



# AGENDA ITEM SUMMARY

City Council

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## STAFF

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## SUBJECT

**Items Related to the Adoption of a New Land Use Code.**

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## EXECUTIVE SUMMARY

This item consists of three separate ordinances:

- A. First Reading of Ordinance No. 136, 2023, Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins to Adopt the Revised Land Use Code and Separately Codifying the 1997 Land Use Code as the “Pre-2024 Transitional Land Use Regulations.”
- B. First Reading of Ordinance No. 137, 2023, Updating City Code References to Align With the Adoption of the Revised Land Use Code.
- C. First Reading of Ordinance No. 138, 2023, Amending the Zoning Map of the City of Fort Collins to Rename All Neighborhood Conservation Low Density, Neighborhood Conservation Medium Density, and Neighborhood Conservation Buffer Zone Districts to the Old Town Zone District In Conjunction With the Adoption of the Land Use Code.

The purpose of this item is to consider adopting of changes to the City’s Land Use Code. The Land Use Code (LUC) Phase 1 Update implements policy direction in City Plan, the Housing Strategic Plan, and the Our Climate Future Plan. Changes are intended to address one or more of the following Guiding Principles:

1. Increase overall housing capacity and calibrate market-feasible incentives for affordable housing.
2. Enable more affordability, especially near high frequency transit and priority growth areas.
3. Allow more diverse housing choices that fit in the existing context and priority place types.
4. Make the Code easier to use and understand.
5. Improve predictability of the development review process, especially for housing.

If adopted by Council, staff recommend that the proposed Code changes take effect on January 1, 2024.

In addition to changes to the Land Use Code updates to City Code references to the revised Land Use Code are proposed.

Finally, because the revised Land Use Code rename the Neighborhood Conservation Low Density, Neighborhood Conservation Medium Density, and Neighborhood Conservation Buffer zone districts to the Old Town zone district with corresponding subdistricts A, B, and C, updates to the zoning map to reflect the name changes are proposed. This change only affects the name of the zone districts and no changes to the boundaries are proposed.

## STAFF RECOMMENDATION

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Staff recommend adoption of the Ordinances on First Reading.

## BACKGROUND / DISCUSSION

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Following the submission and certification of a petition sufficient for referendum, Council reconsidered Ordinance No. 114, 2022, at the Regular Meeting on January 17, 2023. Council voted unanimously (7-0) to repeal Ordinance No. 114, 2022, *Repealing and Reenacting Section 29-1 of the Code of the City of Fort Collins to Adopt the Land Development Code and Separately Codifying the 1997 Land Use Code As "Transitional Land Use Regulations."* Council directed staff to explore next steps to allow for additional community engagement and refinement of housing-related Land Use Code (LUC) changes.

### Project Overview

The LUC Phase 1 project began in summer 2021. From July 2021-October 2022, staff led a process to explore changes to the Land Use Code. This process included:

- Community engagement
- Policy analysis and synthesis
- Development of guiding principles
- Diagnostic report of the existing Land Use Code
- Code drafting
- Public review of the draft Land Development Code

City Council adopted Ordinance No. 114, 2022, adopting the Land Development Code. In November and December 2022, a group of voters gathered enough signatures through the City's referendum process to require that Council reconsider the Ordinance. On January 17, 2023, Council repealed Ordinance No. 114, 2022, and directed staff to conduct additional community engagement and further refine housing-related Land Use Code changes.

Staff re-launched the Land Use Code engagement process in March 2023. The project followed the timeline below:



## *Key Topic Areas from Community Engagement*

Potential changes to the LUC have resulted in robust community dialogue and many comments shared with City Leaders and staff. Between March and August 2023, staff engaged with hundreds of residents through online comments, virtual engagement opportunities, and in-person events, including the August 9th open house event. Feedback was also collected at Planning and Zoning work sessions. Feedback received most recently includes the following topics:

- General questions on timeline and feedback received to date.
- Concern that accessory dwelling units (ADUs) could have negative impacts in neighborhoods.
- Comments in support of ADUs as a viable housing option.
- Support for requiring owner-occupancy of ADUs.
- Concerns that permitting Cottage Courts in the neighborhood conservation, medium density (NCM) zone district could result in a change in neighborhood character.
- Concerns that incentives to allow up to five units in the NCM could result in removing existing housing and a change in neighborhood character.
- Questions about whether the community's involvement in the Development Review process will change in the future.

More detailed information regarding specific Community Engagement events and resulting feedback can be found in the Public Outreach section of this document. Throughout the engagement process and the development of potential Code alternatives, staff continued to explore Code options that could both address community concerns and achieve the project's Guiding Principles outlined below.

### *Guiding Principles*

The LUC Phase 1 update re-launch has continued to be informed by five guiding principles, originally supported by Council at the November 9, 2021, Work Session and re-affirmed by a majority of Councilmembers at a work session in February 2023:

1. Increase overall housing capacity (market rate and affordable).
2. Enable more affordability, especially near high frequency transit and priority growth areas.
3. Allow more diverse housing choices that fit in with the existing context and priority place types.
4. Make the Code easier to use and understand.
5. Improve predictability of the development review process, especially for housing.

### *Exploration of Polarities and Council Direction for Code Drafting*

At the May 23, 2023, Work Session, staff presented an approach to potential Code alternatives using a quadrant framework that highlighted the spectrum of options for Code revisions and the potential trade-offs. At that work session, Council feedback generally supported an approach with "more emphasis on changes to address both housing capacity/choices and choices that fit in with existing character." Given the feedback from the work session, staff formulated potential Code alternatives informed by community feedback that address housing capacity while emphasizing existing neighborhood character.

### **Summary of Proposed Code Alternatives and Changes and Which Changes are Included in the Draft Land Use Code Being Presented to Council**

Utilizing feedback received through engagement events and other correspondence, including online feedback forms and emails, staff formulated a menu of 33 potential Code alternatives for Council consideration to address the key topics raised during community engagement. These Code alternatives attempted to respond to community feedback regarding preservation of existing neighborhood character

while still adhering to the guiding principles outlined above. Council explored all 33 potential Code alternatives at the July 31, 2023, and August 22, 2023, Work Sessions. A document outlining the Code alternatives is attached to this Agenda Item Summary.

Where applicable, potential alternatives were organized into different zone districts. Other potential alternatives addressed city-wide topics:

- Zone-Specific Alternatives
  - RL – Low Density Residential Zone District
  - NCL – Neighborhood Conservation, Low Density Zone District
  - NCM – Neighborhood Conservation, Medium Density Zone District
- Citywide Alternatives
  - Affordable Housing
  - Private Covenants/Homeowners Associations
  - Parking/Infrastructure
  - Development Review Process
  - Short Term Rentals

Alternatives that received general support from Councilmembers at the July 31 and August 22, 2023, Work Sessions have been incorporated into the Draft of the Land Use Code as summarized below. The following summary of proposed changes is organized based on the Guiding Principles the changes are intended to support.

*Principle #1: Increase overall housing capacity (market rate and affordable)*

Current regulations constrain housing capacity in certain areas of the City. As a result, the inventory of housing options is not keeping pace with demand. To ensure that Fort Collins has sufficient housing capacity to meet our community's needs now and into the future, the proposed LUC updates make several changes to the regulation of housing development.

Code Alternatives - Parking: Alternatives considered by Council primarily addressed concerns around parking. Councilmembers generally supported alternatives that would: require one parking space for ADUs; permit tandem parking spaces to count toward required ADU parking; reduce parking requirements for studio, one-, and two-bedroom units in multi-unit developments; and reduce parking requirements for affordable housing if the development has seven or more units.

Proposed changes include:

- Targeting increases in housing capacity to zones in transit corridors and zones with the greatest amount of buildable land.
- Increasing maximum density in the LMN zone from nine to twelve dwelling units per acre.
- Regulating building size through floor area and form standards instead of units per building.
- Regulating density through form standards and building types.
- Reducing parking requirements for studio, one- and two-bedroom units in multi-unit developments and for affordable housing developments with seven or more units.
- Requiring one parking space for ADUs.
- Permitting tandem parking spaces to count toward required ADU parking.

If Council adopts the housing capacity changes proposed, staff estimates that overall housing capacity will increase by about 52% overall, and by about 61% within a five-minute walk of current and future transit corridors.

*Principle #2: Enable more affordability, especially near high frequency transit and priority growth areas*

The current Code provides limited incentives for affordable housing development. To encourage production of affordable housing and align with community needs identified in the Housing Strategic Plan, the Land Use Code updates propose more effective incentives for deed-restricted affordable housing. After conducting pro forma and market analyses, significant improvements to affordable housing incentives have been calibrated and proposed.

Code Alternatives – Affordable Housing: Councilmembers expressed general support for alternatives that would: expand affordable housing incentives citywide; increase the length of time units must be deed-restricted; and update definitions of affordable housing to match market needs for ownership and rental.

Proposed changes include:

- Expanding affordable housing incentives to most residential and mixed-use zones.
- Modifying income criteria (currently 80% AMI) so incentives help address the most critical shortages in affordable rental (60% AMI or below) and ownership (100% AMI or below).
- Raising the density bonus incentive in the LMN zone.
- Creating height bonus and parking reduction incentives in higher density zones.
- Requiring 60 years of deed restriction instead of the current 20 years.
- Continuing to require a minimum 10% of units to be affordable for any development seeking incentives.
- Updating definitions for affordable housing, reviewing for consistency. Staff has reviewed all affordable housing terms and definitions and purposes for the creation of a new affordable housing section within Article 5 Section 5.2 to consolidate incentives, definitions, and terms in one place.

If Council adopts the housing affordability changes proposed, staff estimates that capacity for affordable units will increase by about 194%.

*Principle #3: Allow for more diverse housing choices that fit with the existing context*

The Diagnostic Report that supported this Code update suggests that the current Code does not provide a clear, context-specific framework for infill and redevelopment. Rather, the LUC has many standards that assume a “greenfield” or undeveloped site. This can create challenges for compatibility, as most of the land in the City has already been developed. Constrained choices for housing contribute to limited housing supply and do not meet the needs of the variety of household types in our community, both today and in the future.

Code Alternatives – Neighborhood Context: Many of the 33 alternatives Councilmembers discussed were focused on ways to both allow additional housing choices and ensure that new development fits in with the existing context. Some alternatives were zone-specific, while others addressed the function of Homeowners Associations (HOAs) and short-term rentals (STRs) citywide.

*Residential, Low Density (RL):* Most Councilmembers expressed general support for alternatives that would: limit ADUs to one story when there is no alley; allow an ADU with single unit dwelling, not with a duplex; require ADU properties to be owner-occupied; and allow two units maximum in the RL zone.

*Neighborhood Conservation, Low Density (NCL):* Most Councilmembers expressed general support for alternatives that would: decrease the minimum lot size to 4,500 square feet; allow two units maximum on lots 4,500 to 6,000 square feet; require ADU properties to be owner-occupied; and restrict ADU height to the height of the primary building.

*Neighborhood Conservation, Medium Density (NCM):* Most Councilmembers expressed general support for alternatives that would: decrease the minimum lot size to 4,500 square feet; allow three units maximum on lots 4,500 – 6,000 square feet; allow five units maximum on lots larger than 6,000 square feet; and require ADU properties to be owner-occupied.

*Private Covenants and HOAs:* Councilmembers expressed general support for alternatives that would: allow an HOA to regulate the option for detached or attached ADU; specify that HOAs can continue to regulate aesthetics within the bounds of their existing rules; and allow HOAs to regulate site placement of ADUs.

*Short Term Rentals (STRs):* Councilmembers generally supported alternatives that would: restrict new ADUs from being used as STRs; and allow existing STRs in ADUs to continue to operate under their current license. A request was made to follow up regarding how many STRs exist in accessory buildings. There are approximately 375 STRs citywide and 48 of those are in accessory buildings.

Based upon Council feedback at the work sessions regarding the above discussed alternatives, the Public Review Draft of the Land Use Code being presented to Council on first reading **includes** the following changes:

- Allowing Accessory Dwelling Units (ADUs) in all residential and mixed-use zones.
  - In the RL zone, limiting ADUs to one story where there is no alley and only with a single-unit primary dwelling (not a duplex).
  - In the NCL zone, limiting ADUs to the height of the primary dwelling.
  - In all zones, prohibiting new ADUs from being used as STRs
- Adding “cottage court” as a housing type allowed in most residential zones.
- Creating a menu of building types and standards that apply to all proposed development.
- Illustrating form standards for ease of use including (but not limited to) building height, lot dimensions, massing and articulation, and build-to lines.
- Adjusting standards to enable more small-lot infill development and developing form-based standards to guide compatibility more effectively.
  - In the historic core (Old Town/Neighborhood Conservation Districts):
    - Floor area maximum of 2,400 square feet (sf) for single-unit detached homes
    - Reducing minimum lot sizes from 6,000 square feet to 4,500 square feet for single-unit detached dwellings
    - Allowing “missing middle” housing types
      - Up to two units in NCL/OT-A
      - Up to three units in NCM/OT-B on lots 4,500-6,000 square feet
      - Up to five units in NCM/OT-B on lots larger than 6,000 square feet and a sixth unit if it is deed-restricted affordable housing.
  - Outside the historic core:
    - Allowing ADUs in the RL zone
    - Consolidating duplicative standards
- Clarifying language related to HOAs and private covenants that specifies that HOAs can continue to regulate aesthetics within the bounds of their existing rules
- Allowing an HOA to regulate the option for detached or attached ADU and to regulate site placement of ADUs
- Updating use standards, rules of measurement, and definitions to align with new building types and standards.



- Defining new terms and rules of measurement (ex: detached accessory structure, cottage court, bulk plane)
- Removing unneeded or duplicative definitions

*Principles #4 and #5: Make the Code easier to use and understand, and improve predictability of the development review process*

The project team has heard from many different groups that the Code is hard to understand, inaccessible and cumbersome to navigate. The intent of the proposed Code reorganization changes is to make the Code easier to use and understand for all users, including neighbors, customers, staff, decision-makers, and others. These improvements will provide benefits to users by making it easier to understand what is allowed, what can be built, and what can change in a neighborhood. These improvements will also provide common understanding and clarity to users engaged in decision making.

The proposed Code will add predictability to the development review process by being clearer about what uses are permitted and by clearly explaining design standards through easy to understand graphics. The new menu of Building Types (Article 3) will provide more clarity about how buildings should be designed, leading to more predictable outcomes.

Code Alternatives - Development Review Process: Councilmembers were generally in agreement that no changes should be made to the Development Review Process. Councilmembers did *not* support alternatives that would: change review types for residential development; change neighborhood meeting requirements; and change current public hearing requirements. Based on Council feedback, no changes to the draft Land Use Code were made regarding these issues. One exception supported by Councilmembers was to allow Affordable Housing projects to go through a Basic Development Review (BDR) process to expedite such projects.

Based upon Council feedback at the work sessions regarding the above discussed alternatives, the Public Review Draft of the Land Use Code being presented to Council on first reading **includes** the following changes:

- Allowing Affordable Housing projects to be reviewed through a BDR process
- Using a consistent, graphic approach to communicate land use standards
- Reorganizing content so the most used information is first in the LUC
- Reformatting all zone districts to use consistent graphics, tables, lists, and illustrations
- Creating a new article (Article 3 – Building Types) to consolidate form standards in one place and develop consistent graphic templates
- Creating a new article (Article 4 – Use Standards) to consolidate use standards in one place and reformat into a clear and comprehensive Land Use Table
- Updating definitions and rules of measurement for consistency; remove duplicative definitions; consolidate all rules of measurement in Article 7 – Rules of Measurement and Definitions
- Renaming some zones and creating subdistricts (ex: Neighborhood Conservation District) to improve usability and consolidate similar standards



Staff plans to revise the Public Review Draft to incorporate revisions and changes after Council consideration at First Reading. The Code document will also be edited for grammar, clarity, and consistency.

### Code Alternatives for Further Decision

Alternatives that required additional consideration from Councilmembers at the July 31, 2023, and August 22, 2023, Work Sessions **are** incorporated into the Public Review Draft of the Land Use Code being presented to Council on first reading. Council will instead consider each of the following alternatives at First Reading. Any alternatives below that are adopted by Council will be incorporated into the Public Review Draft for Second Reading.

#### Items for Council Discussion

1. In RL, Allow duplexes under one of the following site-specific conditions:
  - 100ft wide lots
  - Duplex integrates an existing structure
  - Duplex includes one unit of deed-restricted affordable housing
  - Lot located within 1/4 mile of current or future high-frequency transit
2. In OT-A (NCL), allow three units on lots 6,000 sf or larger under one the following site-specific conditions:
  - Combination of a duplex + ADU
  - Triplex integrates an existing structure
  - Triplex includes one deed-restricted affordable housing unit
  - A 3-unit Cottage Court includes one deed-restricted affordable housing unit
3. In OT-B (NCM), allow six units on lots 6,000sf or larger under the following site-specific condition:
  - Approved building types that both integrate with the existing structure and includes a deed restricted affordable housing unit.
4. In OT-B (NCM), allow six units on lots 9,000sf or larger with under the following site-specific condition:
  - A six-unit Cottage Court includes one deed-restricted affordable housing unit
5. Allow a Private Covenant/HOA to regulate site placement of all structures (additional setbacks, separation requirements)
6. Require properties with a new ADU to have a resident manager.



**Article 2, Section 2.1.4, Pg. 2-5**

1. In RL, allow duplexes under one of the following site-specific conditions:
- 100 feet (ft) wide lot
  - Duplex integrates an existing structure
  - Duplex includes one deed-restricted affordable housing unit
  - Lot located within 1/4 mile of current or future high-frequency transit

Duplex	2 max.	6000 ft <sup>2</sup> min.	<b>MUST MEET ONE OF THE BELOW REQUIREMENTS</b>
			At least 100' Lot Width
			Integrates existing structure**
			Within 1/4 Mile of High Frequency transit or higher***
			Affordable Housing Development

**Integrate With Existing Structure**

*Integrate with existing structure* shall mean using the existing structure to achieve a new use and/or using the existing structure to achieve an increase in the number of dwelling units at an existing use. In order to meet the definition of *integrate existing structure*, the following requirements must be met:

(A) Exterior walls must remain and cannot be demolished except for the following:

- (1) New windows, doors, or entry features may be added and only the area of the new features may be removed from the existing wall;
- (2) 0% of front walls, 25% of side walls, and 100% of rear walls may be removed; and
- (3) Exterior finishes may be maintained or replaced without increasing the footprint.

(B) In conjunction with the demolition exceptions in (A), additions to existing structure may occur. Additions shall be subordinate to the existing structure by satisfying all of the following requirements:

- (1) The addition must be the same height as the existing structure or lower;
- (2) The addition must be placed to the rear of the existing structure;
- (3) The addition must be designed to be compatible with defining features including but not limited to materials, finishes, windows, doors, entries, porches, decks, and balconies of the existing structure; and
- (4) The addition may not increase the footprint of the existing structure by more than 50%.

(C) Any allowed demolition or additions shall be identified in the building permit submittal.

**Article 2, Section 2.1.6, Pg. 2-10**

2. In OT-A (NCL), allow three units on lots 6,000 sf or larger under one the following site-specific conditions:

- Combination of a duplex + ADU
- Triplex integrates an existing structure
- Triplex includes one deed-restricted affordable housing unit
- A 3-unit Cottage Court includes one deed-restricted affordable housing unit

Building Type	Units	Lot Area	Additional Site Requirement
Duplex + ADU	3 units max.	6,000sf min.	N/A

Triplex	3 units max.	6,000 sf min.	<b>Must meet one of the following two requirements</b>
			Integrate with existing structure
			Affordable Housing Development

Cottage Court	3 units max.	9,000 sf min.	Affordable Housing Development
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**Article 2, Section 2.1.6, Pg. 2-11**

3. In OT-B (NCM), allow six units on lots 6,000 sf or larger under the following site-specific condition:

- Approved building type both integrates an existing structure and includes one deed-restricted affordable housing unit.

Old Town –B (OT-B)			
Building Type	Units	Lot Area	Site Specific Requirement
			<b>Must Meet Both of the requirement below</b>
5plex + ADU; or	3 units min. and 6 units max.	9,000 sf min.	Integrate with existing structure
6plex			Affordable Housing Development

**Article 2, Section 2.1.6, Pg. 2-11**

4. In the OT-B (NCM), allow six units on lots 9,000 sf or larger with under the following site-specific condition:
- A six-unit Cottage Court includes one deed-restricted affordable housing unit

Old Town –B (OT-B)		
Building Type	Units	Lot Area
<b>Cottage Court</b>	3 units min. and 6 units max.	9,000 sf min.

**Article 1, Section 1.3.3, Pg. 1-4**

5. Allow a Private Covenant/HOA to regulate site placement for all structures (additional setbacks, separation requirements)

### 1.3.3 CONFLICTS WITH PRIVATE HOUSING COVENANTS

No person shall create, cause to be created, enforce or seek to enforce any provision contained in any contract or restrictive covenant that prohibits or has the effect of prohibiting the number and/or type of dwelling units permitted on a lot when such number and/or type of dwelling unit(s) would otherwise be permitted by the City's zoning regulations. A Homeowner's Association may enforce private covenants which reasonably regulate external aesthetics including, but not limited to, site placement/setbacks, color, window placement, height, and materials with the intent of furthering compatibility with the existing neighborhood.

No person shall create, cause to be created, enforce or seek to enforce any provision contained in any contract or restrictive covenant that prohibits or has the effect of prohibiting subdivision of property when such subdivision would otherwise be permitted by the City's zoning regulations.

## Article 4, Section 4.3.1, Pg. 4-10

### 6. Require properties with a new ADU to have a resident manager.

(1) Accessory dwelling units shall have a resident manager residing on the property in the ADU or primary building, when the owner does not reside on the property.

- (a) The resident manager shall have one (1) primary residence and shall reside on the property for nine (9) months of the calendar year.
- (b) If the designated resident manager no longer resides on the property, a new one shall be established by the property owner.
- (c) If the resident manager shall be authorized by the property owner to manage the property and all dwelling units.
- (d) Before the Certificate of Occupancy is issued for an ADU the property owner shall provide the name, address, and the resident manager's authorization to manage the property and dwelling units. Any ongoing verification of such information shall be provided by the owner upon request of the City.

### Conforming Changes to City Code References

City Code contains numerous references to the Land Use Code. If Council adopts the revised Land Use Code, the attached ordinance should also be adopted to ensure that City Code references to the Land Use Code are correct.

### Rezoning to Rename the Neighborhood Conservation Low Density, Neighborhood Conservation Medium Density, and Neighborhood Conservation Buffer zone districts to the Old Town Zone District

The revised Land Use Code renames the Neighborhood Conservation Low Density, Neighborhood Conservation Medium Density, and Neighborhood Conservation Buffer zone districts to the Old Town zone district with corresponding subdistricts A, B, and C. This is solely a name change to be more reflective of the zone district than the existing names and the boundaries of the zone districts will not be affected by this change. If Council adopts the revised Land Use Code, the attached rezoning ordinance should be adopted to ensure that the City's zoning map corresponds to the revised Land Use Code zone districts.

## CITY FINANCIAL IMPACTS

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As with any regulatory change, additional work will be needed following adoption to align existing processes and procedures with updated Code requirements. For this reason, staff recommend an effective date of January 1, 2024, for the proposed Code changes. This implementation work will not require additional funding but will require utilization of existing staff capacity and departmental resources.

The LUC Phase 1 updates are focused on housing-related changes and Code reorganization, and multiple phases will be required to update the entire LUC. Accordingly, staff is also planning a LUC Phase 2 Update, which will address remaining issues in commercial, industrial, environmental and other areas and will also incorporate Code changes that are not directly tied to housing. Funding has been approved for the LUC Phase 2 project in the 2023-2024 budget cycle.

## BOARD / COMMISSION / COMMITTEE RECOMMENDATION

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Three Boards and Commissions have provided formal recommendations and specific feedback on the draft Land Development Code for Council consideration, as follows:

- Planning and Zoning Commission: Reviewed the proposed draft of the Land Use Code at their September 27, 2023, meeting. A full report of their recommendation will be provided separately prior to Council's meeting.
- Planning and Zoning Commission: Reviewed the proposed rezoning to change the names of the Neighborhood Conservation Low Density, Neighborhood Conservation Medium Density, and Neighborhood Conservation Buffer zone districts to the Old Town zone district with corresponding subdistricts A, B, and C at their September 27, 2023, meeting. Their recommendation will be provided separately prior to Council's meeting.
- Affordable Housing Board: At their September meeting, the Affordable Housing Board unanimously passed a recommendation to City Council to adopt the proposed Code changes (copy attached).
- Historic Preservation Commission (HPC): At their September hearing, the Historic Preservation Commission discussed the Draft Code. Their recommendation will be provided separately prior to Council's meeting.
- Economic Advisory Board (EAB): At their September meeting, the Economic Advisory Board discussed the Draft Code. Their recommendation will be provided separately prior to Council's meeting.

## PUBLIC OUTREACH

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A wide range of engagement events were scheduled in accordance with Council direction received at the February 14, 2023, Work Session. Engagement opportunities were announced with a postcard (English/Spanish) mailed to all residents (97,000+ households) and a parallel social and print media effort. Events have included monthly Council work sessions, presentations to community groups, Boards, and Commissions, virtual and in-person sessions, small group meetings with residents and HOA groups, tabling at community events, and deliberative dialogue opportunities. Formal events and presentations are listed below. Staff also met with community groups, HOA representatives, individual residents, and others at many small-group or one-on-one meetings during this time period. In total, staff hosted more than 50 meetings and events during 2023.

- **Early April** – Postcards arrived in mailboxes
- **April 12th** – CityWorks 101 presentation on LUC updates
- **April 22nd** – Tabling at Earth Day
- **April 24th** – Virtual Information Session
- **April 26th** – Deliberative Forum with Center for Public Deliberation
- **April 29th** – Next Level Neighborhood Walking Tour



- **Thursdays, Fridays, and Saturdays in May** – 14 Neighborhood Walking Tours
- **May 8th** – In-Person Community Open House
- **May 10th** – Historic Preservation Commission
- **May 12th** – Planning & Zoning Commission
- **May 22nd** – Boards and Commissions Super Issues Meeting
- **June 1st** – Affordable Housing Board
- **June 4th** – Tabling at Open Streets
- **July 12th** – Tabling at CSU Lagoon Concert Series
- **June 21st** – General “catch-all” walking tour for those who couldn’t attend other tours
- **June 28th** – Tabling at Bike to Work Day
- **July 14th** – Planning and Zoning Commission
- **July 26th** – Economic Advisory Board
- **August 9th** – Public exhibit at Foothills Mall summarizing potential alternatives
- **August 10th** – Public exhibit at 281 N College summarizing potential alternatives
- **September 7th** – Affordable Housing Board
- **September 15th** – Planning and Zoning Commission
- **September 20th** – Economic Advisory Board
- **September 20th** – Historic Preservation Commission

#### *Participation to Date*

Potential changes to the LUC have resulted in robust community dialogue and many comments shared with City Leaders and staff. Throughout summer 2023, staff engaged with hundreds of residents through online comments, virtual engagement opportunities, and in-person events:

- 200+ General Comments received through the FCGov.com general comment form
- 60 Attendees at the Virtual Info Session
- 70 attendees at the Deliberative Forum
- 175 Attendees at the May 8, 2023, event
- Over 100 attendees at the 14 completed Walking Tours, including a general tour for those who were not able to attend one in their neighborhood.

#### *Engagement Techniques*

To provide as many ways to engage as possible, the staff team utilized multiple engagement techniques throughout the project timeline, which are summarized below:

*Webpage and OurCity Platform:* A project-specific webpage through the City’s main “fcgov.com” website hosts project information and history, RSVP sign-up opportunities for events, documents and summaries of community feedback, comments received through comment cards, and an opportunity to sign up for the project newsletter. The OurCity platform offers additional online engagement opportunities.

*Walking Tours:* Tours were held in 14 different locations across the community, organized and run by City staff from several departments, including Planning, Neighborhood Services, Historic Preservation, and City Manager’s Office. Each tour averaged about 12 attendees, not inclusive of City staff. After each tour, participants were asked to fill out a survey to rate their experience and

offer specific feedback regarding the Code, including specific suggestions for changes to address concerns.

*Deliberative Forum:* About 70 community members gathered for a facilitated discussion focused on the Land Use Code. Participants discussed concerns and interests related to the impact on their neighborhoods and the broader Fort Collins community.

*Open House Event:* Nearly 180 community members gathered at the Lincoln Center to learn more about land use issues in Fort Collins and offer their feedback. This event included topic-specific stations for participants to visit, pose questions, share concerns, and explore how the Code is applied to different situations across the community.

*Engagement with Boards and Commissions:* Throughout the process, Boards & Commissions members have received updates through direct presentations, including a discussion at a Super Issues meeting in May 2023, various board-specific presentations by staff, and links to materials shared with Council.

### *Engagement Summary*

Note: the “final” version of the Engagement Summary will be provided as a separate attachment as the most recent community feedback is being incorporated into the final report. The previous report is attached for review.

The attached engagement summary report assembled by Dr. Martin Carcasson organizes feedback received from community members throughout “phase 2” of engagement for the Land Use Code project (between February 2023 through May 2023). This summary is meant to be an interim draft as engagement has continued through June and is ongoing. Therefore, a final engagement summary will be presented later in the summer to include feedback gathered at all stages of the engagement process between February and May of this year.

While much of the engagement feedback has continued to fall within the six topic areas explored within previous Work Session presentations (explained below), Dr. Carcasson has taken a deep dive into several of these topic areas to better understand the nuance of community feedback. Dr. Carcasson analyzed feedback from the events outlined above, in addition to information gathered from two other sources. These include comments shared by community groups that have been engaged in the project, and discussions from the Coloradoan specifically related to this project (Fort Collins local newspaper).

Some of the key themes and feedback listed below are concerns that are not addressed solely through the Land Use Code, though they are topics that surfaced through engagement feedback. Those topics include U+2, supply and demand issues, growth, and water and additional infrastructure. For more information on the analysis, please see the methodology section within the attached report.

The attached summary focuses on the most referenced 12 Key Themes:

1. Accessory Dwelling Units (ADUs)
2. Transit and Transit Oriented Development
3. Parking
4. Protecting the Character of Neighborhoods
5. Homeowners Associations (HOAs)
6. U+2
7. Compliments About the Walking Tours and Open House
8. Supply and Demand Issues
9. Review Process for Developments

10. Multiplexes
11. Growth
12. Water and Additional Infrastructure

## **ATTACHMENTS**

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1. Ordinance A for Consideration - Adopt the Revised Land Use Code
2. Exhibit A to Ordinance A
3. Exhibit B to Ordinance A
4. Exhibit C to Ordinance A
5. Exhibit D to Ordinance A
6. Exhibit E to Ordinance A
7. Exhibit F to Ordinance A
8. Exhibit G to Ordinance A
9. Ordinance B for Consideration - Making Conforming Changes to Land Use Code References Contained in City Code
10. Ordinance C for Consideration - Renaming the Neighborhood Conservation Low Density, Neighborhood Conservation Medium Density, and Neighborhood Conservation Buffer Zone Districts to the Old Town Zone District
11. Exhibit A to Ordinance C
12. Exhibit B to Ordinance C
13. Review of Alternatives Included in the Draft Code
14. Affordable Housing Board Recommendation
15. Public Engagement Summary (Draft; final forthcoming.)
16. Zone District Abbreviations and Purposes
17. Presentation