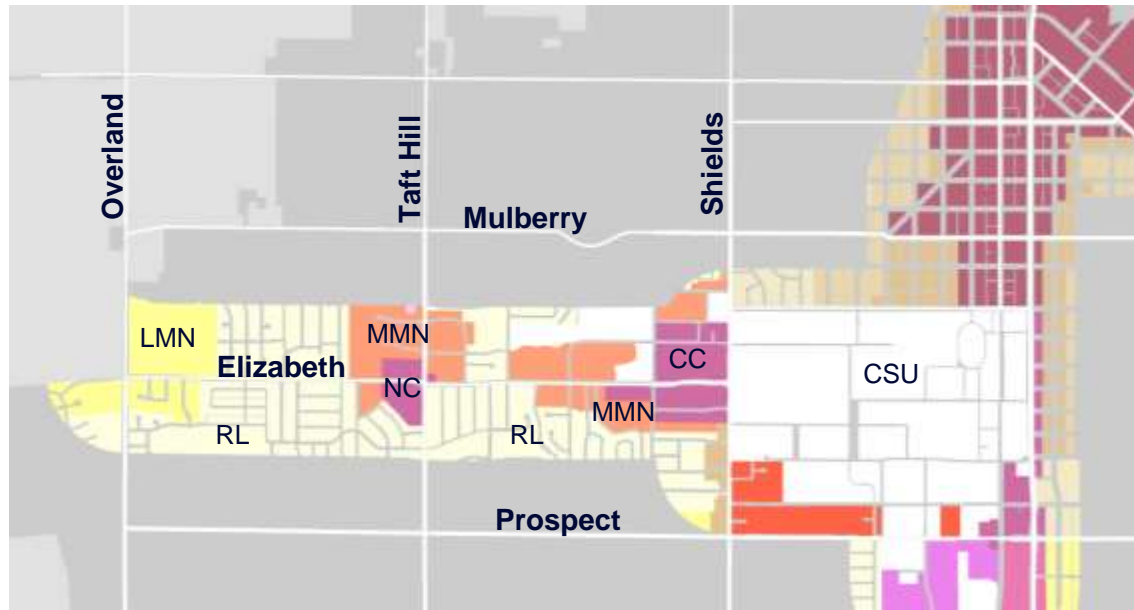




Additional Transit Center Designation Options:

- 1) Commercial Zoning along North College
Alignment with North College BRT Study
- 2) Employment (E) & Harmony Corridor (HC) Zoning in Eligible Transit Areas outside TOD
Employment Areas along Centre Avenue & Harmony Road
- 3) Old Town – High (OT-C) within/near TOD Overlay
Eligible zoning along high frequency routes near CSU / Downtown

Designating Transit Centers – West Elizabeth Corridor



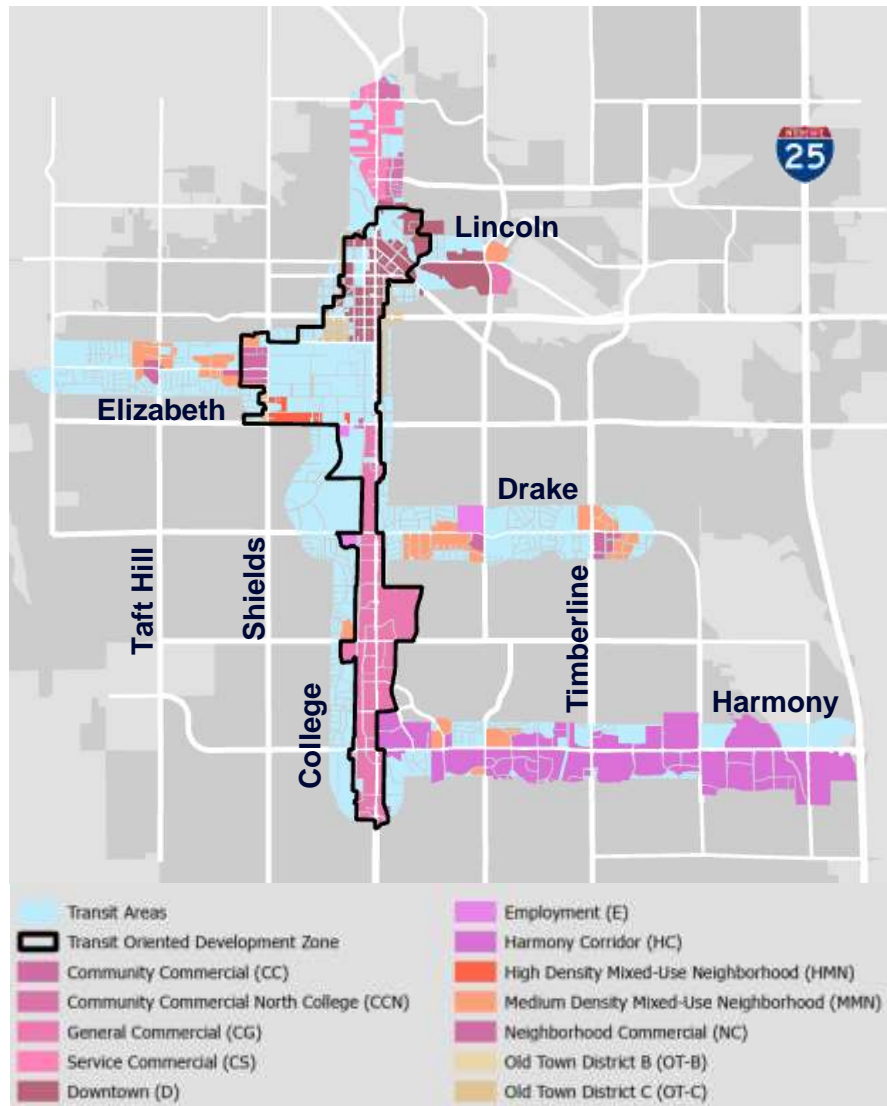
Western end of the Elizabeth Corridor is ineligible for Transit Center designation due to current zoning and development standards:

- Low Density Residential (RL) & Low Density Mixed-Use Neighborhood (LMN) zoning do not support required density.
- Lot patterns and lack of vacant or (re)developable land makes infill development more challenging.
- Lower transit ridership on the far west end of the corridor.

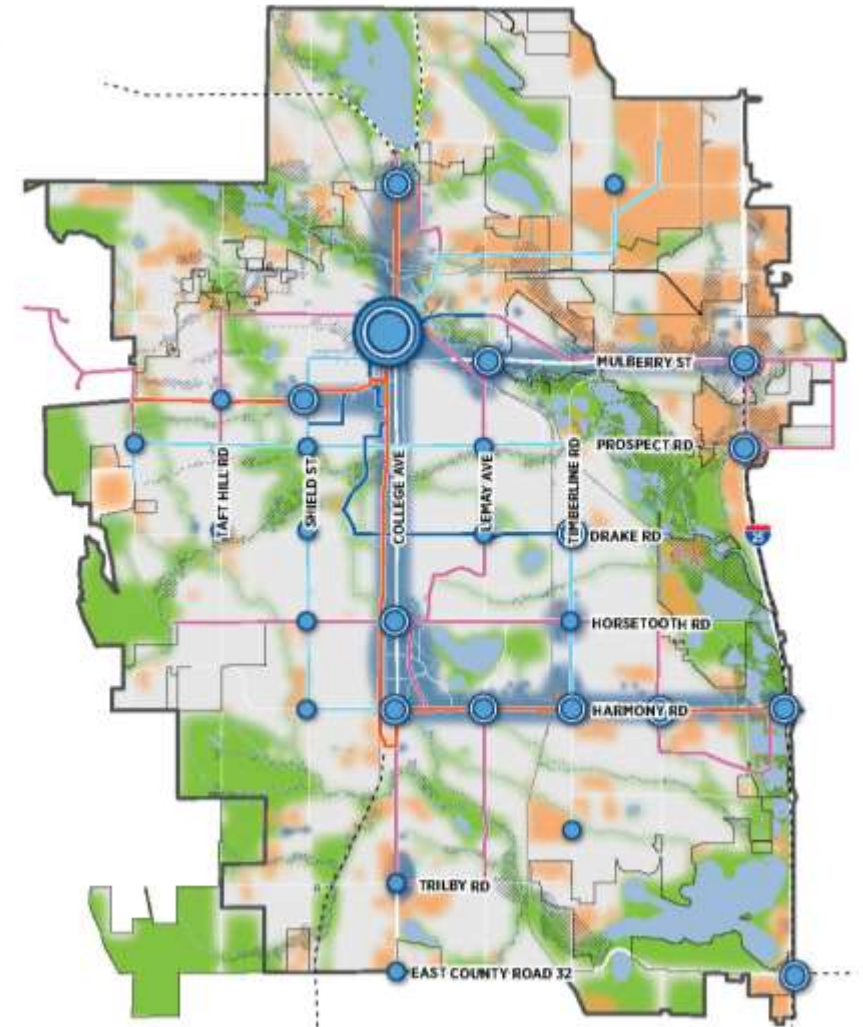
-  Eligible Transit Center Zoning
-  Ineligible Transit Center Zoning

- Transit-Oriented Communities are required to have an Administrative Approval Process for multifamily developments within Transit Centers (see [Section 3.4](#) for additional guidance). Note that the requirement for an Administrative Approval Process applies only to “site plans” or other similar types of project-specific approvals. The law does not require jurisdictions to apply Administrative Approval Processes to subdivisions, rezonings, variances, or similar types of land use decisions. These types of processes may still be approved through discretionary approval processes with elected or appointed boards.
- Projects that are larger than 5 acres may be included in a Transit Center while following a discretionary approval process through elected or appointed boards, so long as a target Net Housing Density for these parcels is established (See [Section 3.4](#) for guidance).

Designating Transit Centers

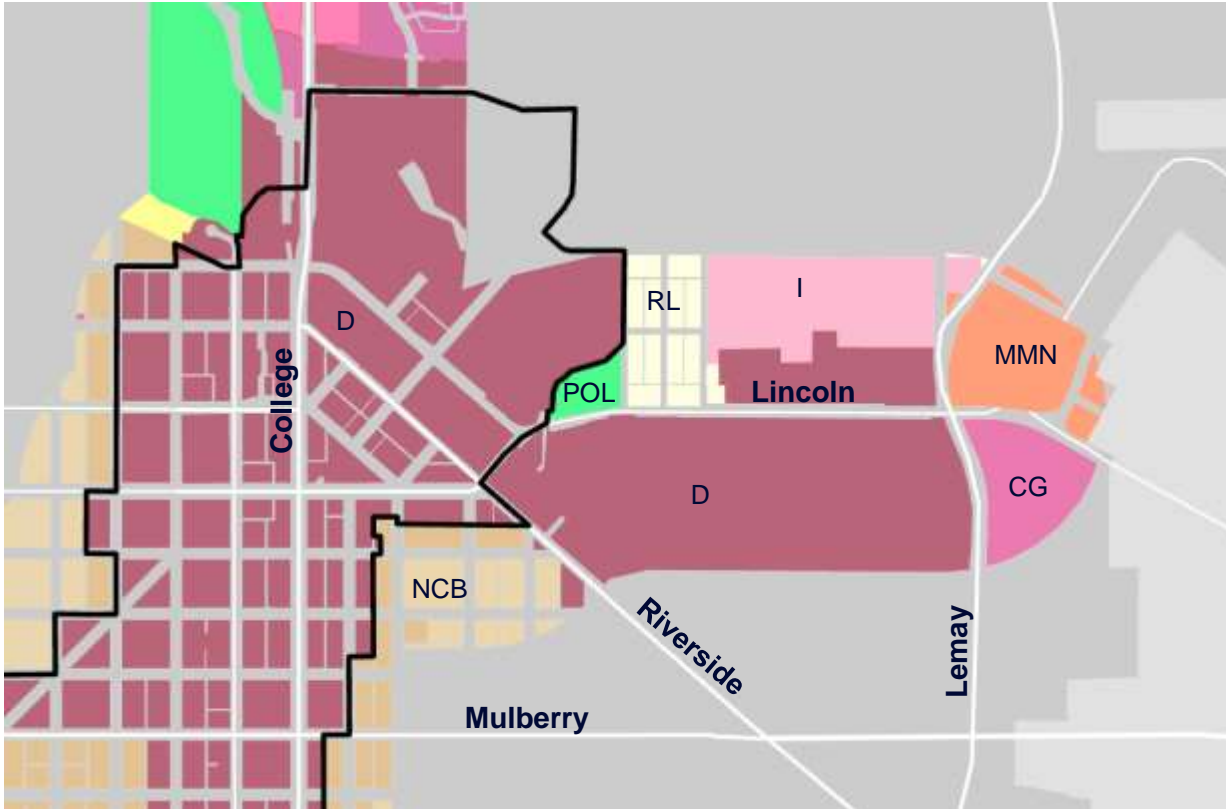


Transit Areas w/ Density-Eligible Zoning



City Plan: Where Will We Focus Our Efforts? 26

Designating Transit Centers – Lincoln Corridor



Lincoln Ave corridor features primarily ineligible zoning for Transit Center designation:

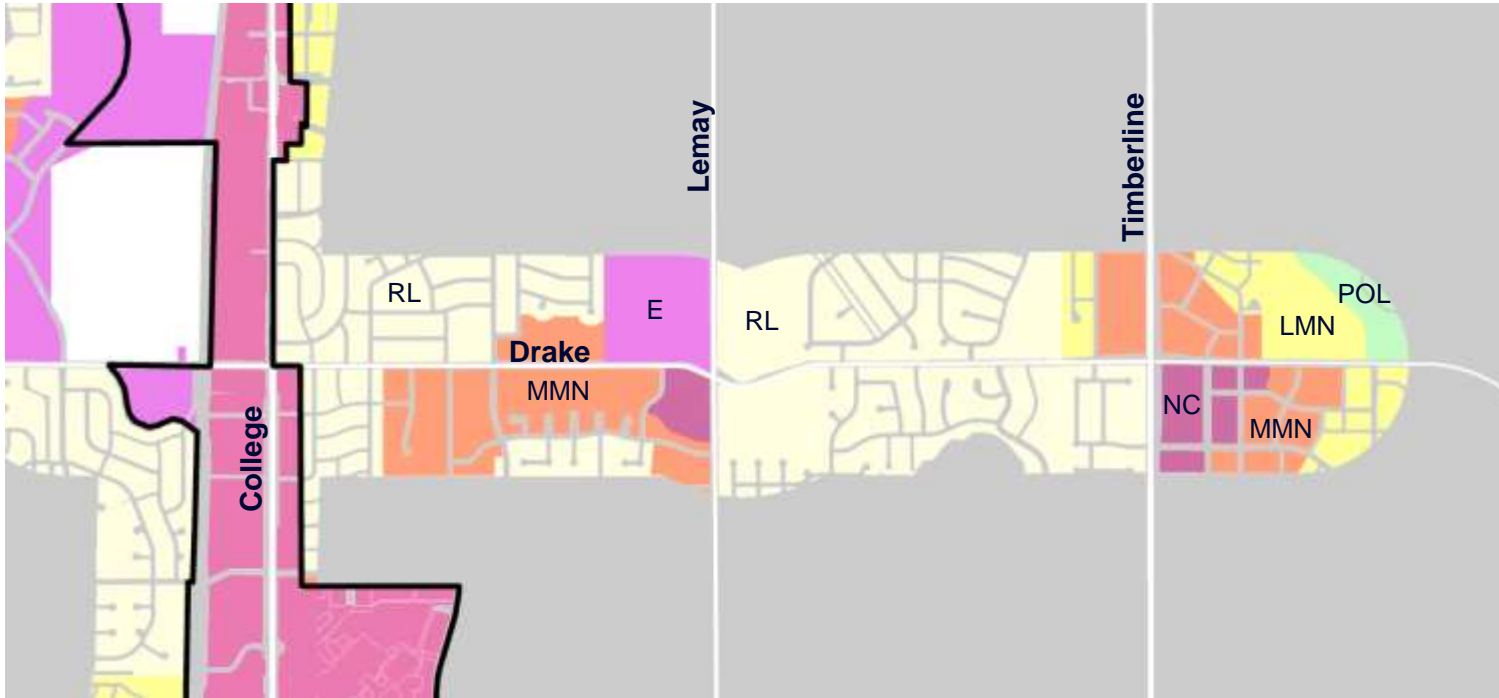
Non-Eligible Zoning

- Low Density Residential (RL)
- Public Open Lands (POL)
- Downtown (D -Innovation/River Subdistricts)
- Industrial (I)

Eligible Zoning

- Medium Density Mixed-Use Neighborhood (MMN)
- General Commercial (CG)

Designating Transit Centers – Drake Corridor



East Drake corridor features primarily ineligible zoning for Transit Center designation by land area:

Non-Eligible Zoning

Low Density Residential (RL)

Public Open Lands (POL)

Low Density Mixed-Use Neighborhood (LMN)

Eligible Zoning

Medium Density Mixed-Use Neighborhood (MMN)

Neighborhood Commercial (NC)

Employment (E)

Designation Readiness & Timelines

Designating extra Transit Centers creates additional opportunities for competitive grant funding while reducing direct public participation in the development review process for multifamily development.

Designate Transit Centers within TOD Overlay (Staff Recommendation)

Certification Timeline	Engagement Needs	Policy Alignment	Grant Eligible in 2026?	Grant Eligible in 2027?
Spring 2026	Minor	Strong	Yes	Yes

Additional Options for Transit Center Designations

Certification Timeline	Engagement Needs	Policy Alignment	Grant Eligible in 2026?	Grant Eligible in 2027?	
1 North College	December 2026	Moderate	Strong	No	Yes
2 Centre & Harmony Corridors	December 2026	Major	Moderate	No	Yes
3 OT-C Near Downtown	December 2026	Major	Moderate / Low	No	Yes

Review Process Change



Zone District	Development Type	Current Review Process	Review Process as Transit Center
General Commercial (GC)	Multi-Unit Dwelling	Type 1 (Administrative Review)	BDR (Administrative Review, no public hearing/meeting requirement)
	Mixed-Use Dwelling	Type 2 (P&Z Commission)	
Community Commercial (CC)	Multi-Unit Dwelling	Type 1	
	Mixed-Use Dwelling	Type 2	
Downtown (D)	Multi-Unit Dwelling	Varies by subdistrict	
	Mixed-Use Dwelling	Varies by subdistrict	
Employment (E)	Multi-Unit Dwelling	Type 2	
	Mixed-Use Dwelling	Type 2	
Harmony Corridor (HC)	Multi-Unit Dwelling	Type 2	
	Mixed-Use Dwelling	Type 2	
High Density Mixed-Use Neighborhood (HMN)	Multi-Unit Dwelling	Type 2	
	Mixed-Use Dwelling	Type 2	