

**June 17, 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 June 2025 as Bike Month.**

PP 2. **Declaring the Day of June 19, 2025, as Juneteenth Independence Day.**

A joint community reception to celebrate **Juneteenth - Liberation in Bloom** and **Transportation Equity** was held in the City Hall Xeriscape Garden from 4:00 p.m.- 4:50 p.m.

Mayor Jeni Arndt presented the above proclamations at 5:00 p.m.

**REGULAR MEETING**

**6:00 PM**

**B) CALL MEETING TO ORDER**

Mayor Jeni Arndt 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 Jeni Arndt led the Pledge of Allegiance to the American Flag.

**D) ROLL CALL**

PRESENT

Mayor Jeni Arndt  
Mayor Pro Tem Emily Francis  
Councilmember Susan Gutowsky  
Councilmember Julie Pignataro  
Councilmember Tricia Canonico  
Councilmember Melanie Potyondy  
Councilmember Kelly Ohlson

STAFF PRESENT

Deputy City Manager Tyler Marr  
City Attorney Carrie Daggett  
City Clerk Delynn Coldiron

**E) CITY MANAGER'S AGENDA REVIEW**

Deputy City Manager Tyler Marr provided an overview of the agenda, including:

- Utility plan sheet added to the agenda item summary for Item No. 12, *First Reading of Ordinance No. 102, 2025, Authorizing the Conveyance of One Drainage Easement and One Temporary Construction Easement on Golden Meadows Park.*
- Community Report from the Youth Advisory Board.
- Item 1-17 on the Consent Calendar are recommended for adoption.
- Four Discussion Agenda items.

**F) COMMUNITY REPORTS - Community Report: Youth Advisory Board**

*The purpose of this item is for the Youth Advisory Board to provide a Community Report.*

Kelly Dubois, Senior Supervisor, Recreation, introduced Youth Advisory Board Members and briefly discussed the projects the Board took on during the past year. Youth members shared information on their accomplishments over the past year, including the Stop the Bleed project, working to add shared E-bike and E-scooter pods at high schools, branding the Youth Advisory Board to help with future recruitment, and attending the National League of Cities conference.

Councilmember Potyondy thanked the Board Members for their presentation. She noted she is the Council liaison for this Board and is proud of the work it has done. She stated it has been fun to learn about their accomplishments, as well as their challenges. She stated this is the beginning of the leadership journey for each member represented.

Mayor Arndt thanked the Board Members for their commitment and service.

**G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS**

*(Including requests for removal of items from Consent Calendar for individual discussion.)*

Angela Benson, Food Bank of Larimer County, thanked Council for its support and shared statistics about Food Bank services. She stated the CDBG grant will help them provide groceries for 16,000 residents for a year. She shared stories of community members the Food Bank helped with today.

Katie Dockery commended the City's commitment to supporting affordable housing and essential community services through CDBG and other grants. She suggested the funds could be stretched further by updating the distribution approach. She expressed concern the same organizations receive funding year after year, which limits the number of different ways the City can reach the community. She stated it seems the current system rewards consistency over fairness and suggested policy changes to limit each organization to one HUD funding source per year, to cap the number of consecutive years an organization can receive direct City funding without reassessment, and to create priority scoring criteria for first-time applicants and historically underfunded services.

Chloe Elizabeth Williams noted she is a 66-year-old at-risk disabled adult who lives at a Housing Catalyst property. She asked Council how it is okay for her to be raped because of how she dresses, which she stated two Housing Catalyst employees said about her. She noted this happened four years ago and she has been bullied, retaliated against, silenced, and threatened with eviction since. She stated Council is responsible since they provide funding and requested help. She stated she has reached out to Colorado Legal Services but cannot afford to hire an attorney. She asked Council to hold Housing Catalyst accountable for what has happened and to stop what is happening against her.

Patricia Babbit stated it seems to be a waste of breath to speak up at Council meetings unless the statement is in alignment with what most Councilmembers have already decided, which is frequently not representative of a large number of residents who deserve to be heard. She expressed concern that Council may institute term limits that would prevent Councilmember Gutowsky from running for Council again. Additionally, she stated the District 6 Council seat would be appointed rather than voted upon should Mayor Pro Tem Francis win the mayoral election. She also commented on incomplete maps that were used in a recent Transfort community meeting and the Civic Assembly process.

Seth James Forwood expressed gratitude for the funding that supported the Fort Collins Rescue Mission seasonal overflow shelter. He noted the 70 beds in that shelter may not be enough going forward given instances wherein men were turned away due to a lack of space. He stated 24/7 sheltering is a way to not just address life-threatening needs, but to also have transformation in homelessness. He urged the City to help provide funding for 24/7 shelter.

Jack Armstrong stated he and his wife had a short-term rental (STR) in which their daughter was living, and at that time, Council was considering regulations on STR's. He stated he received a call from Airbnb urging him and others to oppose regulations of STR's. He also stated non-primary STR's are not valid rentals as they take a residence and turn it into a commodity that simply exists to make money. Additionally, non-primary STR's are taking housing away from community families. He supported restrictions on new non-primary STR's in Old Town North and stated existing non-primary STR licenses should not be transferred when the property is sold.

Jen Bray, Open Stage Theater, and stated they are wrapping their 52<sup>nd</sup> season and provided some statistics related to ticket sales, which she stated accounts for only 40% of the annual budget; the rest depends on grants, sponsors, and donors, and those sources are shrinking. She stated the Fort Fund grant was cut in half this year and noted Colorado ranks 46<sup>th</sup> in the nation in per capita arts funding. She commented on shifting priorities at the federal level and stated arts leaders across Northern Colorado are coming together to explore sustainable local funding. She requested Fort Collins take the lead in this space and commented on Denver's Scientific and Cultural Facilities District.

Adam Chrobak stated he recently moved to Fort Collins from Texas to serve as the new Executive Director of Canyon Concert Ballet. He stated that when he came to visit Fort Collins, it felt like a city that supports the arts; however, he stated some previously promised funding has not materialized. He stated Canyon Concert Ballet is one of the largest revenue producing arts organizations in Fort Collins, employing nearly 100 people and supporting local businesses. He stated that while the demand for entertainment is growing, the capacity to deliver is becoming strained due to limited access to affordable and available performance space which is often being held for non-local acts, rising costs, and the challenge of retaining professional talent. He requested the City prioritize policies and partnerships that support the growth and sustainability of the local arts scene.

Lori Warren, Crossroads Safehouse, thanked the City for funding received for domestic violence and homelessness. She thanked the City for continuing to prioritize this funding that helps the organization provide services and continue to innovate in this space.

Public comment concluded at 6:43 p.m.

## **H) PUBLIC COMMENT FOLLOW-UP**

Councilmember Potyondy thanked the speakers and noted funding is tight and there are many community organizations that rely on grant funding. She noted there are many critical partners and recognized that this can be a tough financial lift for all.

Councilmember Canonico echoed Councilmember Potyondy's comments. She asked what emergency measures are in place for the upcoming extremely hot weather. Deputy City Manager

Marr replied there is a protocol for extreme heat days and he will provide information to Council and the community this week.

**I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION**

None.

**J) CONSENT CALENDAR**

**1. Consideration and Approval of the Minutes of the June 3, 2025 Regular meeting.**

*The purpose of this item is to approve the minutes of the June 3, 2025 Regular meeting.*

***Approved.***

**2. Second Reading of Ordinance No. 085, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Vine Drive and Jerome Street Intersection Improvements Project and Related Art in Public Places.**

*This Ordinance, unanimously adopted on First Reading on June 3, 2025, enables the City to receive and expend Downtown Development Authority (DDA) grant funds and Urban Renewal Authority (URA) funds for the Vine Drive and Jerome Street Intersection Improvements project (Project). The funds will be used for outreach, design, right-of-way acquisition, and construction for improvements at the intersection of Vine Drive and Jerome Street. If approved, the item will: 1) transfer \$135,200 of Community Capital Improvement Program (CCIP) Bicycle Program funds to the Project; 2) transfer \$67,756.77 of Community Capital Improvement Program (CCIP) Pedestrian Program funds to the Project; 3) appropriate \$293,076 in URA funds to the Project; 4) transfer \$146,472.87 in remaining 2050 Tax – Our Climate Future funds from previous appropriations to the Project; 5) appropriate \$144,000 of DDA grant funds to the Project; 6) appropriate \$4,283.34 in Transportation Capital Expansion Fee (TCEF) funds to the Project; 7) appropriate \$87.42 of Transportation Services Fund reserves to the Project; and 8) appropriate \$4,370.76 (1%) of the DDA grant and URA funds to the Art in Public Places (APP) program. The Conservation Trust Fund will contribute \$165,000 towards the Project as part of the 2026 annual budget process.*

***Adopted on Second Reading.***

**3. Second Reading of Ordinance No. 091, 2025, Amending the Code of the City of Fort Collins to Discontinue the Art in Public Places Board and the Cultural Resources Board and Merge their Functions into the Arts and Culture Board.**

*This Ordinance, unanimously adopted on First Reading on June 3, 2025, discontinues the existing Art in Public Places Board and Cultural Resources Board and merges and adjusts their functions for a new Arts and Culture Board.*

***Adopted on Second Reading.***

**4. Second Reading of Ordinance No. 092, 2025, Appropriating Prior Year Reserves in the Water Fund to Support Acquisitions of Water Rights to Increase Yield, Reliability, and Resiliency of the Utilities Water Supplies.**

*This Ordinance, unanimously adopted on First Reading on June 3, 2025, requests additional appropriation of \$1,419,091 in the City's Water Fund to purchase water supplies that will increase*

*the yield, reliability, and resiliency of the Fort Collins Utilities water supplies. This includes shares in the North Poudre Irrigation Company and the water rights in the Chase Ditch.*

***Adopted on Second Reading.***

**5. Second Reading of Ordinance No. 093, 2025, Authorizing a Mid-year Budget Appropriation from the Airport Fund for Northern Colorado Regional Airport.**

*This Ordinance, unanimously adopted on First Reading on June 3, 2025, recommends a mid-year budget appropriation of \$642,400 from the Airport fund to support nine priority projects and initiatives identified by Airport staff and the Airport Commission. These efforts are focused on improving airport facilities, strengthening operational plans and procedures, addressing regulatory compliance requirements, enhancing financial sustainability, and supporting efforts to attract commercial airline service.*

*The proposed funding will enable the Airport to make targeted investments that align with long-term strategic goals and improve overall performance and service.*

***Adopted on Second Reading.***

**6. Second Reading of Ordinance No. 094, 2025, Amending Chapters 15 and 23 of the Code of the City of Fort Collins Regarding the Requirements of Shared Micromobility Operations.**

*This Ordinance, unanimously adopted on First Reading on June 3, 2025, addresses a potential regulatory gap under City Code by defining clear requirements applicable to the operation of shared micromobility services within Fort Collins. These requirements will allow FC Moves to ensure that operators of shared micromobility services in the city consistently provide robust and reliable service and mitigate negative impacts on the community and other right-of-way uses.*

***Adopted on Second Reading.***

**7. Second Reading of Ordinance No. 095, 2025, Amending Section 15-361 of the Code of the City of Fort Collins to Clarify Right-of-Way Contractor Licensing Requirements.**

*This Ordinance, unanimously adopted on First Reading on June 3, 2025, clarifies the types of work that require a right-of-way contractor license under City Code Section 15-361. As that section is currently written, it is ambiguous what types of “work” it is intended to apply to, leaving it unclear whether operations like shared micromobility services or outdoor vendors would require a right-of-way contractor license or not. This item defines “work” to mean constructing, installing or repairing any sidewalk, curb, gutter, driveway, curb cut, street, alley or any other improvement in or under a public right-of-way, in the City.*

***Adopted on Second Reading.***

**8. Second Reading of Ordinance No. 096, 2025, Authorizing the Conveyance of Two Temporary Construction Easements and Two Permanent Easements on a portion of Rigden Reservoir to Larimer County for Construction of Stormwater Infrastructure Improvements for County Road 40.**

*This Ordinance, unanimously adopted on First Reading on June 3, 2025, authorizes the conveyance of two (2) Temporary Construction Easements and Two (2) Permanent Easements (collectively, the “Easements”) on a portion of City property presently known as Rigden Reservoir for construction of stormwater infrastructure improvements for the benefit of County Road 40 (E Horsetooth Road).*

***Adopted on Second Reading.***

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

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

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

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

*The purpose of these items are to 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 First Reading.***

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

*The purpose of this item is to conform the definitions relating to affordable housing in the City Code to those in the Land Use Code, to remove language for a program that was repealed, and to remove the requirement of a specific fee amount when requesting affordable housing fee delays.*

***Adopted on First Reading.***

**11. First 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.**

*The purpose of this item is to authorize 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 First Reading.***

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

***This item has been amended to include the Utility Plan Sheet.***

*The purpose of this item is to authorize 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 First Reading.***

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

*The purpose of this item is to vacate 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 First Reading.***

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

*The purpose of this item is to delete language that was inadvertently left in place with the adoption of Ordinance No. 046, 2025, which enacted updated requirements for financial disclosures.*

***Adopted on First Reading.***

**15. Items Relating to the Vine/Timberline Rail Grade Separation Planning Project.**

*A. Resolution 2025-064 Authorizing the Execution of an Intergovernmental Grant Agreement Between the City of Fort Collins and the Federal Railroad Administration for the Vine/Timberline Rail Grade Separation Planning Project.*

*B. First 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.*

*The purpose of this item is to enable 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: 1) authorize the Mayor to execute an intergovernmental grant agreement for the Project with the FRA and delegate authority to Engineering to accept the grant through the online acceptance system and 2) appropriate \$765,616 in RCE Program grant funds to the Project.*

***Resolution Adopted.  
Ordinance Adopted on First Reading.***

16. **Public Hearing and Resolution 2025-065 Approving the Programs and Projects that Will Receive Funds from the Federal Community Development Block Grant Program, the HOME Investment Partnerships Program, the City's Affordable Housing Fund, the City's Human Services Program, and the City's Homelessness Response and Prevention Program.**

*The purpose of this item is to approve funding recommendations of the 2025 Spring Cycle of the Competitive Process. This Resolution will complete the 2025 Spring Cycle of the Competitive Process for allocating \$4,191,516 in City financial resources to affordable housing and public facility projects, human service programs, homelessness programs and administration of the programs.*

*Comments on a Public Hearing item on the Consent Calendar may be made during general public comment or the item may be withdrawn for individual consideration by a Councilmember or the City Manager.*

**Adopted.**

17. **Resolution 2025-066 Authorizing the Assignment of the City's 2025 Private Activity Bond Allocation to Housing Catalyst to Finance the Construction and Rehabilitation of Affordable Housing Units.**

*The purpose of this item is to support the rehabilitation and new construction of affordable housing at CARE Communities Windtrail Apartments and elsewhere in the City by assigning the City's 2025 Allocation of Private Activity Bond (PAB) capacity to Housing Catalyst, a qualified issuer. PAB capacity is required for development projects using 4% Low-Income Housing Tax Credit financing.*

**Adopted.**

#### **END OF CONSENT CALENDAR**

**Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to approve the recommended actions on items 1-17 on the Consent Calendar.**

**The motion carried 7-0.**

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

None.

- L) STAFF REPORTS – None.**

- M) COUNCILMEMBER REPORTS**

Councilmember Tricia Canonico:

- Participated in a ride along with Police Services Hope Team.

Councilmember Susan Gutowsky:

- Thanked the Sheriff for extending the opportunity to tour the jail facility and meet the staff,
- Claudia Menendez offers a monthly opportunity for members of the Spanish-speaking community to meet
- Attended the annual Town and Gown Conference at Kent University in Ohio



Councilmember Kelly Ohlson

- Commended the City's plant exchange and Eco-Fair last Saturday
- Held a listening session

Mayor Jeni Arndt

- Attended the American Public Power Association meeting with Deputy City Manager Marr
- Commended Police Chief Swoboda on the Chief's Leadership Conference

Councilmember Melanie Potyondy

- Council received several emails thanking Police Services for assisting with the No Kings march over the weekend

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

None.

**O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION**

**18. Second Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments. (three options presented)**

*This Ordinance, unanimously adopted on First Reading on March 18, 2025, repeals the 2021 International Fire Code and adopts the 2024 International Fire Code (IFC) with local amendments. The International Code Council (ICC) publishes code updates every three years. The Poudre Fire Authority (PFA) Board of Directors has reviewed and approved this code package and is requesting the code be adopted as amended.*

*Staff is presenting three versions of the Ordinance for Council to consider on Second Reading:*

- *Option 1 – Ordinance as it was adopted on First Reading.*
- *Option 2 – Creates a Fire Board of Appeals consisting of the Chair of PFA's Board of Directors, the Fort Collins City Manager, and the City's Chief Building Official. Also contains other clean-up changes.*
- *Option 3 – Maintains the current process for appealing decisions of the Fire Code Official to the Building Review Commission (BRC), acting as the Fire Board of Appeals. This option is consistent with the BRC's recommendation and also contains other clean-up changes.*

*All three options were published by the City Clerk on June 10, 2025, on the public notice page found online at: [www.fcgov.com/publicnotices/](http://www.fcgov.com/publicnotices/)*

**PUBLIC PARTICIPATION**

Joe Rowan thanked Council for taking extra time between readings for additional staff work. He asked Council to consider that the City has a system that works well, and he did not think anything needed to change related to appeals. He requested Council adopt option 3 of the Ordinance which would keep appeals with the Building Review Commission.

Councilmember Pignataro thanked staff for the documentation and asked if there are issues with the current appeals process from staff's perspective. Shawn McGaffin, Poudre Fire Authority Division Chief, replied there are no issues with what has been done; however, Larimer County will no longer support the appeals process, therefore a new program was needed that would work for all three of PFA's jurisdictions. However, he stated PFA does not have a preference if the Fort Collins appeals process stays the same, though that would mean there will be different processes for the three jurisdictions.

Councilmember Pignataro asked how often appeals happen. Division Chief McGaffin replied there have been two in the last 15 years.

Mayor Pro Tem Francis stated her recommendation is to approve option 3 of the Ordinance noting the Building Review Commission also recommended that and the process has worked well the two times it was needed.

Mayor Arndt concurred with Mayor Pro Tem Francis and appreciated PFA's streamlining efforts, but stated she would prefer Fort Collins retain the right of appeal for its codes.

***Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments, option three, on Second Reading.***

***The motion carried 7-0.***

***Clerk's Note: Mayor Arndt called for a break at 7:00 p.m., noting the meeting would resume at 7:10 p.m.***

#### **19. Items Relating to Short Term Rentals.**

*A. First 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.*

*B. First 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.*

*The purpose of this item is to amend 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 and amend the City Code to allow existing licenses to be renewed.*

#### **STAFF PRESENTATION**

Ginny Sawyer, Senior Policy and Project Manager, introduced the item.

Noah Beals, Development Review Manager, stated this item involves a proposed change to the Land Use Code to remove non-primary short-term rentals (STR's) as a licensed use in the Community Commercial North College (CCN) zone district. Additionally, there would be a change to the Municipal Code to allow existing licenses in the CCN zone the ability to be renewed and transferred provided the license has not lapsed.

Beals provided a history of the short-term rental regulations which were established in 2017, noting the goal was to balance the desire to allow STR's while limiting the impact on residential neighborhoods. The regulations established two types of rentals: primary STR's in which the owner resides on the property for at least nine months of the year, and non-primary STR's in

which the property owner is not required to reside on the lot. Beals noted the decision on where to allow the two types of licenses was based on the list of permitted uses in each zone district. For example, bed and breakfast uses require an on-site manager, which was found to be similar to a primary STR; therefore, zone districts that allowed bed and breakfast uses were given the opportunity to apply for primary STR licenses. Zone districts that allowed hotels were given the opportunity to apply for non-primary STR licenses.

Beals noted the CCN zone district is in two areas of the city, one around the King Soopers on North College which has no existing STR licenses. The second area includes the Old Town North neighborhood, and the zone was designed to allow commercial uses that are supportive of nearby residential uses and does allow for hotels; therefore, when the regulations were developed in 2017, the zone allowed both primary and non-primary STR's. Since 2017, the Old Town North neighborhood developed mostly into residential uses with over 300 dwelling units and one mixed-use building. It has become one of the only predominantly residential neighborhoods that allow non-primary STR licenses.

Beals discussed the number of STR licenses and complaints received in Old Town North as compared to another neighborhood near downtown. He noted 35% of the city's non-primary STR's are in Old Town North.

Beals outlined the proposed change to the Land Use Code which would remove the license review type for short-term, non-primary rentals in the CCN zone. Additionally, the proposed changes to the Municipal Code include new language making the existing licenses for non-primary STR's in the CCN zone non-conforming. Beals stated the Municipal Code changes would allow existing non-primary licenses to be renewed and transferred.

Beals discussed the input received on the change from the Planning and Zoning Commission and noted the Commission ultimately recommended approval of the proposed changes in a split vote. Additionally, he noted the number of STR licenses has increased since that meeting with 103 total STR licenses in Old Town North, 96 of which are non-primary. Beals stated the proposed changes would eliminate any new licenses from being issued and the approach reduces further potential impacts while protecting the investment of current license holders.

## PUBLIC PARTICIPATION

Harry Derderian, 508 Osiander Street, expressed support for the proposed changes with the caveat that there be a moratorium on transferability to a new buyer. He added that many of the new licenses that have been sought as owners believe having the license will increase the value of their home.

Taylor Scott addressed interconnected issues with STR saturation, including failing infrastructure, and public safety that are degrading the Old Town North neighborhood. He stated many homes are vacant during the week and host parties on the weekends, and any STR, no matter how well managed, is not a substitute for a neighbor and essentially functions as a hotel. He commented on City-maintained alleys in the neighborhood falling into disrepair and stated the lack of a marked crosswalk on Vine to get to the Whitewater Park constitutes a serious and daily danger for pedestrians and cyclists. He stated the City has overlooked the needs of the residents of Old Town North and the broader North College community for some time. He urged Council to support the changes with an amendment to make current STR licenses non-transferable as nothing will change without that amendment.

Blair Oliver, 363 Osiander Street, commented on the importance of community and noted the number of STR's has increased by over 20 licenses in the past two weeks, now making up more than 33% of the neighborhood while the rest of the city seems to average less than 0.5%. He

urged Council to act immediately to limit the number of STR's in Old Town North and commented on the reduced quality of life for full-time residents of the neighborhood. He also opposed allowing existing licenses to be transferred to a new owner.

Sarah Payne, 363 Osiander, stated she has no immediate neighbors and the situation in the neighborhood is becoming unlivable. She asked that the City apply its goals of expanding housing, promoting sustainability, and protecting neighborhood health to Old Town North. She also encouraged Council to not allow the transfer of licenses, as that would entrench the problem. She also stated economic studies on STR's have shown increased housing costs, reduced housing availability, and eroded city tax bases. She requested Council choose residents over investor revenues.

Walter Abercrombie, Old Town North resident, expressed support for the proposed changes except for allowing transfers. He stated real estate investors should not be given the green light to continue this investment perpetually and urged Council to find a reasonable way to preserve the neighborhood. He added that neighborhood residents have given up on making complaints as they are not receiving any responses.

Suzanne Lobodzinski, Old Town North resident, commented on issues with non-primary STR's related to parking, noise, property damage, and invasion of privacy. She stated that as absentee owner STR's have increased, full-time resident satisfaction has decreased. She urged Council to stop issuing non-primary STR's and reduce the percentage of the licenses in the neighborhood to align with comparable neighborhoods in Fort Collins.

Jema Anderson, 902 Jerome Street, commented on the negative impacts of non-primary STR's and stated there is no response to nuisance complaints, particularly noise, as those complaints are non-emergency through Police Services after hours and by the time officers arrive, the noise is frequently over. She stated no systems are in place to deal with the unstaffed vacation businesses, especially at night, and questioned why full-time residents must babysit the guests while owners live in another neighborhood or state. She questioned whether the City would approve a hotel in a neighborhood that had no management or security on site.

Linda Abercrombie, 239 Pascal Street, stated the last few years have seen a dramatic decline in the quality of life in her neighborhood. She noted there is no other neighborhood in Fort Collins with a similar percentage of STR's and stated nuisance complaints are ignored. She urged Council to support the recommendation without allowing the transfer of existing licenses. She also requested Council attempt to find a way to reduce the number of non-primary STR's in the neighborhood.

Jon Anderson, 902 Jerome Street, stated the transferability option provides a benefit to business investors and a punishment to full-time residents as the homes that are exactly like his now have a business value that his home lacks. He stated STR's are essentially remotely staffed hotels that put the onus on neighbors and the City for upkeep and dealing with issues.

Jacque Kinnick, 369 Pascal Street, stated STR's were not part of the picture when she first moved to Old Town North and stated their unchecked growth is damaging the fabric of the neighborhood. She urged Council to support the staff recommendation and remove the transferability provision. She noted issues occur when enforcement is not available and this makes residents feel vulnerable. She also requested Council reduce the current number of non-primary STR's to a healthier level so Old Town North can return to being a resilient, livable neighborhood. She stated nothing will change without addressing the existing number of licenses.

Kerri Watkins, 363 Pascal Street, expressed support for the staff recommendation, though opposed the transferability option. She commented on the negative impacts of non-primary STR's

to the neighborhood and noted that while they may provide some economic benefit to the city, full-time residents do as well. She commented on the fact that seven people live in three of the full-time residences on her street, and there is the potential for 30 plus new strangers to be staying in the other three residences at any time. She urged Council to help them find a way to return their neighborhood to where it once was.

David Watkins, Old Town North resident, stated he moved to the neighborhood based on the promise of a connected, livable community, which no longer exists. He discussed the negative impacts of the non-primary STR's and stated the neighborhood now seems like a commercial free-for-all. He stated a freeze on new STR's will not be enough to fix the issues. He stated full-time residents are outnumbered and overlooked and urged Council to take action to cease new STR licenses, revoke licenses from repeat violators, block license transfers, enforce parking and zoning laws, and consider a resident-only parking permit system.

Michael Warkander, 238 Osiander Stret, stated he moved to the neighborhood because he liked the dense community; however, he noted that density means that what everyone does impacts each other more than it might in other places. He stated the neighborhood used to have a community feeling; however, the 2017 STR regulations seem to have turned the neighborhood into a sacrifice zone with walls of STR's. He urged Council to adopt the recommendation without the transfer provision and find a way to reduce the number of STR's that exist in the neighborhood.

Delores Williams stated she owns two townhomes in the Old Town North neighborhood and only rents them on a long-term basis. She stated she would like her tenants as well as the full-time owners to have neighbors. She suggested non-primary STR licenses not be allowed to be renewed as they expire.

Mark Driscoll stated he has been a property manager in Old Town for many years. He stated many of the concerns raised about STR's are due to poor management and many issues can be resolved by having local, responsive contacts and good management practices, examples of which he provided. He stated STR's make up just 0.52% of the housing stock in Fort Collins which is far below the average that is considered healthy.

Christine Dianni stated her family was the second family to move into Old Town North 18 years ago. She noted Council stopped the issuance of non-primary STR licenses in residential areas as part of the 2017 regulations; however, Old Town North had a commercial land use designation which allowed investors to have unlimited access to non-primary STR licenses in the neighborhood. She stated that stopping future licenses from being issued is critical; however, that alone will not address the negative impacts of the STR's or allow the neighborhood to recover or function as a neighborhood. She stated that Fort Collins does not have the resources to regulate one neighborhood as a tourist town, and she urged Council to also pursue reducing the number of non-primary STR's to match the rest of the city's densities.

Josh Tinker stated he owns an STR in Old Town North and requested Council oppose the ordinance. He stated the proposal was developed without balanced community input and suggested other solutions could be pursued to solve the problems that have been raised. Additionally, he stated the information provided dramatically underrepresents the magnitude of the positive economic impact of STR's in the city. He also requested Council consider that many STR's are run with no complaints and urged Council to think carefully about how to approach this.

Paul Francisco, 908 Jerome Street, spoke in support of the ordinance noting that when the zoning was developed for this district, the expectation was that it would develop in a very different way than it has with more of a mix of uses. However, it has developed as a residential neighborhood with the ability to house an unlimited number of STR's. He stated not making a change because it was not done that way in the first place implies that we cannot adapt to conditions based on

new evidence. He stated this density of STR's in an entirely residential neighborhood is uncharted territory.

Tami Bond, 908 Jerome Street, spoke in support of the recommended changes and questioned the advisability of having this high of a concentration of STR's in a single area. She opposed the license transfer provision and stated most of the STR income goes to commercial investors.

Caley Follmer, Old Town North resident, stated that over 90% of the full-time Old Town North residents she knows are present at the meeting which shows the importance of the issue. She supported the proposed restrictions on future non-primary STR licenses. She stated that better enforcement being used to mitigate the negative impacts misses the core issue of the incompatibility of a high concentration of STR's with the cultivation of a strong community. She stated that even a perfectly compliant short-term rental is still a de facto hotel with a revolving door of unfamiliar faces. She stated failure to address the existing STR licenses will perpetuate the erosion of community in Old Town North.

Jennifer Kelly, owner of a short-term rental in Old Town North, stated she also owns a home in Florida and wants to live in both places. She noted Council restricted short-term rental licenses so much in 2017 that this neighborhood has this high concentration. She expressed concern about this being a major zoning change that deserves to be treated that way. She also noted this would change the CCN zoning in another neighborhood which has yet to be informed that its STR licenses will be stripped away. Additionally, she stated this topic deserves additional outreach and stated the number of STR licenses is a product of demand. She stated she is a realtor representing 19 new homes on Osiander which were purchased by a developer understanding that short-term rentals are an option.

Kurt Kinnige, 369 Osiander Street, stated he moved his family to the property after purchasing it in 2013 and have since become empty nesters. He stated he owns a business in town and does not have a traditional retirement account; therefore, he is hoping to operate his home as a non-primary STR to support his retirement. He stated he loves and respects the neighborhood, and while he recognizes there is a large concentration of STR's in the neighborhood, he asked Council to fight the urge to claw back all the licenses. He noted he is not a commercial investor.

Stevey Ertl stated he lived in Old Town North for 15 years and owns a long-term rental on Cajetan Street which has never received any complaints or violations. He stated he would like to see the neighborhood return to being a vibrant and thriving community. He noted there are options for non-primary STR owners to transfer the properties to mid- or long-term rentals or sell their properties. He questioned why Old Town North has become the sacrificial lamb for non-primary STR's and urged Council to adopt the proposed changes.

## COUNCIL QUESTIONS

Councilmember Pignataro thanked the speakers and asked why the 30-day transfer after sale option has been included. Senior Assistant City Attorney Brad Yatabe replied some confidential legal information was provided to Council and suggested that an Executive Session be considered unless Council wants to waive that privilege. Sawyer noted part of the reason the transfer provision was included is because it is standard practice and provides consistency related to Land Use Code changes.

Mayor Pro Tem Francis asked about comments made that this has been outside the regular process for a zoning change. Beals replied changes are made to the Land Use Code through text amendments, and that is the process for this change. He noted a full zoning map change would have greater public outreach.

Mayor Pro Tem Francis asked if there is a process for revoking STR licenses for multiple violations. Beals replied that the Municipal Code provides that ability and stated a handful of licenses have been revoked based on finding out STR's were operating as non-primary when they were located in a primary only zone or when complaints have been able to be validated. He noted it is difficult to gather all the information needed to revoke a license.

Councilmember Potyondy stated STR's are a relatively new type of housing and her research has shown many communities have been dealing with the unexpected consequences of them proliferating. She asked if Council would be prevented from moving forward with additional regulations if it were to approve the ordinance. She stated she is hesitant to move forward with business as usual given the disproportionate impacts on this neighborhood. She stated it is important to bring the neighborhood back to being within the scope of what was intended. Sawyer stated voting to approve the ordinance would be a help to the neighborhood, and if there are additional actions Council wants to take moving forward to address STR's city-wide, those can be discussed. She stated staff has not seen issues and concerns on a city-wide basis.

Mayor Pro Tem Francis noted there are two readings to the ordinance and suggested staff return with options related to license transfers prior to Second Reading.

Councilmember Canonico requested some of the other suggestions such as parking permits be examined. Sawyer stated staff could look at that and provide additional information at Second Reading.

Councilmember Pignataro noted new noise ordinances were just passed and suggested they could assist with some of these situations such as fireworks. Deputy City Manager Marr suggested that information be included as part of Second Reading as well.

Councilmember Gutowsky thanked the speakers and stated she would like to see Council at least prevent new non-primary STR licenses to be issued.

Councilmember Potyondy asked if there is data regarding what percentage of STRs are owned by Fort Collins residents. Beals replied he does not have that data.

Councilmember Gutowsky asked if STRs are taxed as commercial properties. Sawyer replied they are taxed as residential properties but are charged a lodging and sales tax in addition.

Mayor Arndt asked if the taxation is State regulated. Sawyer replied there was a bill that was going to make STR's commercial, but it did not pass.

Councilmember Potyondy asked if there was any way to pause license issuance between First and Second Reading. Beals replied staff would be required to issue licenses during that time and any that come in up to ten days after Second Reading when the ordinance would go into effect.

Councilmember Ohlson stated this is a systemic failure of the City organization that the policy was set to create this situation initially. Additionally, he stated the fact that the issue has not been brought before Council indicates failure since then. He stated he would support the first ordinance but not the second ordinance. He stated he would like to see an option prepared for Second Reading to prevent the transfer of licenses upon sale of the property, a regulation other communities have made. He stated his concern is protecting and restoring this neighborhood and a ban on transfers is the only solution.

Mayor Arndt asked if it would be possible to allow transfers from non-primary to primary STR's. Sawyer replied the zone currently allows both kinds of STR's so anyone could get a primary license at any time. She stated there is nothing in the regulations that would limit primary STR's

in the zone district. She stated the current language as written would place a 30-day restriction on the time a new owner would have to seek the transfer of a non-primary license; an owner could live in a home for several years and still apply for a primary license.

Councilmember Ohlson stated he is not worried about any type of takings law being violated.

Mayor Arndt stated she would support both ordinances tonight but would like more clarification before Second Reading.

**Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 106, 2025, Amending the Land Use Code to Remove Non-Primary Short-Term Rentals from the Community Commercial North College District, on First Reading.**

**The motion carried 7-0.**

**Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, 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, on First Reading.**

**The motion carried 4-3.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico and Pignataro.**

**Nays: Councilmembers Ohlson, Potyondy, and Gutowsky.**

Mayor Arndt suspended the rules to clarify that both ordinances were adopted on First Reading and Second Reading will occur in two weeks with some additional clarification from staff regarding license transfer provision options. She stated any ordinance adopted on Second Reading would go into effect ten days after that date.

**Clerk's Note: Mayor Arndt called for a break at 8:51 p.m., noting the meeting would resume at 9:04 p.m.**

**20. Items Related to a Proposed Charter Amendment Amending Regarding Vacancies and Application of Term Limits to Partial Terms.**

*A. Possible Public Hearing and Motion(s) Regarding Protest(s) of Ballot Language.*

*B. First 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.*

*The purpose of this item is to set ballot language regarding a proposed amendment to the City Charter resulting from the Charter Update Project and submit 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.*

*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.*

*Any protest of the proposed ballot language must be received no later than Monday, June 16, 2025, at noon. Protest(s) shall be heard, considered, and resolved by the Council prior to adoption*



of the related Ordinance. If protests are received, copies will be included in Council's "Read Before the Meeting" packet.

## STAFF PRESENTATION

City Attorney Daggett stated this item is one of the closing items coming forward to Council following up on the Council priority to modernize and update the City Charter. She noted the current Charter requires Council to appoint a replacement when there is a vacancy, but it includes provisions related to the timing of the vacancy related to an upcoming election which can lead to a lengthy period of vacancy. She noted there is now a very predictable timeframe between the election and the swearing in date that changes the timing of when an appointment can happen relative to when a new Council would be sworn in. She noted some provisions were added that allow for a bit more process, including the vacancy being formally announced to the public when it occurs, recognizing that there is going to be an application process for filling the vacancy, and that Council will then follow the process looking at those applications. She discussed other changes that will allow for the process to be more predictable and showed the proposed ballot language.

## PROTEST PRESENTATION

Michelle Haefele stated that if these changes go into effect following the election in November, it would eliminate one current Councilmember's eligibility to run. She suggested the ordinance that goes to the ballot should say that the term limit provision goes into effect after the results of the 2025 City Council election in order to eliminate the possible of someone being voted into office and then being ineligible to serve if the Charter changes are passed.

## COUNCIL QUESTIONS

Councilmember Pignataro asked if staff interprets the language in the same fashion as Ms. Haefele. City Attorney Daggett replied there would be an issue with swearing in an elected candidate in January because the limit would be in effect at that time.

Councilmember Pignataro noted many of the Charter changes are clean-up items and asked if there are any other options that would not call out a specific date and therefore not require clean-up in the future. City Attorney Daggett replied slightly different language could be used, but it would still be language that would not be needed after January 2026. She suggested language reading: 'This provision shall not apply to partial terms served before 2026.'

***Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, in consideration of Ordinance No. 108, 2025, incorporate modifications to address the concerns raised in the protest about how the Charter amendment would apply to partial terms served before 2026.***

***The motion carried 7-0.***

## PUBLIC PARTICIPATION

None.

***Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, that Council adopt Ordinance No. 108, 2025, with the following revisions: on page two of the Ordinance, revise recital H by adding before the last period the following clause: unless a partial term was served before 2026, on page three of the Ordinance, add a new sentence to the end of the proposed new Charter Section 1E as follows: this specific provision shall not apply to***

***partial terms served before 2026, and on page five of the Ordinance, add at the end of the first bulleted item in the ballot question before the semi-colon, the following clause: unless the partial term was served before 2026, on First Reading.***

***The motion carried 7-0.***

21. **First 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.**

*The purpose of this item is to finalize the Charter Amendments to be placed on the November 4, 2025, ballot and to set the preferred order for them.*

City Clerk Coldiron noted Council recently discussed this item at a June 3<sup>rd</sup> work session.

**PUBLIC PARTICIPATION**

None.

**COUNCIL QUESTIONS/COMMENTS**

None.

***Mayor Pro Tem Francis moved, seconded by Councilmember Ohlson, to adopt Ordinance No. 109, 2025, Establishing the Charter Amendments to Appeal on the November 4, 2025, Municipal Election Ballot and the Related Ballot Order, on First Reading.***

***The motion carried 7-0.***

**P) RESUMED PUBLIC COMMENT**

**Q) OTHER BUSINESS**

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

Councilmember Pignataro commented on a recently passed State Bill, SB25-85, related to health-related animal research test subjects. She also commented on a recent situation in Fort Collins regarding issues at an animal research facility. She requested and received Council support for a staff memo on the number of animal research facilities in Fort Collins that do health related testing on cats and dogs and on how much effort it would take to clarify in the Code that based on the fact that these cats and dogs will need to be offered up for adoption, that they should be licensed through Larimer County Humane at the animal research facilities.

**R) ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 9:24 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

DRAFT