

**An Equity Framework for**  
The City of Fort Collins -- Land Development Code Update

*“Address is a proxy for opportunity. Where we live determines whether or not we have access to the requisite resources for success, including good schools, decently paid jobs, and transportation that connects to employment centers.”<sup>1</sup>*

*Angela Glover Blackwell, PolicyLink*

Safe, stable affordable housing provides a foundation that allows individuals, families, and communities to thrive. Housing has a positive impact on health, economic security, educational attainment, and the overall stability of families and communities.

Nationally, almost half of Americans say that the availability of affordable housing is a major problem in their local community.<sup>2</sup> In Fort Collins, both home prices and rents have risen much faster than incomes over the past decade.<sup>3</sup> Today, 60% of renters and 20% of homeowners in Fort Collins spend more than 30% of their income on housing.<sup>4</sup> Black, Indigenous, and people of color (BIPOC) and residents with low incomes make up a disproportionate share of these cost-burdened households, as they typically have less wealth from home equity, lower incomes, and higher risk of displacement.<sup>5</sup>

The Fort Collins Land Development Code (LDC) revisions have been designed using an ‘equity framework’ to expand housing affordability, capacity and diversity in the City of Fort Collins. An equity framework considers the historic and systemic barriers to housing experienced by BIPOC and low-income households. It examines the current inventory of housing types across all neighborhoods, identifies gaps, and seeks to reduce historic and disproportionate impacts through specific zoning regulations and incentives that will increase the supply and diversity of housing.

The LDC revisions implement the goals of the Fort Collins *Housing Strategic Plan* adopted in 2021, which engaged over 600 community members, numerous Boards and Commissions, and the Home2Health Partnership. These LDC revisions aim to implement the goals of the *Housing Strategic Plan*, to “center the work in equity, and lead with race, so that policy decisions reduce inequities in our community.”

### **What is Equity?**

*“Equity is when everyone, regardless of race, gender, age, neighborhood or financial status, has fair and equal access to opportunity”<sup>6</sup>*

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<sup>1</sup> [Making Every Community a Livable Community](#), PolicyLink, November 16, 2005

<sup>2</sup> [Key Facts about housing affordability in the U.S.](#), Pew Research Center, March 23, 2022

<sup>3</sup> Housing Strategic Plan, Appendix C: Existing Conditions Assessment.

<sup>4</sup> Housing Strategic Plan, p. 6

<sup>5</sup> Housing Strategic Plan, p. 16-17.

<sup>6</sup> [PolicyLink](#)

Land use planning practices and regulations enacted over the past century resulted in disproportionate negative impacts to certain groups – such as Black people, Latinx, and people with low incomes – more than others. Zoning, which was intended to separate incompatible land uses, was also used to exclude certain groups of people from single-family neighborhoods and to exclude multifamily rental housing from neighborhoods with good access to jobs, transit, and amenities.<sup>7</sup>

Zoning ordinances introduced in the early 1900s explicitly excluded residents from living in certain neighborhoods based on race, and often included minimum sales prices for homes to exclude lower-income residents.<sup>8</sup> After these types of racially defined zoning ordinances were outlawed by the U.S. Supreme Court in 1917, similar practices in the form of covenants (privately enforced restrictions associated with individual developments) followed. Though such openly discriminatory practices are illegal today, limitations on multifamily dwellings, affordable homes, and housing opportunities continue to perpetuate exclusionary practices, making it difficult for some groups of people to access basic necessities such as housing, transportation, jobs, and quality education.<sup>9</sup>

The proposed revisions to the Land Development Code (LDC) are designed to increase access to housing that is affordable to Fort Collins residents. The LDC revisions are designed to reduce barriers that BIPOC and low-income households face to both home ownership and rental housing in Fort Collins and reduce the racial wealth gap by increasing opportunities to own a home, adding more types and sizes of owner-occupied and rental housing, and adding more housing in high-opportunity neighborhoods.

### **Equity in Fort Collins Plans**

The Fort Collins *Housing Strategic Plan* identifies strategies that can expand equitable access to housing, including:

- ‘Lead with health equity’ - prioritize housing strategies that improve health equity and reduce health disparities
- Expand ‘equity in the process’ – impacted groups participated in strategy prioritization
- Expand access to housing for both current and future residents.

This Equity Framework also draws from the equity goals in other City plans including the *2020 Strategic Plan*, *Our Climate Future*, and *CityPlan*:

- Equitable access to ‘high-opportunity areas’ with transportation, services, and amenities
- Equitable access to sustainability practices (such as complete neighborhoods)
- Equitable community engagement and outcomes

The LDC revisions were considered and crafted using the equity framing questions of:

- Who will benefit?
- Who will be burdened?
- Will the existing racial and health disparities among groups be improved or worsened with these revisions?

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<sup>7</sup> [APA Planning for Equity Policy Guide](#)

<sup>8</sup> Housing Strategic Plan, p. 16-17

<sup>9</sup> [APA Planning for Equity Policy Guide](#)

The LDC revisions were informed by many voices and stories of struggles to find and afford housing in Fort Collins from the *Housing Strategic Plan*. The LDC revisions are an important ‘piece of the puzzle’ to advance equity in housing and improve health, education access, job opportunities, mobility, and community resilience. (Other housing strategies that Fort Collins may be considering outside of the LDC, such as tenant protection programs, housing assistance or community land trusts, can also work in tandem to improve equity.)

## Equity Factors

There are a number of cross-cutting factors that disproportionately impact people of color or those with low incomes. *Equity factors* are overarching systemic conditions that are historically and/or currently present that impact people’s ability to reach their full potential for health and prosperity:

- **Racial Inequity** - *differences in economic and social progress due to race*
- **Health Inequity** – *differences in health outcomes due to race, income, gender, age, disability*
- **Gentrification / Displacement Risk** – *risk of losing one’s home due to increasing property values, rents, and displacement by higher-income residents*
- **Climate Resilience & Environmental Justice** – *eliminating differences in exposure to climate or environmental impacts due to race, income, age, disability*
- **Access to Opportunity** – *access to ‘high-opportunity’ neighborhoods regardless of race, income, age, disability*
- **Income and Wealth Inequality** – *differences in distribution of income and wealth based on race, age, gender, disability*
- **Pandemic Response & Recovery** – *ability to withstand and recover from pandemic impacts regardless of race, income, age, gender, disability*
- **Community Empowerment / Access to the Political Process** – *access to participating in civic processes regardless of race, income, age, disability, or housing status*

The disproportionate negative impacts of these factors on some groups can be mitigated or improved through intentional housing policy and regulatory solutions, which this LDC update aims to achieve.

## Equity Policy Levers

*Policy levers* are tools that governments can use to achieve goals for the public good, such as increasing access to housing. The following policy levers are used throughout the LDC update to achieve the equity goals of the *Housing Strategic Plan* and other City plans. They are evidence-based strategies or best practices<sup>10</sup> that have been shown to be effective in improving access to housing:

1. **By-right zoning** for more housing types
2. **Incentives** to build affordable housing
3. **Affordable housing in transit-rich locations**
4. **Diversity of housing types** including multifamily
5. **Increased supply of housing** across the price spectrum
6. Expansion of housing **in high-opportunity areas**

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<sup>10</sup> [Linking recommendations to scientific evidence](#) of their effectiveness and/or other characteristics of such practices.

7. **Reduced minimum parking requirements**
8. **Increased density and density bonuses**
9. **Accessory Dwelling Units (ADUs)** allowed in all zones
10. **Simplification of the code**

Taken together, the *equity factors* are addressed using *policy levers* to achieve the City's goals. Many of the proposed code revisions offer co-benefits to achieve climate, health, and equity goals. For example, *increasing housing density with smaller minimum lot sizes and reduced parking minimums* (as proposed in the Neighborhood Conservation and Mixed Neighborhood districts) can reduce vehicle miles traveled and greenhouse gas emissions, reduce housing costs and allow more spending on health care and basic necessities, and allow households to save money and build wealth.<sup>11</sup>

### **Challenges to Achieving Equity Goals**

The LDC revisions can improve equity and reduce disparities in access to housing. However, there are a number of processes or entities that may inadvertently restrict the achievement of Fort Collins' equity goals for improved housing access. These may include:

#### **1. Homeowners' Associations (HOAs)**

- Covenants that prohibit the construction of accessory dwelling units (ADUs) can restrict housing supply and homeowner wealth-building
- Fines and escalating penalty fees for maintenance violations can put low-income homeowners at risk for displacement or foreclosure

#### **2. Historic Preservation commissions<sup>12</sup>**

- These commissions may 'lock out' higher-density residential development in high-opportunity areas by expanding historic designations to thwart upzoning

#### **3. Public input processes<sup>13</sup>**

- Public processes that frequently deny housing applications based on 'community opposition' may be disproportionately weighted toward the voices of organized longtime homeowners who can show up to public hearings than toward the achievement of Citywide housing goals for current and future residents
- The more housing types that require 'review processes' (vs. by-right approval) create more systemic opportunities for opponents to restrict housing development

#### **4. Mixed-use zones that do not allow housing by-right**

- Requiring additional processes to gain approval for housing in areas that are intended to be mixed-use can restrict housing supply

#### **5. Low Density Residential District (RL)**

- RL zoning covers the most acreage in the City. In addition to adding ADUs, RL should be considered for gradual increases in density and capacity in the future, especially in 'high-opportunity' areas.

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<sup>11</sup> Streetsmart, '[residential density' strategy](#).

<sup>12</sup> [What Historic Preservation is Doing to American Cities](#), April 2022, The Atlantic.

<sup>13</sup> [Community Input is Bad, Actually](#), April 2022, The Atlantic.

## 6. Low Density Mixed-Use Neighborhood District (LMN) in the far northeast area

- This area has the most LMN zoning by acreage in the City yet scores low in 3 out of 4 ‘Opportunity Indices’, including Economic, Mobility and Education, with few commercial or public services or access to transit. Residential growth could be expanded here with a corresponding requirement for a mix of other uses (to avoid isolated residential development requiring many vehicle trips to access basic services).

These challenges should be examined with the same equity questions used for the LDC revisions: ‘who benefits?’ and ‘who is burdened?’ There may be opportunities to adjust some processes or policies to align more closely with the LDC revisions to improve equity outcomes.

### Future proofing for Equity

As we now know after two years of the Covid-19 pandemic, any ‘*shock to the system*’ -- such as pandemics/ongoing epidemics, a spike in gas prices, wildfires, flooding, extreme storms, utility outages, supply chain interruptions, cyber-attacks -- can quickly expose whether neighborhoods are complete and designed for resiliency in the face of such threats. Neighborhoods that are ‘future proof’ must include a diverse housing supply, access to basic services, local food supplies, access to multimodal transit, green space and the outdoors, nearby health and medical services, and cooling centers, among others. A ‘roof over one’s head’ is needed first in order to deal with external threats. In particular, the COVID-19 pandemic made clear that affordable, safe, and uncrowded homes are a prerequisite for individual and public health<sup>14</sup> and a protective factor against infectious disease.

A range of housing types, sizes and price points in Fort Collins creates more complete, resilient neighborhoods and allows residents to withstand the impacts of natural and human-made disasters more effectively, regardless of residents’ race, income, household type, age, or ability level.

The LDC revisions also address Fort Collins’ *changing demographics*. Today’s household types increasingly consist of multi-generations, roommates, seniors aging in place, and single people rather than the predominant husband-wife-children type that single-family detached homes were designed to accommodate in the 1950s and 60s. A range of different housing types and sizes (such as duplexes, triplexes and townhouses, known as ‘missing middle housing’) are allowed and incentivized throughout the City with these LDC revisions, with close proximity to jobs, services, transportation, and opportunities for social connectedness.

These LDC revisions are designed to increase housing supply, affordability, density, diversity and location near transit and key goods and services in order to ‘future proof’ Fort Collins residents by reducing inequities due to race, health and economic status and better equip people with stability and resilience in their everyday lives. These LDC revisions achieve multiple co-benefits for climate, health and equity goals as expressed in the *Housing Strategic Plan, 2020 Strategic Plan, Our Climate Future, CityPlan*, and the *Livable Larimer County 5-Year Plan*.

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<sup>14</sup> [The Affordable Housing Gap Analysis 2021.](#)