

ORDINANCE NO. 173, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING ARTICLE 5, SECTION 10 OF THE LAND USE CODE OF THE CITY OF
FORT COLLINS FOR THE PURPOSE OF UPDATING TREE MITIGATION
EXEMPTIONS

A. The Council adopted Rooted in Community, the Fort Collins Urban Forest Strategic Plan (“Plan”), in March of 2025. This Plan identifies seven future growth strategies to support and maximize the community benefits that arise from fostering a healthy, urban tree canopy. The Plan also addresses the current state of the urban forest, emphasizes why trees are an important component of our community’s infrastructure, and identifies key opportunities to continue improving the urban tree canopy.

B. Trees play a vital role in carbon sequestration, air purification, and soil stability. Tree removal not only affects these functions but also contributes to climate change and habitat loss. However, while species such as Russian-olive, ash, tree of heaven and Siberian elm provide urban canopy benefits as well as habitat for wildlife, these benefits are significantly outweighed by other considerations. These considerations include the likelihood of infestation of insect or disease, and in the case of Russian-olive and tree of heaven trees, their invasive nature and the negative impact they have on native ecosystems.

C. Currently, the Land Use Code requires mitigation of Russian-olive, ash, and Siberian elm trees at the following diameter thresholds: 9-inches, 8-inches, and 11inches, respectively. Staff recommended that the species tree of heaven be added to this list because these species are either invasive or susceptible to infestation (emerald ash borer) and are seen to be less valuable than larger trees for mitigation. In addition, these species are prolific in seeding, and many are also high in population numbers, creating monocultures across the community. Expanding these exemptions will assist with diversifying and creating a more resilient and healthy urban forest in the future and could reduce costs for development.

D. In relation to emerald ash borer management, City staff does not recommend treating ash trees 11-inches in diameter or smaller because not treating these trees would aid in balancing costs, decreasing environmental impact, and will provide a means for improving species diversity across the community. Further, aligning existing code to follow the long-term emerald ash borer treatment strategy would streamline the mitigation of remaining ash trees, resulting in a decrease of the numbers of trees currently required for chemical treatment and mitigation.

E. For these reasons, this Ordinance simplifies existing code by amending Division 5.10 of the City’s Land Use Code regarding Landscaping and Tree Protection to provide for a unified exemption from mitigation for Russian-olive, ash, Siberian elm and tree of heaven trees, which should not be preserved or restored.

F. During a Work Session on August 26, 2025, Council provided input regarding this proposed update to the City's Land Use Code. On October 16, 2025, City staff sought a recommendation from the Planning & Zoning Commission to update the Land Use Code for the purpose of requiring a commercial tree removal permit.

G. The City Council has determined that it is in the best interest of the health, safety and welfare of the City and its residents that Article 5, Section 10 of the Land Use Code be updated, as set forth in this Ordinance.

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 that Section 5.10.1(F)(3) of the Land Use Code is hereby amended to read as follows:

5.10.1 LANDSCAPING AND TREE PROTECTION

...

(F) Tree Preservation and Mitigation.

...

(2) Exemptions. Trees that meet one (1) or more of the following removal criteria shall be exempt from the requirements of this subsection unless they meet mitigation requirements in Section 5.6.1(E)(1) of this Code:

- (a) Poor condition, dead, dying or naturally fallen trees, or trees found to be a threat to public health, safety or welfare;
- (b) Trees that are determined by the City to substantially obstruct clear visibility at driveways and intersections;
- (c) Siberian elm, Russian-olive, ash (all *Fraxinus* species), and tree of heaven less than eleven (11) inches diameter-at standard-height (DSH);
- (d) Siberian elm, Russian-olive, Siberian elm, (all *Fraxinus* species) and tree of heaven of wild or volunteer origin, such as those that have sprouted from seed along fence lines, near structures or in other unsuitable locations.

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

Mayor Pro Tem

ATTEST:

City Clerk

Effective Date: November 13, 2025
Approving Attorney: Stefanie Boster

Exhibit: None