

OPTION #1

ORDINANCE NO. 168, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 7.5 OF THE CODE OF THE CITY OF FORT
COLLINS TO UPDATE THE CAPITAL EXPANSION FEES AND THE
TRANSPORTATION EXPANSION FEE

A. The City is a home rule municipality having the full right of self-government in local and municipal matters under the provisions of Article XX, Section 6 of the Colorado Constitution.

B. Among the home rule powers of the City is the power to regulate, as a matter of purely local concern, the development of real property within the City and establish impact fees for such development.

C. The City Council has determined that new development should contribute its proportionate share of providing the capital improvements that are typically funded with impact fees.

D. The City Council has broad legislative discretion in determining the appropriate funding mechanisms for financing the construction of public facilities in the City.

E. In 2023, City staff initiated a comprehensive review of its various impact fees now charged to new development, including its community parkland, neighborhood parkland, police, fire protection, transportation, general government and transportation capital improvement expansion fees (collectively, "Capital Expansion Fees").

F. As a result of that review, the City commissioned an impact fee study for the community parkland, neighborhood parkland, police, fire protection and general government capital improvement expansion fees that has resulted in the "Capital Expansion Fee Study" dated November 21, 2023, which has identified the need to increase such Capital Expansion Fees by various amounts.

G. The City also commissioned an impact fee study for the transportation expansion fees dated October 20, 2023, that has resulted in the "Transportation Capital Expansion Fee Study," which also identified the need to increase and decrease the transportation expansion fees by various amounts depending on the type of development proposed.

H. Adjustments to the fee schedules to levels below those identified in the fee studies result in lower levels of service, as well as delays in building new infrastructure and service capacity. The City Council directs the City Manager to explore alternative sources of funding to cover the shortfalls, including backfill from the general fund.

I. The City Council decided to adjust the Capital Expansion Fees for inflation only, similar to adjustments made for 2024 and 2025. This decision does not adopt the

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fee adjustments identified in the 2023 fee studies. Although City Code contemplates a reevaluation and revision of the Capital Expansion Fees at five-year intervals, Council is delaying the overall update of the Fees pending further discussion. Council has requested further exploration of alternative ways to approach future study of the Fees as well as the City's policies and programs regarding Impact Fees and housing affordability.

J. For the foregoing reasons, the City Council has determined that it is in the best interest of the City and its citizens and necessary for the protection of the public's health, safety and welfare, that the Capital Expansion Fees be adjusted for inflation as hereafter provided.

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. Section 7.5-28(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-28. - Community parkland capital expansion fee.

- (a) There is hereby established a community parkland capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of community parks, as such improvements may be identified in the capital improvements plan for community parkland. Such fee shall be payable prior to the issuance of any building permit for a residential structure. The amount of such fee shall be determined per dwelling unit as follows:

	<i>As of March 1, 2024</i>	<i>As of January 1, 2025</i>	<i>As of January 1, 2026</i>
Resid., up to 700 sq. ft.	\$3,144.00	\$ 3,229.00	\$ 3,303
Resid., 701 to 1,200 sq. ft.	4,208.00	\$ 4,322.00	\$ 4,421
Resid., 1,201 to 1,700 sq. ft.	4,595.00	\$ 4,719.00	\$ 4,828
Resid., 1,701 to 2,200 sq. ft.	4,642.00	\$ 4,767.00	\$ 4,877
Resid., over 2,201 sq. ft.	5,175.00	\$ 5,315.00	\$ 5,437

In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

Section 2. Section 7.5-29(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-29. - Police capital expansion fee.

- (a) There is hereby established a police capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital

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improvements related to the provision of police services, as such improvements may be identified in the capital improvements plan for police services. Such fee shall be payable prior to the issuance of any building permit for a residential, commercial or industrial structure. The amount of such fee shall be determined as follows:

	<i>As of March 1, 2024</i>	<i>As of January 1, 2025</i>	<i>As of January 1, 2026</i>
Resid., up to 700 sq. ft.	\$305.00	\$ 313.00	\$ 320
Resid., 701 to 1,200 sq. ft.	413.00	\$ 424.00	\$ 434
Resid., 1,201 to 1,700 sq. ft.	449.00	\$ 461.00	\$ 472
Resid., 1,701 to 2,200 sq. ft.	455.00	\$ 467.00	\$ 478
Resid., over 2,200 sq. ft.	507.00	\$ 521.00	\$ 533
Commercial buildings (per 1,000 sq. ft.)	384.00	\$ 394.00	\$ 403
Office and Other Services (per 1,000 sq. ft.)	384.00	\$ 394.00	\$ 403
Industrial buildings (per 1,000 sq. ft.)	90.00	\$ 92.00	\$ 94

In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

Section 3. Section 7.5-30(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-30. - Fire protection capital expansion fee.

- (a) There is hereby established a fire protection capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of fire services, as such improvements may be identified in the capital improvements plan for fire protection services. Such fee shall be payable prior to the issuance of any building permit for a residential, commercial or industrial structure. The amount of such fee shall be determined as follows:

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	<i>As of March 1, 2024</i>	<i>As of January 1, 2025</i>	<i>As of January 1, 2026</i>
Resid., up to 700 sq. ft.	\$545.00	\$ 560.00	\$ 573
Resid., 701 to 1,200 sq. ft.	737.00	\$ 757.00	\$ 774
Resid., 1,201 to 1,700 sq. ft.	802.00	\$ 824.00	\$ 843
Resid., 1,701 to 2,200 sq. ft.	815.00	\$ 837.00	\$ 856
Resid., over 2,200 sq. ft.	907.00	\$ 931.00	\$ 952
Commercial buildings (per 1,000 sq. ft.)	686.00	\$ 705.00	\$ 721
Office and Other Services (per 1,000 sq. ft.)	686.00	\$ 705.00	\$ 721
Industrial buildings (per 1,000 sq. ft.)	161.00	\$ 165.00	\$ 169

In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

Section 4. Section 7.5-31 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-31. General governmental capital expansion fee.

(a) There is hereby established a general governmental capital expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provision of general governmental services, as such improvements may be identified in the capital improvements plan for general governmental services. Such fee shall be payable prior to the issuance of any building permit for a residential, commercial, office and other services, or industrial structure. The amount of such fee shall be determined as follows:

	<i>As of March 1, 2024</i>	<i>As of January 1, 2025</i>	<i>As of January 1, 2026</i>
Resid., up to 700 sq. ft.	\$742.00	\$ 762.00	\$ 780
Resid., 701 to 1,200 sq. ft.	1,001.00	\$ 1,028.00	\$ 1,052
Resid., 1,201 to 1,700 sq. ft.	1,093.00	\$ 1,123.00	\$ 1,149
Resid., 1,701 to 2,200 sq. ft.	1,110.00	\$ 1,140.00	\$ 1,166
Resid., over 2,200 sq. ft.	1,236.00	\$ 1,269.00	\$ 1,298
Commercial buildings (per 1,000 sq. ft.)	1,877.00	\$ 1,928.00	\$ 1,972
Office and Other Services (per 1,000 sq. ft.)	1,877.00	\$ 1,928.00	\$ 1,972
Industrial buildings (per 1,000 sq. ft.)	442.00	\$ 454.00	\$ 464

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In the case of duplexes and multi-family structures, the amount of the fee for each dwelling unit shall be based upon the average size of the dwelling units contained within each such structure.

(b) All fees collected under this Section shall be deposited into the "general governmental capital expansion fee account" established in § 8-93. This account shall be an interest bearing account, and any interest income earned on the fees shall be credited to the account. Funds withdrawn from the general governmental capital expansion fee account shall be used only for the purposes specified in subparagraph (a) of this Section and said expenditures shall be subject to the provisions of this Article.

Section 5. Section 7.5-32 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-32. - Transportation expansion fee.

There is hereby established a transportation expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding transportation improvements related to the provision of transportation services. Such fees shall be payable prior to the issuance of any building permit for a residential, commercial or industrial structure. These fees shall be deposited in the "transportation improvements fund" established in § 8-87. The amount of such fee shall be determined as follows:

TRANSPORTATION EXPANSION FEE SCHEDULE

	<i>As of March 1, 2024</i>	<i>As of January 1, 2025</i>	<i>As of January 1, 2026</i>
Resid., up to 700 sq. ft.	2,903.00	\$ 2,958.00	\$ 2,849
Resid., 701 to 1,200 sq. ft.	5,391.00	\$ 5,493.00	\$ 5,290
Resid., 1,201 to 1,700 sq. ft.	7,000.00	\$ 7,133.00	\$ 6,869
Resid., 1,701 to 2,200 sq. ft.	8,185.00	\$ 8,341.00	\$ 8,032
Resid., over 2,200 sq. ft.	8,774.00	\$ 8,941.00	\$ 8,610
Commercial (per 1,000 sq. ft.)	10,682.00	\$ 10,885.00	\$ 10,482
Office and Other Services (per 1,000 sq. ft.)	7,869.00	\$ 8,019	\$ 7,722
Industrial/Warehouse (per 1,000 sq. ft.)	2,540.00	\$ 2,588.00	\$ 2,492

Section 6. Section 7.5-71(b) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-71. - Neighborhood parkland capital expansion fee.

(a) The amount of the fee established in this Section shall be determined for each dwelling unit as follows:

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	<i>As of March 1, 2024</i>	<i>As of January 1, 2025</i>	<i>As of January 1, 2026</i>
Resid., up to 700 sq. ft.	\$2,226.00	\$ 2,286.00	\$ 2,339
Resid., 701 to 1,200 sq. ft.	2,980.00	\$ 3,060.00	\$ 3,130
Resid., 1,201 to 1,700 sq. ft.	3,255.00	\$ 3,343.00	\$ 3,420
Resid., 1,701 to 2,200 sq. ft.	3,288.00	\$ 3,377.00	\$ 3,455
Resid., over 2,200 sq. ft.	3,664.00	\$ 3,763.00	\$ 3,850

Introduced, considered favorably on first reading on October 21, 2025, and approved on second reading for final passage on November 3, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: November 13, 2025
Approving Attorney: Dianne Criswell

Exhibit: None