

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 capital expansion fees by various amounts depending on the type of development proposed.

H. Considering feedback from the Council Finance Committee on February 11, 2025, staff initiated revisions to both 2023 Studies to adjust study methodologies to align dwelling unit and other categories, along with updated data, with the City's Land Use Code ("2025 Revised Studies"). By applying updated methods and data, the 2025 Revised Studies, dated August 21 and August 26, 2025, identified categories that are more representative of household size based on product type.

I. City Council has determined that the dwelling unit types and sizes, as well as other data supported analysis in the 2025 Revised Studies, represents a more refined approach to identifying the costs and impacts of development to the City; however, because the recommendations based on the 2025 Revised Studies would become effective during the larger, economic context of development, supply-chain challenges, and financing, Council has further 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 thereof, that the Capital Expansion Fees be updated pursuant to the recommendations of the 2025 Revised Studies in a phased implementation in 2026 and 2027 to allow fee payers to become aware and adjust to the new categories and rates.

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 7.5-16 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-16. - Intent.

The provisions of this Article are intended to impose certain fees to be collected at the time of building permit issuance in an amount calculated as shown herein for the purpose of funding the provisions of additional capital improvements as the City's population increases. The imposition of said fees is intended to regulate the use and development of land by ensuring that new growth and development in the City bear a proportionate share of the costs of capital expenditures necessary to provide community parkland, police, fire protection, general government, neighborhood parkland and transportation capital improvements. Said fees shall not be used to collect more than is necessary to fund such capital improvements. The fees provided for in this Article are based on the City's Capital Expansion Fee Study, dated November 21, 2023 and updated August 26, 2025; the City's Transportation Capital Expansion Fee Study dated and October 20, 2023 and updated August 21, 2025, which establish a fair and equitable allocation of costs and recognize past and future payments for new development, as well as credits for construction, dedication of land or cash contributions. Funds collected from said fees shall not be used to remedy existing deficiencies, but only to provide new capital improvements which are necessitated by new development. The amount of revenue generated by said fees shall not exceed the cost of providing the capital improvements for which they are imposed, and the same shall be expended solely to provide the specified capital improvements.

Section 2. Section 7.5-19(a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-19. - Imposition, computation and collection of fees.

- (a) Payment of the fees imposed under the provisions of this Article shall be required as a condition of approval of all development in the City for which a building permit is

required. The amount of such fees has been calculated using current levels of service and the data and methodologies described in the City's Capital Expansion Fee Study, dated November 21, 2023 and updated August 26, 2025; the City's Transportation Capital Expansion Fee Study dated October 20, 2023 and updated August 21, 2025. The fees due for such development shall be payable by the feepayer to the Building Official prior to or at the time of issuance of the first building permit for the property to be developed, except to the extent that an agreement deferring all or any portion of such payment has been executed by the City providing for a different time of payment approved by the City Council by resolution. If, during the period of any such deferral, the amount of the deferred fee is increased by ordinance of the City Council, the fee rate in effect at the time of payment shall apply. If the building permit for which a fee has been paid has expired, and an application for a new building permit is thereafter filed, any amount previously paid for a capital expansion fee and not refunded by the City shall be credited against any additional amount due under the provisions of this Article at the time of application for the new building permit.

Section 3. Section 7.5-23(b) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 7.5-23. - Community parkland capital expansion fee.

- (b) The burden of proof in any such hearing shall be on the applicant to demonstrate that the amount of fee or offset or credit was not properly calculated by the City. In the event of an appeal of the amount of a fee, the feepayer shall, at his or her expense, prepare and submit to the City Manager an independent fee calculation study for the fee in question. The independent fee calculation study shall follow the methodologies used in the City's Capital Expansion Fee Study, dated November 21, 2023 and updated August 26, 2025; the City's Transportation Capital Expansion Fee Study dated October 20, 2023 and updated August 21, 2025, whichever is applicable. The independent fee calculation study shall be conducted by a professional in impact fee analysis. The burden shall be on the feepayer to provide the City Manager all relevant data, analysis and reports which would assist the City Manager in determining whether the capital fee should be adjusted. The City Manager shall modify said amount only if there is substantial competent evidence in the record that the City erred, based upon the methodologies contained in the City's Capital Expansion Fee Study, dated November 21, 2023 and updated August 26, 2025; the City's Transportation Capital Expansion Fee Study dated October 20, 2023 and updated August 21, 2025, whichever is applicable.

Section 4. 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:

	2025
Resid., up to 700 sq. ft.	\$ 3,229
Resid., 701 to 1,200 sq. ft.	\$ 4,322
Resid., 1,201 to 1,700 sq. ft.	\$ 4,719
Resid., 1,701 to 2,200 sq. ft.	\$ 4,767
Resid., over 2,201 sq. ft.	\$ 5,315

	As of January 1, 2026
Single Family Detached	
Up to 900 sq. ft.	\$ 2,525
901 – 1,300 sq. ft.	\$ 2,744
1,301 – 1,800 sq. ft.	\$ 3,061
1,801 – 2,400 sq. ft.	\$ 3,342
2,401 – 3,000 sq. ft.	\$ 3,590
3,001 – 3,600 sq. ft.	\$ 3,782
Over 3,601 sq. ft.	\$ 3,940
Single Family Attached	
Up to 900 sq. ft.	\$ 2,001
901 – 1,300 sq. ft.	\$ 2,308
1,301 – 1,800 sq. ft.	\$ 2,754
1,801 – 2,400 sq. ft.	\$ 3,150
2,401 – 3,000 sq. ft.	\$ 3,499
3,001 – 3,600 sq. ft.	\$ 3,770
Over 3,601 sq. ft.	\$ 3,992
Multifamily / ADU	
Up to 750 sq. ft.	\$ 1,611
751 – 1,300 sq. ft.	\$ 2,249
Over 1,301 sq. ft.	\$ 2,494

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 5. 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 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:

	2025
Resid., up to 700 sq. ft.	\$ 313
Resid., 701 to 1,200 sq. ft.	\$ 424
Resid., 1,201 to 1,700 sq. ft.	\$ 461
Resid., 1,701 to 2,200 sq. ft.	\$ 467
Resid., over 2,200 sq. ft.	\$ 521
Commercial buildings (per 1,000 sq. ft.)	\$ 394
Office and Other Services (per 1,000 sq. ft.)	\$ 394
Industrial buildings (per 1,000 sq. ft.)	\$ 92

	As of January 1, 2026
Single Family Detached	
Up to 900 sq. ft.	\$ 496
901 – 1,300 sq. ft.	\$ 581
1,301 – 1,800 sq. ft.	\$ 642
1,801 – 2,400 sq. ft.	\$ 683
2,401 – 3,000 sq. ft.	\$ 743
3,001 – 3,600 sq. ft.	\$ 769
Over 3,601 sq. ft.	\$ 790
Single Family Attached	
Up to 900 sq. ft.	\$ 426
901 – 1,300 sq. ft.	\$ 524

1,301 – 1,800 sq. ft.	\$ 602
1,801 – 2,400 sq. ft.	\$ 658
2,401 – 3,000 sq. ft.	\$ 731
3,001 – 3,600 sq. ft.	\$ 768
Over 3,601 sq. ft.	\$ 797
Multifamily / ADU	
Up to 750 sq. ft.	\$ 375
751 – 1,300 sq. ft.	\$ 516
Over 1,301 sq. ft.	\$ 567
Nonresidential (per 1,000 sq. ft)	
Retail/Commercial	\$ 628
Office & Other Services	\$ 435
Industrial	\$ 158

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 6. 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:

	2025
Resid., up to 700 sq. ft.	\$ 560
Resid., 701 to 1,200 sq. ft.	\$ 757
Resid., 1,201 to 1,700 sq. ft.	\$ 824
Resid., 1,701 to 2,200 sq. ft.	\$ 837
Resid., over 2,200 sq. ft.	\$ 931
Commercial buildings (per 1,000 sq. ft.)	\$ 705
Office and Other Services (per 1,000 sq. ft.)	\$ 705

Industrial buildings (per 1,000 sq. ft.)	\$ 165
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	As of January 1, 2026
Single Family Detached	
Up to 900 sq. ft.	\$ 817
901 – 1,300 sq. ft.	\$ 964
1,301 – 1,800 sq. ft.	\$ 1,064
1,801 – 2,400 sq. ft.	\$ 1,130
2,401 – 3,000 sq. ft.	\$ 1,230
3,001 – 3,600 sq. ft.	\$ 1,271
Over 3,601 sq. ft.	\$ 1,304
Single Family Attached	
Up to 900 sq. ft.	\$ 707
901 – 1,300 sq. ft.	\$ 872
1,301 – 1,800 sq. ft.	\$ 1,000
1,801 – 2,400 sq. ft.	\$ 1,090
2,401 – 3,000 sq. ft.	\$ 1,211
3,001 – 3,600 sq. ft.	\$ 1,268
Over 3,601 sq. ft.	\$ 1,315
Multifamily / ADU	
Up to 750 sq. ft.	\$ 625
751 – 1,300 sq. ft.	\$ 860
Over 1,301 sq. ft.	\$ 945
Nonresidential (per 1,000 sq. ft)	
Retail/Commercial	\$ 1,034
Office & Other Services	\$ 729
Industrial	\$ 259

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 7. Effective January 1, 2026, Section 7.5-31 of the Code of the City of Fort Collins is hereby repealed.

Section 8. Effective January 1, 2026, Chapter 7.5, Article II, Division 2 of the Code of the City of Fort Collins is hereby amended by the addition of a new Section 7.5-31 which reads in its entirety as follows:

Sec. 7.5-31 - Government facilities capital expansion fee.

- (a) There is hereby established a government facilities 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 governmental services, as such improvements may be identified in the capital improvements plan for governmental 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:

	As of January 1, 2026
Single Family Detached	
Up to 900 sq. ft.	\$ 868
901 – 1,300 sq. ft.	\$ 1,028
1,301 – 1,800 sq. ft.	\$ 1,137
1,801 – 2,400 sq. ft.	\$ 1,204
2,401 – 3,000 sq. ft.	\$ 1,313
3,001 – 3,600 sq. ft.	\$ 1,354
Over 3,601 sq. ft.	\$ 1,388
Single Family Attached	
Up to 900 sq. ft.	\$ 755
901 – 1,300 sq. ft.	\$ 934
1,301 – 1,800 sq. ft.	\$ 1,070
1,801 – 2,400 sq. ft.	\$ 1,163
2,401 – 3,000 sq. ft.	\$ 1,293
3,001 – 3,600 sq. ft.	\$ 1,352
Over 3,601 sq. ft.	\$ 1,399
Multifamily / ADU	
Up to 750 sq. ft.	\$ 671
751 – 1,300 sq. ft.	\$ 921
Over 1,301 sq. ft.	\$ 1,014

Nonresidential (per 1,000 sq. ft)	
Retail/Commercial	\$ 1,382
Office & Other Services	\$ 756
Industrial	\$ 358

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 "government facilities capital expansion fee account" established in § 8-98. 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 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 9. Effective January 1, 2026, Chapter 7.5, Article II, Division 2 of the Code of the City of Fort Collins is hereby amended by the addition of a new Section 7.5-31.5 which reads in its entirety as follows:

Sec. 7.5-31.5 – Capital equipment expansion fee.

- (a) There is hereby established a capital equipment expansion fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital equipment related to the provision of governmental services, as such capital equipment may be identified in the capital improvements plan for governmental 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:

	As of January 1, 2026
Single Family Detached	
Up to 900 sq. ft.	\$ 177
901 – 1,300 sq. ft.	\$ 210
1,301 – 1,800 sq. ft.	\$ 232
1,801 – 2,400 sq. ft.	\$ 246
2,401 – 3,000 sq. ft.	\$ 267
3,001 – 3,600 sq. ft.	\$ 276
Over 3,601 sq. ft.	\$ 283
Single Family Attached	

Up to 900 sq. ft.	\$ 154
901 – 1,300 sq. ft.	\$ 190
1,301 – 1,800 sq. ft.	\$ 219
1,801 – 2,400 sq. ft.	\$ 237
2,401 – 3,000 sq. ft.	\$ 264
3,001 – 3,600 sq. ft.	\$ 275
Over 3,601 sq. ft.	\$ 285
Multifamily / ADU	
Up to 750 sq. ft.	\$ 137
751 – 1,300 sq. ft.	\$ 188
Over 1,301 sq. ft.	\$ 207
Nonresidential (per 1,000 sq. ft)	
Retail/Commercial	\$ 281
Office & Other Services	\$ 154
Industrial	\$ 73

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 "capital equipment expansion fee account" established in § 8-99. 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 capital equipment 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 10. 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

	2025
Resid., up to 700 sq. ft.	\$ 2,958
Resid., 701 to 1,200 sq. ft.	\$ 5,493
Resid., 1,201 to 1,700 sq. ft.	\$ 7,133
Resid., 1,701 to 2,200 sq. ft.	\$ 8,341
Resid., over 2,200 sq. ft.	\$ 8,941
Commercial (per 1,000 sq. ft.)	\$ 10,885
Office and Other Services (per 1,000 sq. ft.)	\$ 8,019
Industrial/Warehouse (per 1,000 sq. ft.)	\$ 2,588

	As of January 1, 2026
Single Family Detached	
Up to 900 sq. ft.	\$ 3,442
901 – 1,300 sq. ft.	\$ 5,727
1,301 – 1,800 sq. ft.	\$ 7,344
1,801 – 2,400 sq. ft.	\$ 8,660
2,401 – 3,000 sq. ft.	\$ 9,560
3,001 – 3,600 sq. ft.	\$ 10,044
Over 3,601 sq. ft.	\$ 10,445
Single Family Attached	
Up to 900 sq. ft.	\$ 2,976
901 – 1,300 sq. ft.	\$ 4,771
1,301 – 1,800 sq. ft.	\$ 6,086
1,801 – 2,400 sq. ft.	\$ 7,260
2,401 – 3,000 sq. ft.	\$ 8,244
3,001 – 3,600 sq. ft.	\$ 8,813
Over 3,601 sq. ft.	\$ 9,136
Multifamily / ADU	
Up to 750 sq. ft.	\$ 2,023
751 – 1,300 sq. ft.	\$ 3,188
Over 1,301 sq. ft.	\$ 3,995

Nonresidential (per 1,000 sq. ft)	
Retail/Commercial	\$ 11,068
Office & Other Services	\$ 7,558
Industrial	\$ 3,205

Section 11. 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.

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

	2025
Resid., up to 700 sq. ft.	\$ 2,286
Resid., 701 to 1,200 sq. ft.	\$ 3,060
Resid., 1,201 to 1,700 sq. ft.	\$ 3,343
Resid., 1,701 to 2,200 sq. ft.	\$ 3,377
Resid., over 2,200 sq. ft.	\$ 3,763

	As of January 1, 2026
Single Family Detached	
Up to 900 sq. ft.	\$ 3,699
901 – 1,300 sq. ft.	\$ 4,314
1,301 – 1,800 sq. ft.	\$ 4,776
1,801 – 2,400 sq. ft.	\$ 5,075
2,401 – 3,000 sq. ft.	\$ 5,521
3,001 – 3,600 sq. ft.	\$ 5,714
Over 3,601 sq. ft.	\$ 5,872
Single Family Attached	
Up to 900 sq. ft.	\$ 3,174
901 – 1,300 sq. ft.	\$ 3,878
1,301 – 1,800 sq. ft.	\$ 4,469
1,801 – 2,400 sq. ft.	\$ 4,883
2,401 – 3,000 sq. ft.	\$ 5,431

3,001 – 3,600 sq. ft.	\$ 5,703
Over 3,601 sq. ft.	\$ 5,924
Multifamily / ADU	
Up to 750 sq. ft.	\$ 2,783
751 – 1,300 sq. ft.	\$ 3,819
Over 1,301 sq. ft.	\$ 4,208

Section 12. Chapter 8, Article III, Division 2 of the Code of the City of Fort Collins is hereby amended by the addition of a new Section 8-98 which reads in its entirety as follows:

Sec. 8-98. - Government facilities capital expansion fee account.

There is hereby created an account within the capital expansion fee fund to account for the acquisition, construction, and development of capital improvements related to the provision of governmental services, as such improvements may be identified in the capital improvements plan for governmental services. Revenues shall include all fees collected on or after January 1, 2026, pursuant to § 7.5-31. Expenditures from this account shall be made solely for the purposes described in § 7.5-31(b) and according to all other applicable provisions of Chapter 7.5.

Section 13. Chapter 8, Article III, Division 2 of the Code of the City of Fort Collins is hereby amended by the addition of a new Section 8-99 which reads in its entirety as follows:

Sec. 8-99. - Capital equipment expansion fee account.

There is hereby created an account within the capital expansion fee fund to account for the acquisition of capital equipment related to the provision of governmental services, as such equipment may be identified in the capital improvements plan for governmental services. Revenues shall include all fees collected on or after January 1, 2026, pursuant to § 7.5-31.5. Expenditures from this account shall be made solely for the purposes described in § 7.5-31.5(b) and according to all other applicable provisions of Chapter 7.5.

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