

ORDINANCE NO. 099, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING THE ADDITION OF PERMITTED USES
ASSOCIATED WITH THE RIGDEN FARMS SIXTH FILING
MAJOR AMENDMENT AND FINAL DEVELOPMENT PLAN
FDP260002

A. The major amendment and final development plan FDP260002 for Rigden Farms Sixth Filing proposes to allow up to fifteen pigs to graze a .8 acre portion (the "Site" depicted on Exhibit A attached hereto and incorporated herein by this reference) of a 3.96-acre tract owned by the Rigden Farm Homeowners Association to eliminate non-native vegetation cover, including weeds such as kochia and their seeds, during the growing seasons for up to five years.

B. The Site is located in the Low-Density Mixed-Use Neighborhood ("LMN") zone district which does not list Farm Animals as an allowed use. The applicant for FDP26002 has requested that City Council approve Farm Animals through the Addition of Permitted Uses ("APU") procedure set forth in Land Use Code ("LUC") Division 6.9 to allow the pigs to be placed on the Site to graze.

C. The APU procedure allows a use not listed in a particular zone district to be conducted on a particular property in such zone district if certain standards are met.

D. For APU applications in the LMN zone district, City Council is the decision maker by ordinance after considering a Planning and Zoning Commission ("P&Z") recommendation.

E. At its June 18, 2026, regular meeting, P&Z approved FDP260002 with one modification of standard to allow electric fencing on the Site (5-1 vote, Commissioner Peel opposed), conditional upon City Council approving the associated APU to allow the use of Farm Animals on the Site and P&Z recommended that City Council approve the requested APU (5-1 vote, Commissioner Peel opposed).

F. Pursuant to LUC Section 6.9.1(B)(2), the Farm Animals use may be allowed on the Site through the APU process because such use is allowed in one or more of the City's other zone districts and is proposed to be allowed on the Site based solely on unique circumstances and attributes of the Site and development plan.

G. Furthermore, pursuant to LUC Section 6.9.1(C)(1)(h), the Farm Animals use may be allowed on the Site through the APU process because the use is not marijuana related.

H. Pursuant to LUC Section 6.9.1(C)(1)(g), two neighborhood meetings were held regarding the APU request with the first meeting held prior to the submittal of the development application on December 15, 2025, and the second meeting held on April

9, 2026, after submitting the development application and completion of the first round of staff review.

I. Publication of notice of the July 21, 2026, Council hearing occurred in the Coloradoan on July 1, 2026.

J. LUC Section 6.9.1(C)(3)(c) sets forth the criteria, as further described below, that must be satisfied in order for Council to approve the requested Farm Animals use pursuant to the APU process.

K. On July 21, 2026, Council held a public hearing and considered the APU in accordance with the LUC, either as part of the consent or discussion agenda and if considered on the consent agenda, a public hearing is deemed to have been open and closed, with the only evidence considered being that set forth in the agenda item summary and the attachments thereto, including the staff report and any public comment.

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. City Council, after considering the P&Z recommendation on the proposed Farm Animals APU application, the agenda materials, and all relevant testimony, hereby approves the Farm Animals APU to add Farm Animals as an allowed use on the Site as described in the approved plans for FDP260002 and the agenda materials on a temporary basis as follows:

1. Pigs may be placed on the Site during a growing season (defined in Subsection 2. immediately below) until 5 p.m. on November 21, 2031. The Farm Animals APU automatically terminates at 5 p.m. on November 21, 2031, and any pigs and related facilities or equipment and perimeter Site fencing must be removed prior to such termination.
2. A growing season is defined as the period commencing as early as April 24 for the setup of the Site for the pigs and placement of the pigs on the Site, and ending no later than 5 p.m. on November 21 by which time no pigs or facilities or equipment related to the pigs may be on the Site with the exception of perimeter fencing around the Site which may remain in place until the Farm Animals APU terminates.

Section 2. City Council, in support of its decision to approve the Farm Animals APU, makes the following findings of fact:

1. The Farm Animals APU satisfies the criteria set forth in LUC Section 6.9.1(C)(3)(c) as follows:
 - a. The Farm Animals use is appropriate in the LMN zone district.

- b. The Farm Animals use conforms to the basic characteristics of the LMN zone district and the other permitted uses in the LMN zone district.
 - c. The location, size and design of the Farm Animals use is compatible with and has minimal negative impact on the use of nearby properties.
 - d. The Farm Animals use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or any more traffic hazards, traffic generation or attraction, adverse environmental impacts, adverse impacts on public or quasi-public facilities, utilities or services, adverse effects on public health, safety, morals or aesthetics, or other adverse impacts of development, than the amount normally resulting from the other permitted uses listed in the LMN zone district.
 - e. The Farm Animals use will not change the predominant character of the surrounding area.
 - f. The Farm Animals use is compatible with the other listed permitted uses in the LMN zone district.
 - g. The Farm Animals APU request fulfilled the LUC requirement for two neighborhood meetings with the first meeting held prior to the submittal of the development application on December 15, 2025, and the second meeting held on April 9, 2026, after submittal of the development application and completion of the first round of staff review.
 - h. The Farm Animals use is not a medical marijuana business as defined in Section 15-452 of the City Code or a retail marijuana establishment as defined in Section 15-603 of the City Code.
- 2. The Farm Animals use is not detrimental to the public good;
 - 3. The Farm Animals use complies with the requirements and criteria contained in LUC Section 5.15.1; and
 - 4. The Farm Animals use is not specifically listed as a prohibited use in the LMN zone district.

Section 3. Any changes to the approved Farm Animals APU or to its location, size, and design in a manner that changes the predominant character of or increases the negative impact upon the surrounding area will require the approval of a new APU.

Introduced, considered favorably on first reading on July 21, 2026, and approved on second reading for final passage on August 18, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: August 28, 2026
Approving Attorney: Brad Yatabe

Exhibit: Exhibit A – Map of Site Subject to Farm Animal Addition of Permitted Use