



Community Development &  
Neighborhood Services  
281 North College Avenue  
P.O. Box 580  
Fort Collins, CO 80522.0580  
970.221.6376  
970.224.6111- fax

## WORK SESSION MEMORANDUM

Date: April 29, 2025  
To: Mayor and City Councilmembers  
Through: Kelly DiMartino, City Manager <sup>ds</sup> *kd*  
Caryn Champine, Director of Planning, Development, and Transportation <sup>Initial</sup> *CC*  
From: Sylvia Tatman-Burruss, Sr. Policy & Project Manager <sup>ds</sup> *ST*  
Megan Keith, Senior Planner <sup>Initial</sup> *MK*  
Subject: April 22, 2025, Work Session Summary: Land Use Code Update: Commercial Corridors and Centers

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### BOTTOM LINE

The purpose of this memo is to document the summary of discussions during the April 22<sup>nd</sup> Work Session.

All Councilmembers were present. Staff received questions and feedback regarding potential Land Use Code revisions. The staff presentation was provided by Clay Frickey, Sylvia Tatman-Burruss, and Megan Keith.

### DISCUSSION SUMMARY

The presentation included a review of the project timeline and public engagement conducted so far, including the recent focus groups and April Open House events. The remainder of the presentation was organized into four sections based on the project Guiding Principles. After each section, staff paused for clarification and discussion.

In order to maintain that structure, this summary is also organized by Guiding Principles in the order they were presented.

#### **Enable more housing and mixed-use buildings, especially along roads with frequent bus service**

Councilmembers asked about the Transit-Oriented Development (TOD) Overlay and how it was related to the requirements of House Bill 1313, which establishes Transit Areas along transit corridors.

The TOD Overlay currently in place within the Land Use Code was established to encourage densities and design that enhance and support transit stations along the Mason Corridor above and beyond the underlying zone districts. In addition to the encouragement of greater density around transit stations, the TOD includes design standards for walkability and transitions to

CC: Tyler Marr, Deputy City Manager  
Noah Beals, Development Review Manager  
Clay Frickey, Planning Manager

surrounding neighborhoods. This is different from the legislation aimed at only encouraging higher housing density and does not include design standards.

House Bill 1313 (HB 1313) establishes a formula to calculate a jurisdiction's Housing Opportunity Goal (HOG) based on the acreage of Transit Areas. The zoning capacity of these Transit Areas must equal or exceed the HOG. The HOG is a target for zoning capacity and not built housing units. HB 1313 allows flexibility for how jurisdictions concentrate the required zoning capacity to meet the HOG. Staff are still conducting the analysis related to HB 1313 and determining whether any changes will be required in the City of Fort Collins to comply. If adjustments are needed, staff will inform Council of those changes.

At various points during the work session, Councilmembers asked about subarea planning. The first instance was during this topic and Guiding Principle related to the TOD overlay. Planning staff provided a memo on March 6<sup>th</sup>, 2025 titled: The Role of Subarea Plans. This memo elaborated on the purpose of subarea plans, how they interact with the Land Use Code and City Plan, as well as what occurs in the event of conflict between these documents. This memo is provided as an attachment.

Related to this topic, Councilmembers also discussed commercial uses within residential areas and asked about whether this Land Use Code update would address that. This Land Use Code update is focused only on commercial and employment zone districts and adjustments to residential zone districts are not included at this time. The Land Use Code does already have a Neighborhood Commercial (NC) zone district that is intended to be a mixed-use commercial core, usually anchored by a grocery store. Neighborhood Commercial districts are typically surrounded by residential zone districts and are intended to serve the surrounding neighborhoods. Most of the locations visited during the neighborhood visits last fall had NC zoning. Councilmembers also asked about small-scale commercial enterprises within neighborhoods. There is currently a Home Occupation license and a variance process to allow small business owners to request review of their business operations based on a number of factors in an effort to evaluate compatibility in residential neighborhoods.

Councilmembers also discussed the existing auto-centric land uses that are currently allowed within the TOD Overlay and asked about other communities that have limited these uses. Currently, drive-thru restaurants are only allowed within the General Commercial (GC) zone district and have therefore been concentrated along the College Avenue corridor. The Colorado communities of Lakewood, Denver, and Louisville have recently made changes relating to auto-centric uses in their cities. As LUC updates advance, City staff will take into consideration how other municipalities have addressed these uses within their codes.

### **Create resilient commercial and employment centers that are adaptable to future needs**

Following the presentation of information on this section, Councilmembers asked about how much vacant or buildable land remained within the Harmony Corridor and Employment zone districts, particularly since it was stated that much of these areas are fully developed. According

to staff, there are approximately 197 acres of vacant or buildable land remaining within Harmony Corridor (HC) zone district and 284.5 acres within the Employment (E) zone district. As stated, this includes land that is vacant, or not yet developed. This number does not include other parcels that may someday redevelop. It is also worth noting that these acreage totals are just for areas within the city limits of Fort Collins. There are additional portions of the East Mulberry Enclave that could receive a designation of Employment zoning upon a future annexation. Portions of those areas are also not yet developed and would be subject to the Land Use Code upon future annexation and development.

A balanced mix of employment and residential development is aligned with strategies outlined in City Plan. Interest in maintaining some areas as an employment base while adding flexibility to the Primary/Secondary Use ratios was expressed in focus group conversations.

Councilmembers were generally in support of the recommended Land Use Code changes as presented.

#### **Create clearer building and site design standards that promote transit use, walking, and rolling along roads with frequent bus service**

Councilmembers were generally in support of moving toward form-based code standards similar to those developed for residential buildings.

#### **Improve predictability of the Land Use Code, especially to support small business owners**

Councilmembers were generally in support of the direction as presented for the Change of Use Process.

Related to this topic, Councilmembers also discussed other aspects of the development review process that are outside of the Land Use Code and asked about what other work is being done. A memorandum outlining process improvement in the development review process is expected to be available for Councilmembers by next week at the latest.

#### **NEXT STEPS**

- Additional community engagement and outreach will occur, including a second round of focus group conversations. Website updates and other opportunities to provide feedback will be communicated through the project website, project newsletter, and other available channels.
- Staff anticipate that sections of the draft Land Use Code will be released for review in June.
- Following the release of the draft Land Use Code, staff plan to return for a work session in July.

### **FOLLOW-UP ITEMS**

Staff will prepare an analysis of how the Land Use Code aligns with applicable subarea plans. This will be included to accompany July Work Session materials.

### **ATTACHMENTS**

- Subarea Plan Memo



**Planning, Development & Transportation**  
 281 N. College Ave  
 PO Box 580  
 Fort Collins, CO 80522  
[www.fcgov.com](http://www.fcgov.com)

## MEMORANDUM

Date: March 6, 2025  
 To: Mayor and City Councilmembers  
 Through: Kelly DiMartino, City Manager KD  
 Caryn Champine, Director, Planning, Development & Transportation CC  
 From: Megan Keith, Senior Planner MK  
 Subject: The Role of Subarea Plans

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### BOTTOM LINE

This memorandum was requested following a meeting about the City's subarea plans with Councilmember Potyondy and Councilmember Francis that took place on December 17<sup>th</sup>, 2024.

Subarea Plans supplement City Plan and provide geographically specific strategies for the neighborhoods within each subarea plan boundary. Per the request at the December 17<sup>th</sup> meeting, this memorandum elaborates on how subarea plans are managed and updated.

As is stated within City Plan, in the event of a conflict between a policy or designation in City Plan and a subarea plan, the subarea plan shall prevail. Conflict between a subarea plan and City Plan is rare, but if conflict does arise, the guidance within the subarea plan supersedes. If there is conflict between a subarea plan and the Land Use Code, the Land Use Code prevails.

### BACKGROUND

A subarea plan provides localized land use, policy, and transportation guidance for a specific neighborhood or area within the City. Subarea plans supplement City Plan but can provide more tailored guidance unique to that geography. Because subarea plans focus on specific boundaries, they can address each area's identity, challenges, and opportunities in more depth than City Plan. The City's subarea plans include goals or strategies, developed through community engagement, aimed at advancing priorities for each geography.

The policy guidance provided in subarea plans is advisory and is used to inform the following types of primary decisions:

- Annexations and Rezoning: When considering an application for a rezoning or in the case of annexation and zoning new parcels into City limits, land use guidance within the applicable subarea plan is consulted to ensure compatibility and inform zoning designations.
- Development Review Process:
  - Informing Character and Design: Subarea plans that have guidance about urban design, or even building design are consulted during development review. For example, the East Mulberry Plan includes multiple goals related to improving the aesthetic appearance of the Mulberry street frontage. This can help inform review of a project along East Mulberry Street and whether enhanced screening of outdoor storage is requested during review of project submittals.
  - Planning staff examine whether new development review applications and submittals are fulfilling the guidance provided with an applicable subarea plan and include this analysis within staff reports. Planning and Zoning Commission as well as City Council review these findings to make recommendations or determinations during hearings.
  - While subarea plans themselves are advisory, subarea plans frequently result in changes to our Land Use Code to codify important elements of subarea plans. Examples include the design standards in Downtown, Old Town, and the High Density Mixed-Use Neighborhood (HMN) zone district.
- During a Change of Use Process: The Planning Director may waive certain eligible development standards if certain criteria are met, including a criteria stating that the conditions of the site satisfy the policies within a Council adopted subarea, corridor, or neighborhood plan. (See Land Use Code Section 6.3.10 Step 10: Amendments and Changes of Use)

### **Existing Subarea Plans**

The City has developed multiple subarea plans, including the following:

- East Mulberry Plan – 2023

- Downtown Plan – 2017
- Old Town Neighborhoods Plan – 2017
- West Central Area Plan – 2015
- Mountain Vista Subarea Plan – 2009
- Northwest Subarea Plan – 2006
- Northside Neighborhoods Plan – 2005

Each subarea plan has a unique boundary with as little overlap with other plan boundaries as possible. This is to help ensure that guidance for each area does not differ between plan documents.

The City also maintains a set of corridor plans, which are somewhat similar to subarea plans but focus more on outlining development strategies for a linear space, like certain segments of a roadway. Examples of the City's corridor plans include the Lincoln Corridor Plan (2014) and the Midtown Plan (2013). A map of the City's subarea and corridor plans is shown in Figure 1.

The City's subarea plans can be viewed on this website: <https://www.fcgov.com/planning/plans>

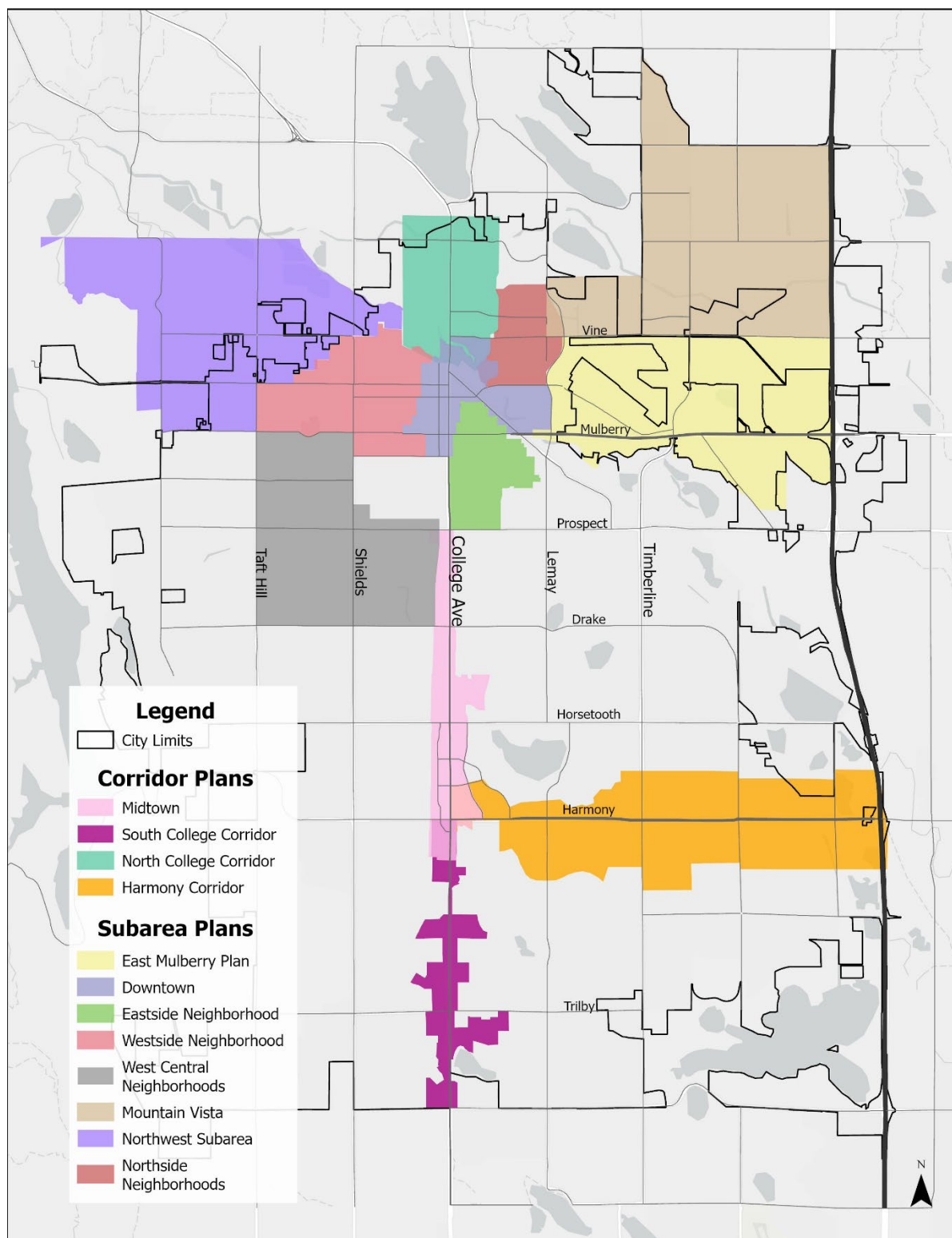


Figure 1: Subarea and Corridor Plans



## **MANAGEMENT OF SUBAREA PLANS**

### **Updating Subarea Plans**

The City does not have a set cadence for updating subarea plans, and determining when an update is needed can depend on a variety of factors. For example, if an area is experiencing rapid or catalytic change, an update to the subarea plan may be warranted to ensure that there is updated policy and land use guidance available. In cases where the area within a subarea plan boundary is stable and not experiencing significant change, an update to the plan may not be necessary. In these cases, the guidance in the current plan is still serving to guide land use and policy direction for the area.

As previously described, subarea plans should supplement City Plan and there should be consistent guidance between all subarea plans and City Plan. When a subarea plan is updated, it is updated to ensure compliance with the most current version of City Plan. This relationship can also happen inversely. For example, through a subarea plan update process, sometimes new analysis or new engagement with the community initiates a change required to City Plan. This relationship was recently demonstrated through the East Mulberry Plan, which was adopted by City Council in December 2023. Following adoption of the plan, staff brought forward amendments to the Structure Plan map in City Plan which would make land use guidance consistent between the East Mulberry Plan and the Structure Plan.

Currently, the City has no established system for sunseting or retiring subarea plans. If the City were to investigate introducing such a system, planning staff would want to note the following considerations:

- Staff would recommend evaluating each subarea plan with a consistent set of metrics and scoring criteria. Scoring criteria would then be used to determine whether a subarea plan could be a candidate for sunseting. This would require staff time to determine appropriate evaluation criteria, scoring criteria, and then to perform an evaluation for all the existing subarea plans.
- If the evaluation determined that a subarea plan could be sunset, additional community engagement would be recommended. Planning staff would want to ensure that the

community members within a subarea plan boundary understand the purpose of sunseting a subarea plan. This engagement with the community would need to justify why a subarea plan was being considered to retire versus receiving an update.

Planning staff would also want to articulate how other policy and land use direction would be applied to their neighborhoods in the future without a subarea plan in place.

### **Subarea Plan Conflicts**

It is stated within City Plan that in the event of a conflict between a policy or designation in City Plan and a subarea plan, the subarea plan shall prevail. Conflict between a subarea plan and City Plan is rare, but if conflict does arise, the guidance within the subarea plan supersedes.

If there is conflict between a subarea plan and the Land Use Code, the Land Use Code prevails.

When Planning staff create or update a subarea plan, there is an intentional effort to ensure that the subarea plan is reflective of City Plan and the Land Use Code and that guidance across documents is not in conflict.

### **Connection to Housing Goals**

Most subarea plans discuss housing in some way and discuss the balancing act between providing additional housing, while being mindful of the character or existing neighborhoods. Auditing and amending all of our adopted subarea plans for consistency with our housing goals would require significant effort and may not change the housing built in our community. Zoning, ultimately, dictates how our community develops. Updating our Land Use Code would have a higher potential for delivering more housing in Fort Collins.

### **NEXT STEPS**




Planning staff will continue to communicate with the community, customers, and City Council to ensure clarity when subarea plan guidance is a consideration in decision making. Staff can provide additional information or expansion on any of the topics included within this memo if desired.

CC: Lori Schwarz, Deputy Director, Planning, Development & Transportation  
Clay Frickey, Planning Manager



City Manager's Office  
300 Laporte Avenue  
PO Box 580, Fort Collins, CO 80522

## WORK SESSION MEMORANDUM

Date: May 1, 2025  
To: Mayor and City Councilmembers  
Through: Kelly DiMartino, City Manager   
From: Rupa Venkatesh, Assistant City Manager   
Kristy Volesky, Assistant Chief of Fort Collins Police Services   
Subject: April 22, 2025 Work Session Summary: Sounds of the City

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### BOTTOM LINE

The purpose of this memo is to document the summary of discussions during the April 22, 2025 Work Session, "Sounds of the City." All Councilmembers were present.

### DISCUSSION SUMMARY

- Discussed types of sound that current regulations are effective in enforcing when they become noise issues to include chronic animal sounds, construction activities, house parties, lawn care activities, etc.
- Discussed regulations that staff are recommending amendments to in order to enforce certain types of sounds more effectively including agricultural operations, fireworks and traffic/vehicle sounds. These recommendations can be brought forward more immediately in Phase 1.
- Discussed types of sounds, including ambient and amplified, that would require more staff research and neighborhood engagement before bringing forward information and recommendations for Council consideration. This is Phase 2.
- Recommended bringing forward Phase 1 amendments to the May 20<sup>th</sup> not May 6<sup>th</sup> Council meeting in order to give more time to realize implications of HB 1147 should it pass.
- For Phase 1, feedback was provided to explore educational opportunities with driver's education programs and ASCSU; and local shops that do modifications.
- For Phase 1, feedback to explore potential vehicle quiet zones to be established downtown.
- For Phase 2, feedback provided to look at the application for block parties, particularly any questions that require people to know decibel levels
- For Phase 2, feedback to research other comparable cities that are similar in size and culture

### NEXT STEPS

- Staff will bring forward amendments to Municipal Code related to agricultural exemptions, unreasonable traffic noise, mufflers, and fireworks for Council consideration on first reading on May 20<sup>th</sup>.

- Staff will conduct general outreach and noise level readings this summer through fall with the intention of providing findings and recommendations to Council during an October 2025 Work Session. Depending on feedback, first reading of proposed Code changes could be considered in November 2025.

## **FOLLOW-UP ITEMS**

In the Agenda Item Summary, it was stated that automated noise level tracking through red-light camera technology is currently prohibited under Colorado state law. This was not accurate as current state law does not prohibit use of this technology; however, state law has not authorized the use of automated devices for traffic violations that carry DMV consequences outside of speeding and redlight violations as outlined in the current AVIS statute and Municipal Code.

The City could draft a Municipal Ordinance to allow the use of noise cameras to detect decibel sound violations since those do not carry state DMV consequences. However, as outlined below staff believe adding a sound detection system is something that should be considered in the future based on some challenges for implementation now.

There have been a couple pilot projects done in Colorado and one in New York using automated noise detection traffic enforcement devices. In Colorado, the City of Longmont conducted two 30-day tests of a noise meter and camera system installed adjacent to a roadway. During those time periods, when the noise meter detected a noise above 85 decibels, the camera took a photo of the vehicle and license plate.

Throughout the testing periods, the city discovered several issues, including:

1. The readability of license plates was not very good. The device could only read about 50% of the vehicles passing through the area and the issue became more problematic at night. Only about 2% of license plates on motorcycles were able to be read.
2. The system showed an inability to distinguish which vehicle was the violator when more than one vehicle was in proximity.

Reportedly, those issues have been resolved, and Longmont is planning on running another test trial.

There are several additional considerations regarding using this type of technology to impact sound:

- The ability of the system to obtain necessary information from the noise meter and camera at this time and whether improvements in technology over time will occur.
- A review of the current allowable decibel levels in Fort Collins and whether adjustments need to be made.
- An understanding of where this technology best fits – police services vs. code compliance.
- An understanding of technology limitations of these systems such as location, speed limits, multi-lane roadways, other ambient noise, etc.
- Cost associated with implementation of a new camera system and vendor.

Based on the current challenges faced by other cities who utilize or have conducted studies of the sound detection systems, staff recommend gathering additional information and research as more reliable technology becomes available in the future.