

Fort Collins City Council Work Session Agenda

6:00 p.m., Tuesday, April 22, 2025
300 Laporte Avenue, Fort Collins, CO 80521

NOTICE:

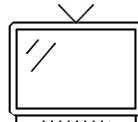
Work Sessions of the City Council are generally held on the 2nd and 4th Tuesdays of each month. Meetings are conducted in a hybrid format, however there is no public participation permitted in a work session.

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

How to view this Meeting:



Meetings are open to the public and can be attended in person by anyone.



Meetings are televised live on Channels 14 & 881 on cable television.



Meetings are livestreamed on the City's website, fcgov.com/fctv.

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48 hours' advance notice when possible.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.



While work sessions do not include public comment, mail comments about any item on the agenda to cityleaders@fcgov.com





City Council Work Session Agenda

April 22, 2025 at 6:00 PM

Jeni Arndt, Mayor
Emily Francis, District 6, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Tricia Canonico, District 3
Melanie Potyondy, District 4
Kelly Ohlson, District 5

Council Information Center (CIC)
300 Laporte Avenue, Fort Collins

Cablecast on FCTV
Channel 14 on Connexion
Channel 14 and 881 on Comcast

Carrie Daggett
City Attorney

Kelly DiMartino
City Manager

Delynn Coldiron
City Clerk

CITY COUNCIL WORK SESSION 6:00 PM

A) CALL MEETING TO ORDER

B) ITEMS FOR DISCUSSION

1. Staff Report: School Traffic Safety Inspection Program

The purpose of this item is to provide a staff report for the School Traffic Safety Inspection Program.

2. 2024 Poudre Fire Authority Annual Report

The purpose of this item is to review the 2024 Poudre Fire Authority (PFA) Annual Report and discuss the overall performance in fulfilling its responsibilities under the Second Amended and Restated Intergovernmental Agreement between its parent organizations, the Council and the Poudre Valley Fire Protection (District) Board.

3. Land Use Code Update: Commercial Corridors and Centers

The purpose of this item is to update Council on the proposed code changes, approach, and timeline for the Land Use Code (LUC) update.

4. Sounds of the City

The purpose of this item is to discuss different sounds in the city, its effect on the community from a diverse perspective, current compliance practices and areas of opportunity. A phased approach is proposed, prioritizing the immediate review of traffic, fireworks, and agricultural exemptions, followed by ongoing research and neighborhood engagement regarding amplified noise.

C) ANNOUNCEMENTS

D) ADJOURNMENT

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A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione aviso previo. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.

File Attachments for Item:

1. Staff Report: School Traffic Safety Inspection Program

The purpose of this item is to provide a staff report for the School Traffic Safety Inspection Program.

April 22, 2025

WORK SESSION AGENDA ITEM SUMMARY

City Council



STAFF

Nell Davis, Traffic Operations, Technical Projects Manager

SUBJECT FOR DISCUSSION

Staff Report: School Traffic Safety Inspection Program

EXECUTIVE SUMMARY

The purpose of this item is to provide a staff report for the School Traffic Safety Inspection Program.

ATTACHMENTS

1. Presentation

Item 1.



Page 5

School Traffic Safety Inspection Program

Nell Davis

Traffic Operations – Technical
Projects Manager

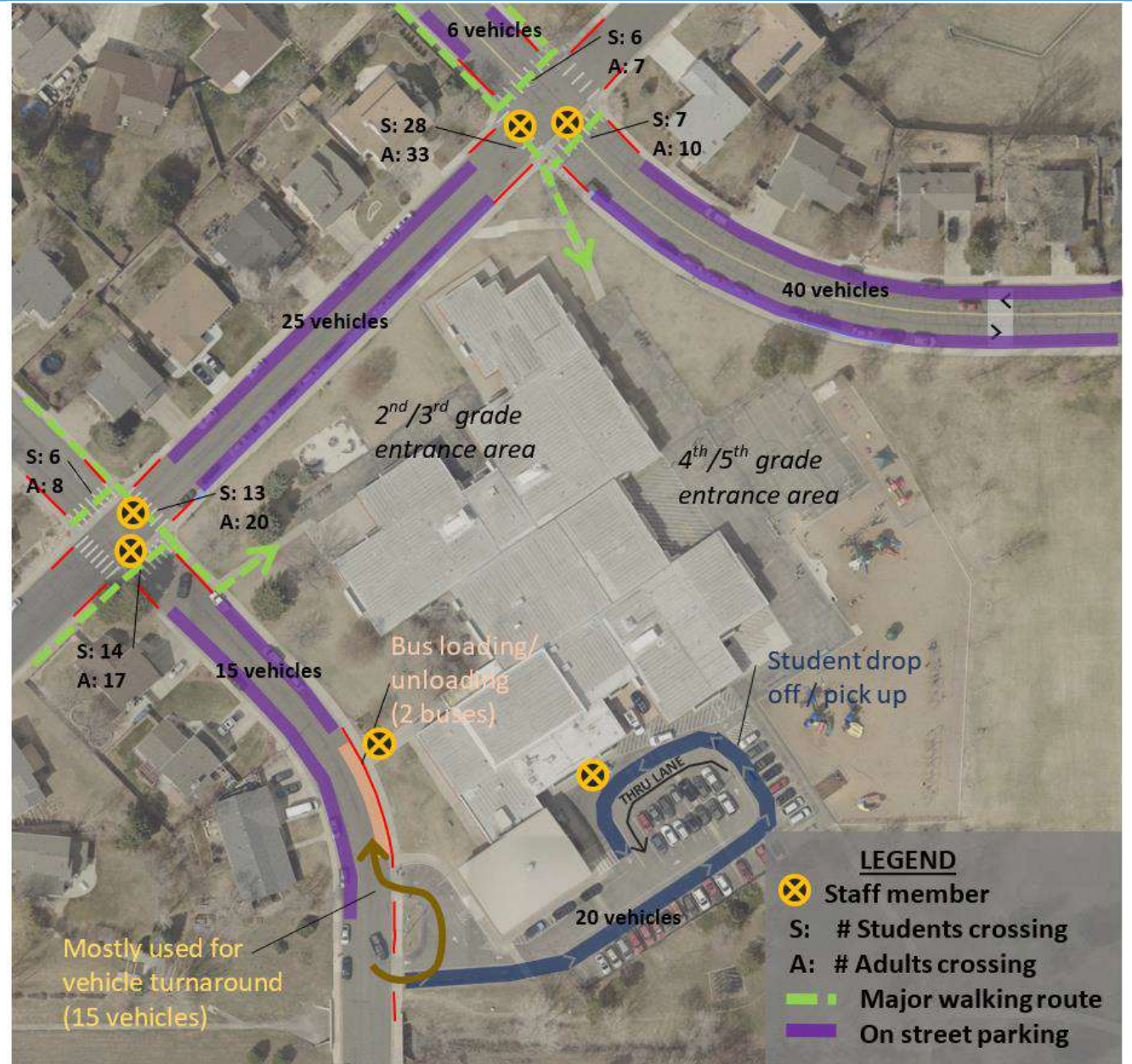


- Changes in population and traffic patterns since schools were built
- Safety improvements applied inconsistently citywide
 - Complaints were the main driver of safety improvements
- Consultant engaged to establish School Traffic Safety Inspection Program
 - Develop process
 - Toolkit of school safety practices and improvements



- Systematic inspection
- Investigate all aspects of transportation around schools
- All modes of travel—personal vehicle, bus, bike, foot
- Behaviors of staff, parents, and students
- Create a whole-picture report of strengths and weaknesses
- Recommend improvements
 - Education
 - Enforcement
 - Infrastructure
 - Maintenance
 - Operations best practices

- Two to six schools per school year
- Meet with district and school staff
- Observe pickup/drop-off traffic
- Conduct traffic studies of corridors, intersections
- Inventory existing signs and pavement markings



Item 1.



Study Process: Recommendations

Education

- Instructions for parents
- Training for staff
- Safety lessons for students

Enforcement

Maintenance

- Refresh pavement markings
- Replace signs

Infrastructure

- Sidewalks
- Bike lanes
- Crosswalks
- Signals

Operations

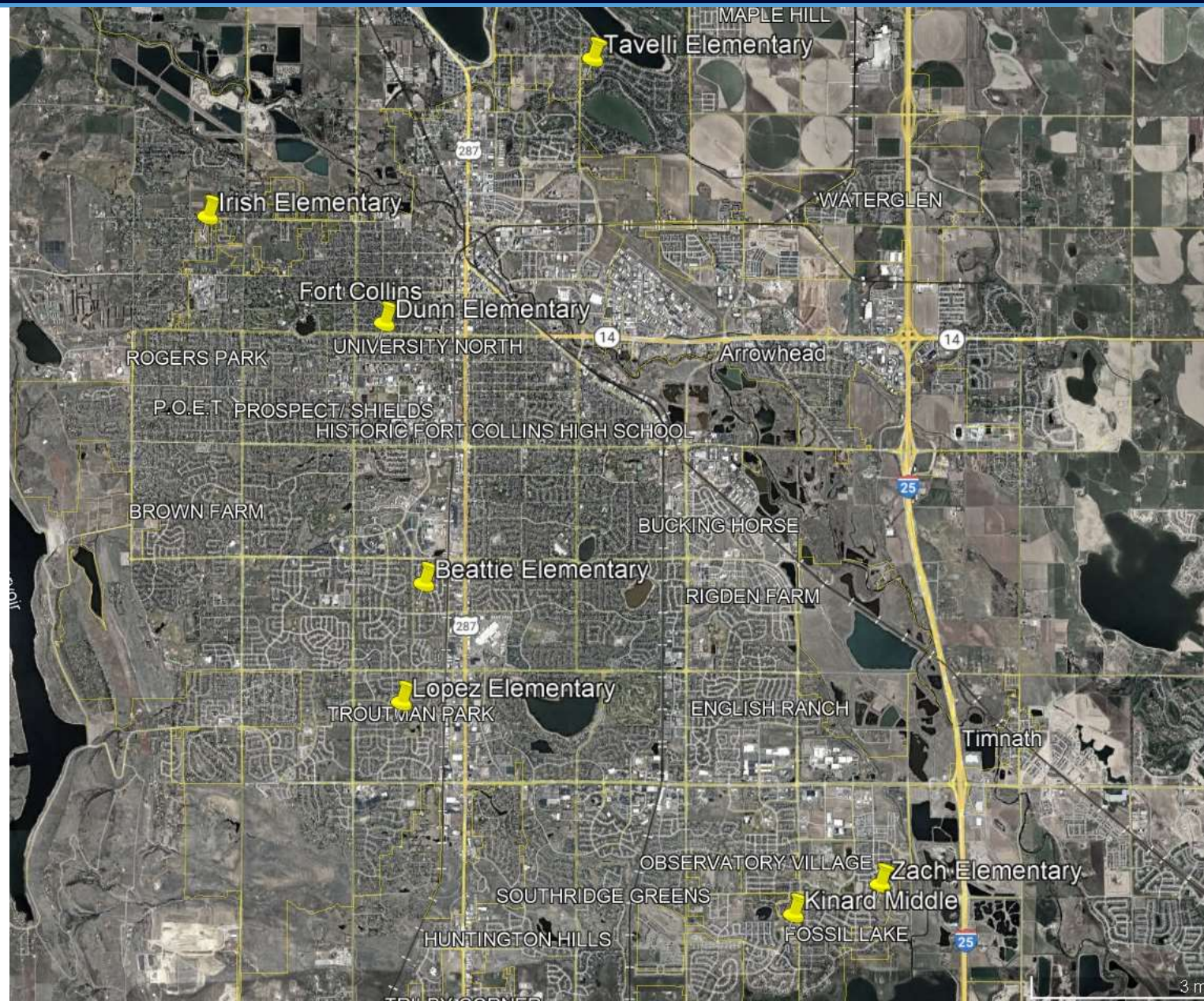
- Separate travel modes
- Appoint crossing guards

- Maintenance and minor improvements over summer break
- Coordinate education, enforcement, and operation changes with school staff and police
- Seek grants or other opportunities for large projects
- Not all schools need big projects



Item 1. Completed studies

- Zach Elementary School (2022)
- Lopez Elementary School (2022)
- Irish Elementary Escuela Bilingüe (2024)
- Dunn Elementary School (2024)
- Tavelli Elementary School (2024)
- Beattie Elementary School (2024)
- Kinard Middle School (2024)



- Minor recommendations addressed immediately
- Grant applications
- Training program for kindergarten teachers to teach pedestrian safety



- Convert Jupiter & Kechter to a fully signalized intersection
- Install median refuge and RRFB at Cinquefoil & Kechter
- Construction summer 2025
- Received grant for \$750,000

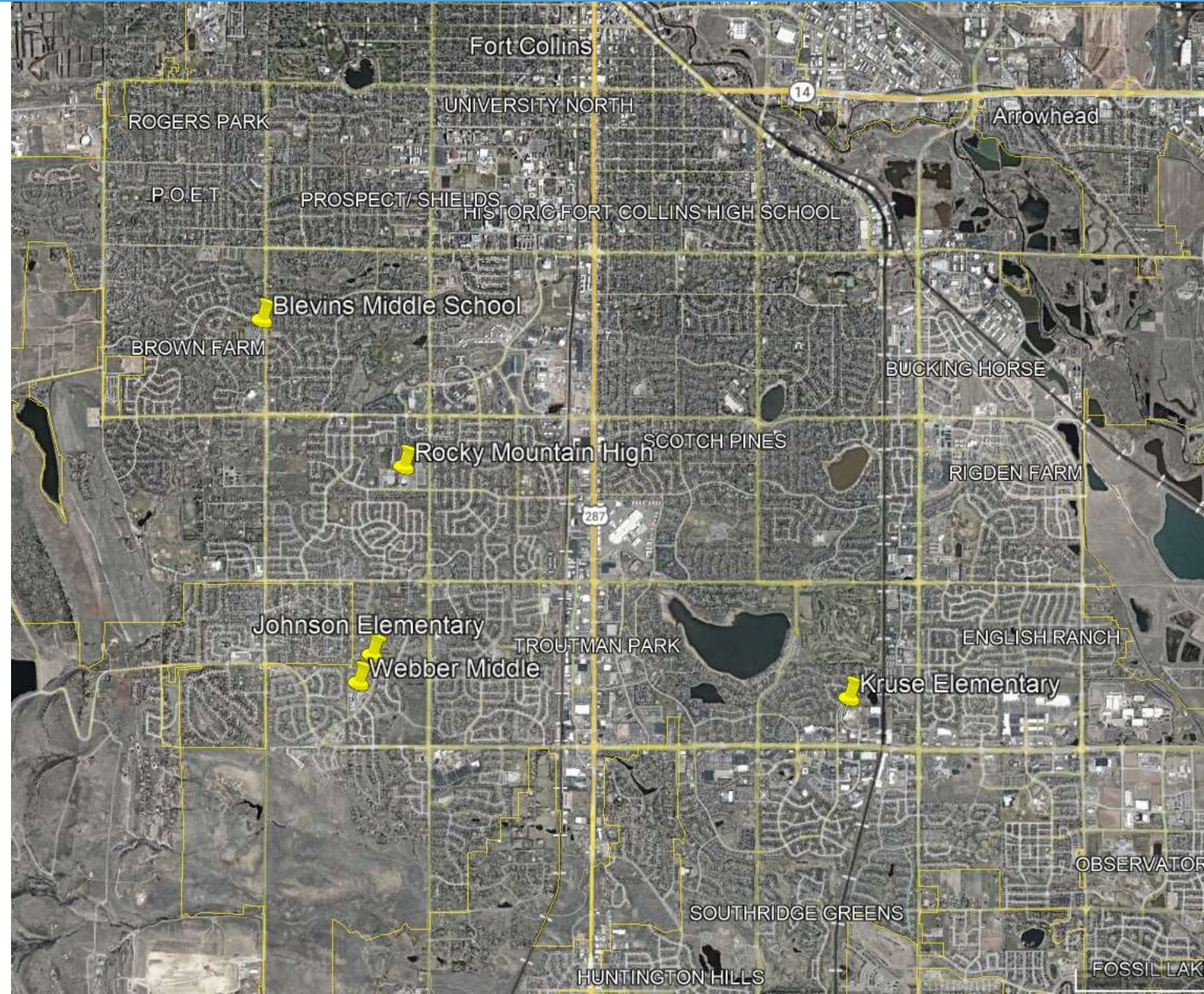


Item 1. Results: Lopez Elementary

- Existing staff at nearby intersections highly effective
- Installed speed humps on Manhattan Ave
- Installed curb extensions at Wabash & Benthaven
- Created education program for kindergarteners

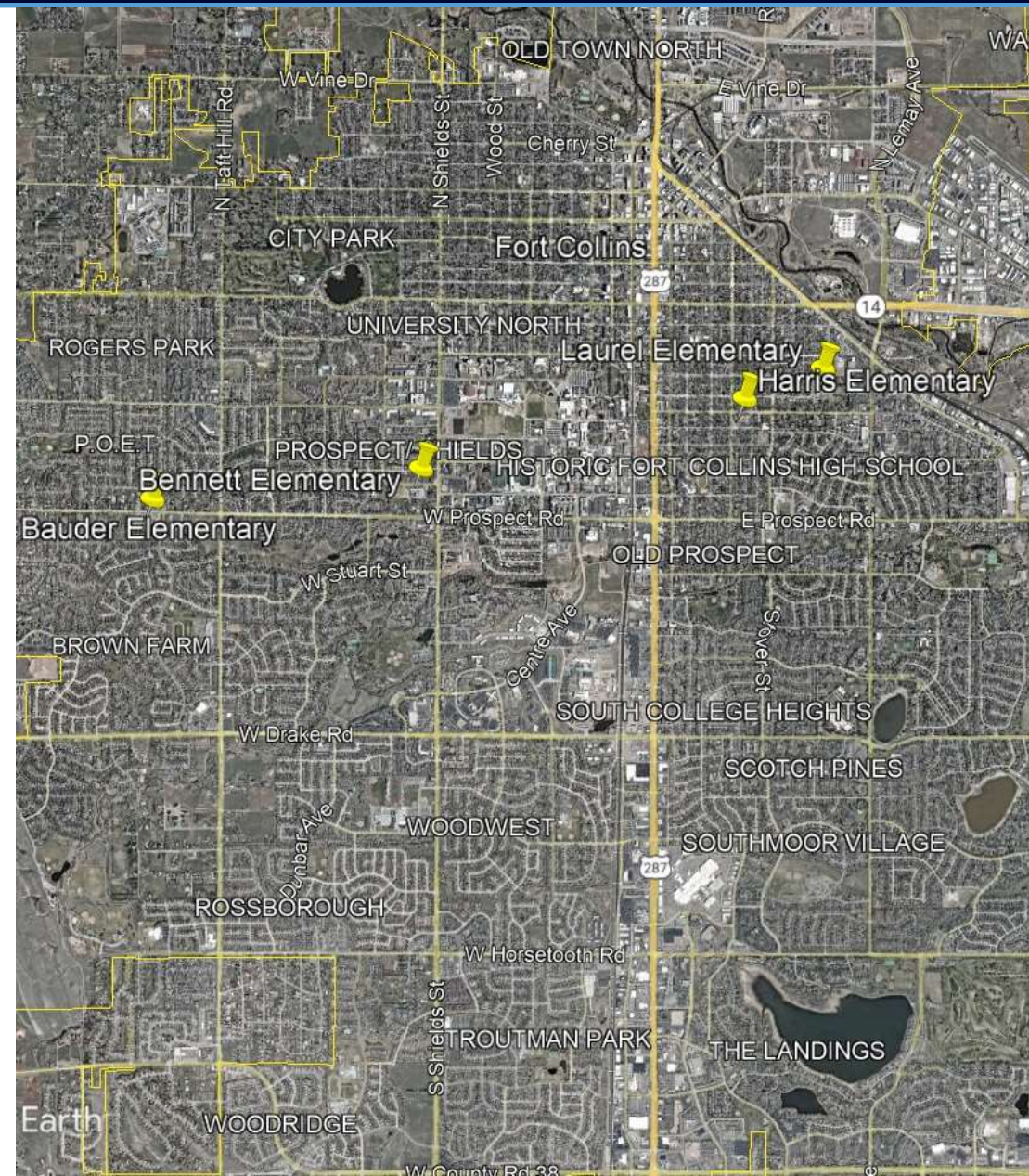


- Blevins Middle School
- Kruse Elementary School
- Johnson Elementary School
- Webber Middle School
- Rocky Mountain High School

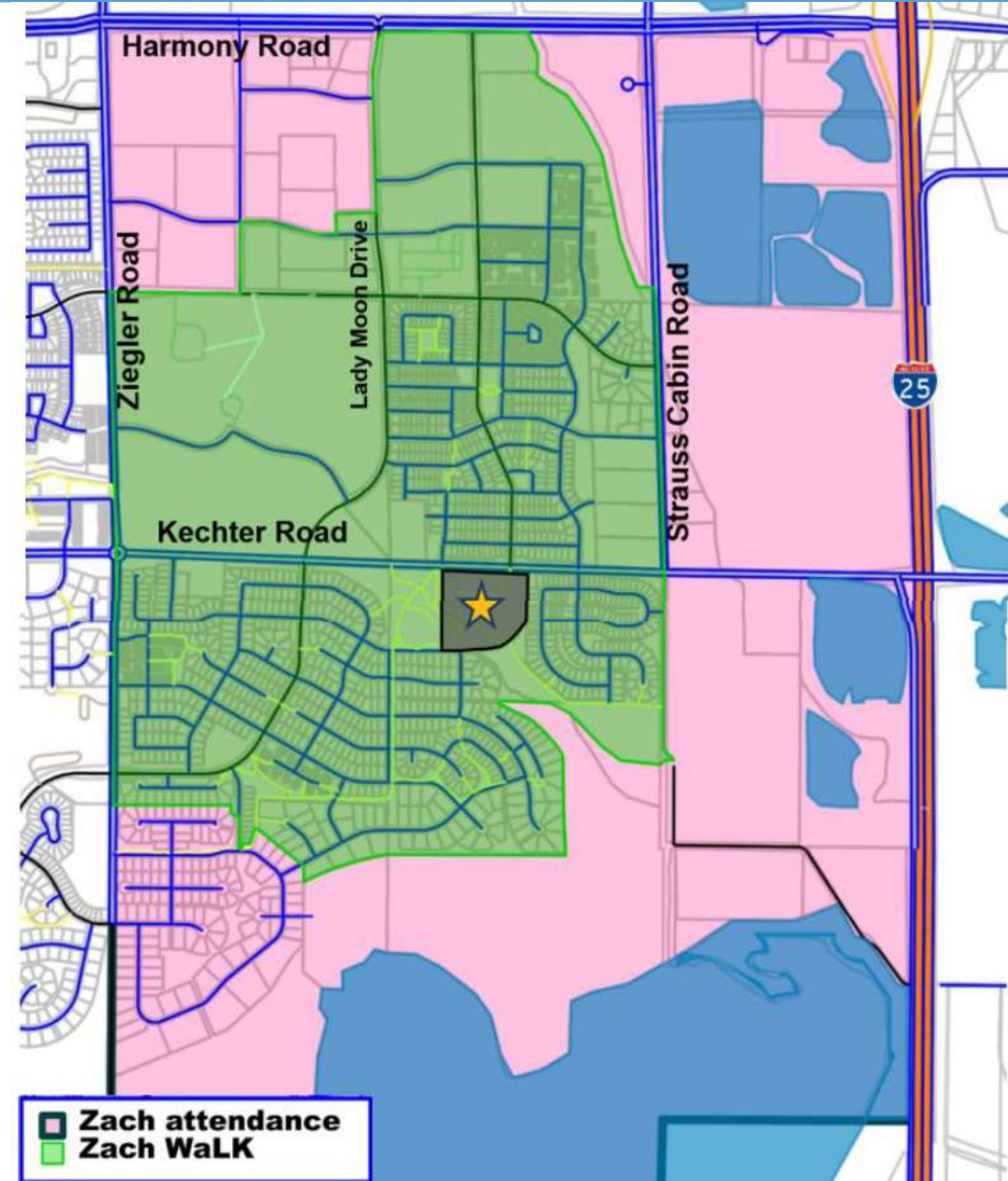


Item 1. Tentative list for 25-26 school year

- Bauder Elementary
- Laurel Elementary
- Bennett Elementary
- Harris Elementary



- School prioritization criteria
 - K-5 students
 - High number of marginalized and low-income students
 - Adjacent to high-speed roads
 - Public interest
 - School or District interest
 - Upcoming projects in the area
- Estimated completion: 2034
- After all schools inspected, start over





Thank you!

Neil Davis
ndavis@fcgov.com

- Completed
 - Lopez, Zach, Dunn, Irish, Beattie, Tavelli, Kinard
- In progress
 - Johnson, Kruse, Rocky Mountain, Blevins, Webber
- 2025
 - Bauder, Harris, Laurel, Bennett
- 2026 – 2029
 - Axis International Academy, Bacon, CEC, Coyote Ridge, Fort Collins, Lesher, Linton, Montessori, Odea, Olander, PSD Global Academy, Polaris, Putnam, Ridgeview, Riffenburgh, Rivendell
- 2030-3034
 - Academy of Arts & Knowledge, Boltz, Centennial, Christian Core Academy, Cottonwood Plains, Fort Collins Christian School, Fossil Ridge, Front Range Baptist Academy, Grace Academy, Heritage Christian Academy, Liberty Commons, Lincoln, McGraw, Mountain Sage, Poudre, Poudre Community Academy Preston, Shepardson, St Joes, Traut, Werner

- Applied for \$835K grant
- Add pedestrian connections between trail and school
- Add crossing improvements on Vine Dr., Irish Dr.



File Attachments for Item:

2. 2024 Poudre Fire Authority Annual Report

The purpose of this item is to review the 2024 Poudre Fire Authority (PFA) Annual Report and discuss the overall performance in fulfilling its responsibilities under the Second Amended and Restated Intergovernmental Agreement between its parent organizations, the Council and the Poudre Valley Fire Protection (District) Board.

April 22, 2025

WORK SESSION AGENDA ITEM SUMMARY

City Council



STAFF

Derek Bergsten, Fire Chief, Poudre Fire Authority

SUBJECT FOR DISCUSSION

2024 Poudre Fire Authority Annual Report

EXECUTIVE SUMMARY

The purpose of this item is to review the 2024 Poudre Fire Authority (PFA) Annual Report and discuss the overall performance in fulfilling its responsibilities under the Second Amended and Restated Intergovernmental Agreement between its parent organizations, the Council and the Poudre Valley Fire Protection (District) Board.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What questions do Councilmembers and District Board members have about the Poudre Fire Authority 2024 Annual Report?
2. What concerns or curiosities do Council Members and District Board members have about the existing Intergovernmental Agreement (IGA)?

BACKGROUND / DISCUSSION

Chief Bergsten will provide information around the governance of the PFA to both Council and District Board members, including PFA's 2024 Annual Report. Council and the District Board will have the opportunity to review the ongoing relationship between the two entities and discuss any possible issues of concern.

In 1981, the District and the City entered into an Intergovernmental Agreement (IGA) providing for an independent governmental entity known as the PFA, for the purpose of providing fire protection services within the District and the City. Since 1981, the District and the City have revised the IGA three times. In 1983 to outline a funding formula, in 1987 to include the funding formula language in the IGA, and in 2014 to include Exhibit A (funding formula) and Exhibit B (Support Services Provided by the City).

The District Board and the Council have agreed, since 1981, that the benefits of establishing the PFA have been, and continue to be, successful. Efficiencies include improved fire protection, training, communications, fire suppression, vehicle maintenance, investigation and inspection programs, comprehensive station locations to handle fire problems spanning political jurisdictions, effective response to large crisis situations, and efficient use of taxpayer funding. Therefore, in 2024 the District Board and Council recognized the need to review the IGA. Staff from both entities worked cooperatively to identify

and address issues of mutual interest, including modifying the revenue allocation formula to help ensure a predictable revenue stream for the PFA by sharing in the City's revenue growth/risk, and to clarify language regarding annexations from the District to the City to ensure maintained service levels. Administrators to the IGA were added to implement and manage the IGA, and a review period of eight years for the District Board and Council was added. The Second Amended and Restated IGA was approved by Council and District Board members effective January 1, 2025.

Article II (2.2)(N) of the Second Amended and Restated IGA states in part, "To provide an Annual Report in the second quarter of each year regarding the activities and accomplishments of the Authority, and to present such report to the City Council and District Board at a joint meeting for the purpose of reviewing annual performance measurements and metrics, goals, actual spending to budget, benefits to the community related to strategic outcome goals, operational efficiency, productivity improvement, and issues of concern to the Authority, the District, and the City."

ATTACHMENTS

1. Poudre Fire Authority 2024 Annual Report
2. Second Amended and Restated IGA – in part
3. Presentation

POUDRE FIRE AUTHORITY

ANNUAL REPORT 2024





Message From Leadership

In 2024, Training became an official division of Poudre Fire Authority (PFA). I was fortunate to be selected as Division Chief and help launch this next chapter.

My journey with PFA started in 2001 as a Colorado State University intern and volunteer firefighter. Both positions allowed me to learn about the organization, and I soon realized there was no place I would rather be. I was lucky enough to become a full-time PFA family member in 2005.

I would not be where I am today without support from family, friends, colleagues, and mentors, all of whom helped prepare me for this role. Just as I have had significant support along my journey, I look forward to fostering the abilities of PFA personnel and our partners.

Throughout the years, PFA training staff and instructors have created a culture of learning and continuous improvement dedicated to investing in people. As the Training Division, we are responsible for continuing that culture and carrying it forward for current and future members. It's rewarding to be a part of someone's journey as they progress through the years and become part of the next generation of leaders.

Ultimately, the goal of the Training Division is to ensure that you, our community, has well-trained first responders that you can rely on 24/7/365.

Tyson Barela | Training Division Chief

Training Division Responsibilities

The division supports all levels of PFA from fire academy recruits to experienced personnel. In addition, Training oversees volunteer and seasonal firefighters and several programs and committees including fire suppression, hiring, promotions, recruitment, policies and procedures.

The division's mission is "Forging excellence in emergency services through training, education, certification, and credentialing." This mission is fulfilled by supporting:

- **Employee Training**
- **Professional Development**
- **Education**
- **Tuition Reimbursement**
- **New Program Development**
- **Certification and Credentialing**
- **Basic Skills Needed by Personnel**



44,300 HOURS OF TRAINING



50 PROMOTIONS

DEPLOYMENT & REGIONAL SUPPORT



16 High school students experienced a weekend in the fire service and learned CPR during Fire Camp at the Training Center.



15 Elected officials and community leaders participated in Fire Ops 101, hosted in partnership with the Local 1945, to learn about the many skills and resources needed in the fire service.



8 FEDERAL WILDLAND DEPLOYMENTS



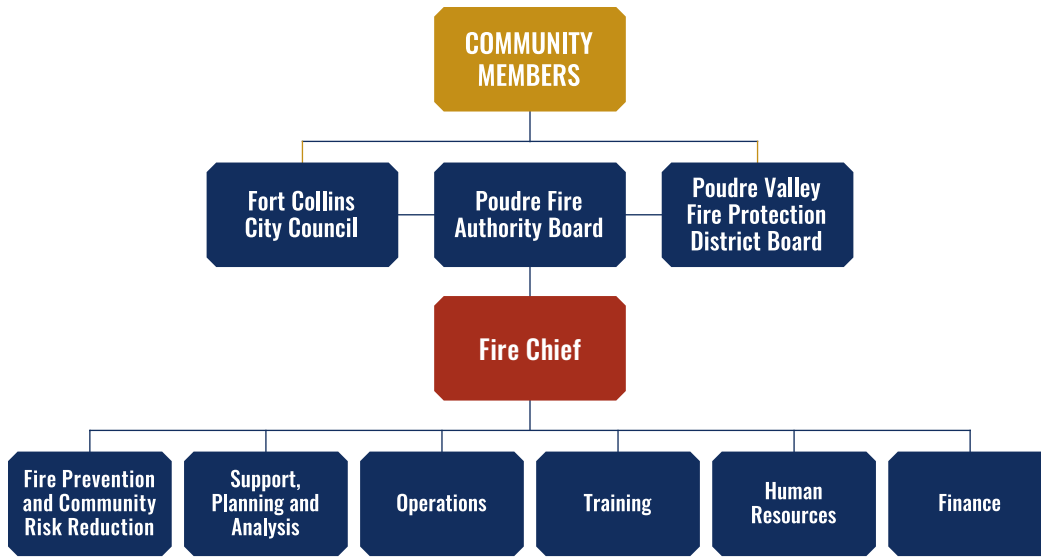
3 URBAN SEARCH & RESCUE (USAR) DEPLOYMENTS

Who We Are

PFA is a partnership of the City of Fort Collins and Poudre Valley Fire Protection District, proudly serving Fort Collins, Timnath, Laporte, Bellvue, Horsetooth, Redstone Canyon, and areas of unincorporated Larimer and Weld counties. Composed of highly trained personnel, PFA is committed to providing exceptional emergency services to save lives and protect property in our jurisdiction.

PFA is accredited through the Center for Public Safety Excellence and is committed to public safety through fire suppression and mitigation, hazardous material control, and emergency medical services. Moreover, PFA is an agency that embodies the idea of service above self through public education, appropriate response, and fostering the idea of community.

OUR RANK STRUCTURE



PFA PERSONNEL



248 FULL-TIME POSITIONS



207 UNIFORMED POSITIONS



41 CIVILIAN POSITIONS



36 VOLUNTEER POSITIONS

In The Community

9/11 MEMORIAL AT SPRING PARK

After years of collaboration, community-wide fundraising, and six months of construction, the 9/11 Memorial at Spring Park, behind Fire Station 3, opened on July 1. The site prominently features a 3,059 pound steel I-beam which was gifted to PFA in recognition of its response to the attacks. The beam was pulled from the World Trade Center wreckage and found its permanent resting place at the memorial.

The steel is surrounded by paving stones which represent the 343 firefighters who perished during the attacks, turf steps providing a place for reflection, and a larch tree. This tree was planted at the request of a firefighter, before the site was chosen for the memorial, and is a rare deciduous conifer that loses its needles in autumn and regrows them in spring - serving as a symbol of new life and resilience to any crisis or disaster.



See a photo album of the event here.



MISSOURI VALLEY DIVISION OF FIRE CHIEFS CONFERENCE

PFA hosted the 35th Missouri Valley Division (MVD) Fire Chiefs Conference in June. The event welcomed 150 attendees and 40 vendors to the Fort Collins Marriott, which included opportunities for fire officer training as well. Fire service leaders and fire officer trainees joined from throughout the eight states in the MVD - Colorado, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota, and Wyoming.



See a photo album of the event here.

COMMUNITY IMPACT



57.8 MILLION SQ FT MADE SAFER THROUGH FIRE INSPECTIONS



9,149 PEOPLE CONNECTED WITH AT COMMUNITY EVENTS



4,707 FIRE SUPPRESSION SYSTEMS INSPECTED



381 VISITORS TO FIRE STATIONS



5,565 PEOPLE ATTENDED A RISK REDUCTION COURSE

FIRST ANNUAL EMS SURVIVOR CELEBRATION EVENT

PFA and UHealth partnered to hold the first annual EMS Survivors Celebration. Eight stories of people who survived medical emergencies were shared. From a young boy who fell from a second story window to a seasoned mountain biker who suffered a major cardiac event on the trail, their lives were saved thanks to the brave actions of community members who stepped up and the first responders (both on and off-duty) trained and ready to provide care.

First responders rarely learn the outcomes of those they help. This event connected survivors with the dispatchers, ambulance teams, and fire service crews responsible for their initial medical care. It was a special opportunity for all involved. The second annual EMS Survivor Celebration will be held on May 14, 2025.



See a photo album of the event here.



18 OUT-OF-HOSPITAL CARDIAC ARREST SURVIVORS



CHP team's success stories include:

- Transitioning an elderly female with cerebral palsy, who was living in her car and refusing help, to an assisted living facility placement where she can receive specialized care.
- Working with an elderly male Vietnam veteran who refused medical care and getting him to accept home health care services and meals.
- Implementing a sustainable life for an elderly couple who was facing repeat falls, a cluttered home, and food scarcity.

CHP 2024 DATA POINTS



311 CLOSED CASES



17 OPEN CASES



Read an article about CHP Program Manager Beth McGhee here.

COMMUNITY HEALTH PROGRAM

The Community Health Program (CHP) was implemented in early 2024. PFA saw the need for a program that would focus on preventative care, in tandem with prioritized critical and/or crisis care. The program meets people where they are, to help outside of a crisis, allowing for individuals to better articulate and address their needs.

The CHP team consists of two EMTs, a behavioral/mental health clinician, and program manager. They focus on high utilizers of the 911 system as well as referrals from online crews. The CHP meets with clients to assess their individual situations, triage care, coordinate resources, and continue with them for a short period of time to ensure the client's goals are met. The team works to improve the client's quality of life through health education, proper medication, mental and behavior health assistance, food, shelter, and a host of other needs. They work diligently with community partners to allow for the most effective resourcing possible.

These relationships have created cross-referring, allowing the program to compliment rather than replace other programs, like those through Fort Collins Police Services, Outreach Fort Collins, and UHealth.

2024 Budget & Funding Outcomes*

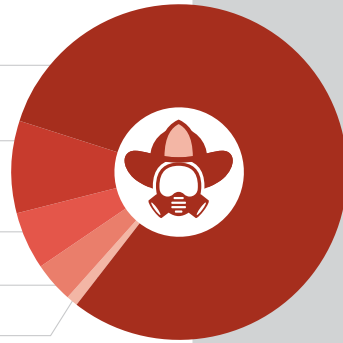
TOTAL REVENUES \$53,026,801

Intergovernmental	\$51,291,396
Fees and Charges for Services	\$1,124,397
Miscellaneous Revenue	\$397,008
Earnings on Investments	\$204,000
Licenses and Permits	\$10,000



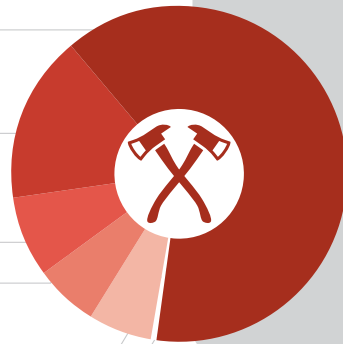
GENERAL FUND EXPENDITURE – TYPE \$48,613,295

Salaries & Benefits	\$39,210,713
Other Purchased Services	\$4,364,782
Materials, Supplies, & Equipment	\$2,644,176
Capital Outlay	\$1,953,567
Miscellaneous Other	\$440,057



GENERAL FUND EXPENDITURE – DIVISION \$ 48,613,295

Operations	\$30,831,984
Support	\$7,880,742
Administration	\$3,799,465
Fire Prevention & CRR	\$2,990,859
Training	\$2,890,550
Grants/Projects	\$219,695



CAPITAL PROJECTS FUND BUDGET \$3,057,979

Apparatus Replacement	\$ 2,807,979
Major Facility Remodel & Builds	\$ 250,000

Reserves
\$16.3 Million

Underspend
 Underspent by \$1,536,524
 3.16% of the Budget

PFA maintains unassigned reserves (\$8.4 million) for two main purposes: as backup funds for essential operations like payroll, and to fund major projects like new apparatus or facilities. While certain minimum amounts must be saved due to regulations, the extra funds may be used for these purposes with Board approval. The remainder of the reserves are restricted or assigned for specific uses.

*Fiscal year 2024 figures are unaudited and subject to change due to possible prior accruals through February 2025.

Year In Review

TOTAL INCIDENTS **25,276**

Rescue & Emergency Medical Service Calls	17,135
Good Intent Calls.....	2,978
General Service Calls	2,060
False Alarm & False Calls	1,552
Special Incident Calls.....	579
Hazardous Conditions (No Fire).....	566
Fire.....	378
Severe Weather & Natural Disasters.....	15
Overpressure Ruptures, Explosions, Overheat (No Fire).....	13



Looking Ahead

STATION 7 OPENING

The new PFA Fire Station 7 is expected to open in April 2025. The current station is approaching 50 years old and is ready for retirement. The new facility will be home to responders specializing in fire, medical, rope rescue, and water rescue along with the specialized resources needed for each response. We look forward to welcoming the community into the facility during an open house and celebration once it is complete.



FLEET

The new Tower 1, Engine 2, Engine 10, and Brush 7 are expected to go into service in 2025. The current Tower 1 and Engine 2 will become reserves. Brush 7 will become a reserve and the out-of-district Wildland Type 3 deployment apparatus. Engine 10 will be sold. These pieces of PFA's fleet will feature the newer red design.

25-1 FIRE ACADEMY

The 25-1 Fire Academy will run from March 3rd to July 3rd, with 11 recruits participating. The core structure remains the same, which includes over 800 contact hours, ensuring a comprehensive and immersive training experience for PFA's newest members.

PFA Provides The Following Services To Our Community

- 
Fire Protection Services
- 
Emergency Medical Response
- 
Fire Suppression
- 
HazMat Response
- 
Technical Rescues
- 
Wildland Fire Response
- 
Volunteer Firefighter Program
- 
Fire Investigations
- 
Inspection Services
- 
Public Affairs and Education

FIRE DEATHS

Four people lost their lives to fire in 2024. Three teenagers died in a car crash that resulted in a fire, and an older man died in a home fire caused by the overuse of an electrical source. PFA’s jurisdiction exceeds in safety in many ways; we offer extensive community education, building plan reviews, fire suppression system inspections, and fast response times, yet even here we are not immune from loss caused by fire. Please take a moment to acknowledge these four people and do something to make your home safer today; check your smoke alarm, create a fire escape plan, clean hazardous materials out of your garage, learn hands-only CPR, or study fire safety resources.

PFA SERVICE AREA 2024 ▶

- | | |
|-----------------------|---|
| 1 Fire Station | 8 Fire Station |
| 2 Fire Station | 9 Volunteer Station |
| 3 Fire Station | 10 Fire Station |
| 4 Fire Station | 11 Volunteer Station |
| 5 Fire Station | 12 Fire Station |
| 6 Fire Station | 14 Fire Station |
| 7 Fire Station |  Training Center |
| |  Headquarters |



See even more in our Annual Report online.



SECOND AMENDED AND RESTATED
INTERGOVERNMENTAL AGREEMENT
ESTABLISHING THE POUDRE FIRE AUTHORITY

THIS SECOND AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT (“Agreement”) is entered into pursuant to Sections 29-1-203 and -203.5 *et seq.*, C.R.S., by and between THE CITY OF FORT COLLINS, COLORADO, a municipal corporation, hereinafter referred to as the "City", and THE POUDRE VALLEY FIRE PROTECTION DISTRICT, Larimer County, State of Colorado, hereinafter referred to as the "District". This Agreement is effective at 12:00 am on January 1, 2025 (“Effective Date”). No provision in this Agreement or the attached exhibits shall apply to the 2024 fiscal year. The 2024 fiscal year, and all requirements, processes, and procedures associated with the 2024 fiscal year, are governed solely by the provisions of the July 15, 2014 Amended and Restated Intergovernmental Agreement Establishing The Poudre Fire Authority and the exhibits attached thereto, which shall remain in full force and effect through 11:59 pm on December 31, 2024, at which date and time such agreement shall terminate for all purposes. The City and the District are referred to collectively as the “Parties” and individually as a “Party.”

WITNESSETH:

WHEREAS, the Parties to this Agreement have entered into previous intergovernmental agreements providing for the formation of an independent governmental entity for the purpose of providing fire protection and related services, as noted in such previous intergovernmental agreements, within the respective territorial limits of the Parties, which entity is known as the POUDRE FIRE AUTHORITY; and

WHEREAS, those previous agreements, as amended, have been mutually beneficial in providing a higher degree of protection to persons and property within the respective territorial limits of the Parties; and

WHEREAS, the Parties believe their interests will be best served by the City providing the POUDRE FIRE AUTHORITY with certain support services, and the POUDRE FIRE AUTHORITY providing certain support services to the City, which are more specifically described on the attached “Exhibit B,” which is incorporated herein by this reference. In addition, the Parties believe that the City Attorney is capable of providing to the POUDRE FIRE AUTHORITY a portion of the legal services required by the POUDRE FIRE AUTHORITY pursuant to the terms of this Agreement and Exhibit B, and the City Council consents to such appointment by the POUDRE FIRE AUTHORITY; and

WHEREAS, the Parties desire to provide for the continued existence of the POUDRE FIRE AUTHORITY, and to amend and restate in full all previous intergovernmental agreements regarding the establishment and operation of the POUDRE FIRE AUTHORITY.

NOW, THEREFORE, in consideration of the mutual covenants and obligations herein expressed, it is agreed by and between the Parties as follows:

ARTICLE I
GENERAL PROVISIONS

1.1. Term of the Agreement. The term of this Agreement shall commence on the Effective Date and shall continue until terminated by one or both of the Parties as herein provided. In addition to the option to terminate for non-appropriation as described in Section 5.4., below, this Agreement may be terminated effective 11:59 p.m. on December 31 of a calendar year by either Party providing a minimum of 24 months' prior written notice of termination to the other Party. The Parties agree to review and consider amendments to this Agreement and related exhibits resulting from changes in policy, practice, or law every eighth year, such review to begin on January 1 and completed by September 1 of that year.

1.2. Poudre Fire Authority. The existence of the independent governmental entity known as the "POUDRE FIRE AUTHORITY", hereinafter referred to as the "Authority", created by the intergovernmental agreement of the Parties dated December 22, 1981, as such agreement was amended thereafter, is hereby continued. The Authority is an independent governmental entity separate and distinct from the City and the District. The Authority may provide, either directly or by contract, fire protection, emergency medical, extrication/rescue and ambulance services, enforcement of fire prevention codes, hazardous materials response, and other emergency services typically provided by a public fire department and that may be provided by a fire department under the City Charter and by a fire protection district organized pursuant to Article 1, Title 32, C.R.S., within the respective territorial limits of the Parties (collectively, the "Fire Rescue Services").

1.3. Nature of the Authority. The Authority is a political subdivision of the State of Colorado, formed in conformity with the provisions of Sections 29-1-203 and -203.5, C.R.S. and the provisions of those statutes apply to the Authority. In carrying out its purposes, the Authority will observe and comply with statutes and laws applicable to the District and the City, including, but not limited to Parts 1, 5, and 6 of Article 1, Title 29, C.R.S., regarding budget preparation, accounting, and auditing; and Part 4 of Article 6, Parts 2 and 3 of Article 72 as applicable to the Authority, and Articles 6 and 10 of Title 24, C.R.S., regarding open meetings, open records, criminal justice records, and governmental immunity. The Parties intend that the Authority is not considered a "district" subject to Article X, Section 20 of the Colorado Constitution. The Authority boundaries shall consist of the combined territorial boundaries of the Parties.

1.4. Governing Board. The Authority shall be administered by a governing Board of five (5) members, hereinafter referred to as the "Board." All legislative power of the Authority is vested in the Board. The City shall appoint two (2) members and the District shall appoint two (2) members. The fifth member shall be appointed at the first regular meeting of the Board in February of each year by majority vote of the four other members as appointed by the City and District. If the vote results in a tie, the Mayor of the City and the President of the District Board shall have authority to appoint the fifth member.

Item 2.

- A. All appointees and terms of appointment shall be at the discretion of the appointing entity; provided that the fifth member shall be appointed and serve as provided in the first paragraph of this Section 1.4.
- B. All vacancies on the Board shall be filled by the appointing entity; provided that a vacancy in the fifth member position shall be filled as provided in the first paragraph of this Section 1.4.

1.5. Meetings of the Board. All Board meetings shall be open to the public and shall be conducted in compliance with the Colorado Sunshine Law. The following provisions shall be deemed automatically amended to conform to any changes to the Colorado Sunshine Law after the Effective Date of this Agreement without the need for the Parties to formally approve an amendment to this Agreement.

- A. *Format of Meetings.* The Board may, in its discretion, conduct any regular or special Board meeting (including any study session): (1) at a physical location; (2) at a physical location with remote electronic attendance availability; or (3) electronically. User access information for any Board meeting conducted under (2) or (3) shall be included on the Board meeting notice and agenda or otherwise made publicly available.
- B. *Regular Meetings.* No later than its first regular meeting of each year, the Board shall designate the time and place for all regular Board meetings for the year and designate a public place within the Authority where notice of the meetings will be posted if notice cannot be accomplished on the Authority's website. Notice of a regular meeting and specific agenda information to the extent possible shall be posted at least 24 hours prior to the meeting on the Authority's website or at the designated public place if notice cannot be accomplished on the Authority's website.
- C. *Special Meetings.* Special meetings may be held as often as the Authority's needs may require. Special meetings may be called by the Chair, or by two Directors, upon not less than twenty-four (24) hours prior written notice to the other Directors, which notice shall also be posted to the Authority's website or at a designated public place within the Authority where notice of a meeting will be posted if notice cannot be accomplished on the Authority's website. A "work session" constitutes a special meeting at which no formal Board action may be taken.
- D. *Emergency Meetings.* Emergency meetings may be called by the Chair, or two Directors, in the event of an emergency that requires the immediate action of the Board to protect the health, safety, and welfare of the public without notice to the public if notice is not practicable. If possible, notice of such emergency meeting may be given to the other Board members by telephone or whatever other means are reasonable to meet the circumstances of the emergency. At such emergency meeting, any action within the power

of the Board that is necessary for the immediate protection of the health, safety, and welfare of the public may be taken; provided, however, that any action taken at an emergency meeting shall be effective only until the next Board meeting, regardless of whether it is a regular or special meeting, at which meeting the emergency issue shall be on the public notice of the meeting. At such subsequent meeting, the Board may ratify any emergency action taken. If any emergency action taken is not ratified, then it shall be deemed rescinded as of the date of such subsequent meeting.

1.6. Minutes. The Secretary shall cause all minutes of the Board meetings to be kept and shall, prior to the next meeting, provide a draft of the minutes to each Board member for consideration at the next meeting.

1.7. Voting; Quorum; Required Votes. Each Board member shall have one (1) vote. A quorum of the Board shall consist of three (3) Board members, provided that the City and the District are represented by at least one of their appointees. No official action on any matter may be taken by the Board unless a quorum is present. Unless otherwise required by law, the affirmative votes of a majority of the Board members present shall be required for the Board to take any action.

1.8. By-laws. The Board may adopt such by-laws, rules, and regulations as it deems necessary or appropriate for the conduct of its meetings and affairs.

ARTICLE II OFFICERS AND EMPLOYEES

2.1. Chair, Vice Chair, and Secretary. The Board shall elect a Chair and Vice Chair from its members, and shall appoint a Secretary who may, but need not, be a Board member. Said officers shall perform the duties normal for said offices, including the following:

- A. The Chair shall sign all contracts on behalf of the Authority, except contracts or agreements that may be signed by the Authority's Fire Chief, as herein provided, and shall perform such other duties as may be imposed by the Board.
- B. The Vice Chair shall perform all of the Chair's duties in the absence of the Chair.
- C. The Secretary shall attest to all contracts signed on behalf of the Authority and perform such other duties as may be imposed by the Board.

2.2. Management. The Board shall appoint a Fire Chief to manage the Authority. The Fire Chief shall assume responsibilities of the Fire Chief for both Parties pursuant to this Agreement. Subject to the supervision of the Board and the powers specifically reserved to the Board as described in Article III of this Agreement, the Fire Chief shall have all powers and authorities provided for a municipal fire chief and a fire chief under Section 32-1-1002, C.R.S., and shall oversee and manage all business and affairs of the Authority, including the operation, maintenance, management, administration, and provision of all facilities, improvements,

Item 2.

equipment, services, and personnel, in the manner typically associated with a fire and emergency rescue agency for which the fire chief has been delegated authority by the governing body to manage all aspects of the agency, including the authority associated with a chief executive, administrative, and operational officer. Without limiting the foregoing, the Fire Chief shall have the power:

- A. To provide for the planning, design, and construction of any buildings, and the additions or improvements to the facilities owned by the Authority.
- B. To execute any contract for capital costs, costs of special services, equipment, materials, supplies, maintenance, or repair that involves any Authority expenditure of less than One Hundred Thousand Dollars (\$100,000), providing such expenditure is within budget. This expenditure limit will be increased or decreased every five years as determined using the Bureau of Labor Statistics' CPI Inflation Calculator for the Denver-Aurora-Lakewood Consumer Price Index for Urban Consumers, or any successor index. Such adjustment will be made by the Board.
- C. To employ all personnel of the Authority required for the provision of Fire Rescue Services and maintenance and operation of all facilities and to make such personnel decisions as he or she deems appropriate, including without limitation, decisions as to organization, staffing levels, deployment, promotions, demotions, discipline, and termination.
- D. To employ all personnel required in connection with the planning, design, and construction of any buildings, additions or improvements to the facilities owned by the Authority.
- E. To expend funds and enter into contracts, whenever required, for the immediate preservation of the public health, safety, and welfare, provided that the amount of funds involved does not exceed one percent (1%) of the annual budget of the Authority for the year in which the funds are expended or the contract is made.
- F. To dispose of by sale any personal property of the Authority with a value of less than Fifty-Seven Thousand Dollars (\$57,000). This sale limit will be increased or decreased every five years as determined using the Bureau of Labor Statistics' CPI Inflation Calculator for the Denver-Aurora-Lakewood Consumer Price Index for Urban Consumers, or any successor index. Such adjustment will be made by the Board.
- G. To approve payroll payments and to approve other payments by the Authority, provided such other payments are within budget and an individual payment does not exceed One Hundred Thousand Dollars (\$100,000). This payment limit will be increased or decreased every five years as determined using the Bureau of Labor Statistics' CPI Inflation

Item 2.

Calculator for the Denver-Aurora-Lakewood Consumer Price Index for Urban Consumers, or any successor index. Such adjustment will be made by the Board.

- H. To prepare and submit to the Board an annual operating budget for the next fiscal year in accordance with the budget schedules of the City and District.
- I. To adopt general operating guidelines, including but not limited to policies and procedures on non-personnel matters, operating policies, and inspection policies, as deemed appropriate by the Fire Chief.
- J. To generally supervise the acquisition, construction, management, maintenance, and operation of the Authority's facilities and personnel.
- K. To negotiate with labor groups as may be required by state law or authorized by the Board.
- L. To negotiate with a provider of ambulance services dispatched through the City's public safety answering point (PSAP) within the Authority's service area, including but not limited to, an exclusive service agreement, performance standards, and other provisions as deemed appropriate, to be approved by the Board.
- M. To conduct procurement and purchasing processes consistent with the City's administrative procurement policies and procedures, unless excepted from those policies and procedures by the Board.
- N. To provide an Annual Report in the second quarter of each year regarding the activities and accomplishments of the Authority, and to present such report to the City Council and District Board at a joint meeting, for the purpose of reviewing annual performance measurements and metrics, goals, actual spending to budget, benefits to the community related to strategic outcome goals, operational efficiency, productivity improvements, and issues of concern to the Authority, the District, and the City. The Authority also shall provide the community with regular updates throughout the year related to its performance, as measured by relevant performance metrics, including analysis of effectiveness in meeting community service needs.
- O. To appoint or engage the City Attorney for the City of Fort Collins to serve as legal advisor to the Authority on the matters specified in Exhibit B attached hereto, subject to the requirements of Section 9.7.
- P. To perform such other duties as directed by the Board and report to the Board at such times and on such matters as the Board may direct.

Item 2.

2.3. Legal Advisor. The Board shall have the power to appoint, through a competitive selection process as determined by the Board, an attorney to provide legal services to the Authority.

2.4. Other Employees. The Board shall have the power to appoint and employ such other persons, agents, and consultants for the purpose of providing professional, technical, or consulting services as may be necessary for the purposes of this Agreement.

ARTICLE III POWERS OF THE AUTHORITY

3.1. General Powers. The Authority shall exercise, in the manner herein provided, the powers lawfully authorized to each of the Parties, as provided by the laws of the State of Colorado, and all incidental, implied, expressed, or necessary powers for the accomplishment of the purposes of this Agreement as provided herein. The Authority's powers shall be exercised by the Board unless otherwise designated by this Agreement, applicable law, or delegation of the Board. The Authority shall not have the power to levy taxes or exercise the power of eminent domain.

3.2. Specific Powers. The Authority is hereby authorized, in its own name, to do all acts necessary for the exercise of the foregoing powers including, but not limited to, the following:

- A. To make, and enter into, and perform contracts of every kind as authorized by law with other governmental entities, the State of Colorado, or any political subdivision thereof, the United States, or any political subdivision thereof, and any individual, firm, association, partnership, corporation, or any other organization of any kind.
- B. To employ all necessary personnel.
- C. To acquire, construct, manage, maintain, and operate any buildings, works, improvements, or other facilities.
- D. To acquire, hold, or dispose of property.
- E. To sue and be sued in its own name.
- F. To issue bonds, notes, or other financial obligations (collectively, "Financial Obligations") payable solely from revenue derived from one or more of the Authority's functions, services, systems, or facilities, from money received under contracts entered into by the Authority, or from other available money of the Authority. The Authority shall set forth the terms, conditions, and details of the Financial Obligations, including related procedures and refunding conditions, in a resolution authorizing the Financial Obligations. Financial Obligations issued by the Authority are not an indebtedness of the Parties within the meaning of any provision or limitation specified in the state constitution or law. Each Financial Obligation must state in substance that it is payable solely from the revenues

Item 2.

and other available funds of the Authority pledged for the payment thereof and that it is not a debt of the Parties within the meaning of any provision or limitation specified in the state constitution or law. The Financial Obligations may be issued to mature at such times not beyond forty years from their respective issue dates, shall bear interest at such rates, and shall be sold at, above, or below the principal amount thereof, at a public or private sale, all as determined by the Authority Board. Interest on any Financial Obligation is exempt from taxation except as otherwise may be provided by law. The resolution, trust indenture, or other security agreement under which Financial Obligations are issued is a contract with the holders thereof and may contain such provisions as the Authority determines to be necessary and appropriate and to provide security for the payment thereof, including, without limitation, any mortgage or other security interest in revenue, money, rights, or property of the Authority.

- G. To apply for, accept, receive, and disperse grants, loans, and other aid from any governmental entity or political subdivision thereof.
- H. To invest any unexpended funds that are not required for the immediate operation of the Authority, as the Board determines is advisable, in accordance with the laws of Colorado; provided however, that such investment management and cash management services will be provided by the City through its Finance Department.
- I. To administer and enforce the Fire Code adopted by the City and District, and as adopted or consented to by other municipalities and counties within the Authority's service area.
- J. To provide ambulance services directly or through a contract with an ambulance services provider, that are dispatched through the City's public safety answering point (PSAP) within the Authority's service area through any lawful means, including but not limited to an exclusive service agreement, performance standards, or other provisions as deemed appropriate by the Board.
- K. To adopt bylaws, rules, and regulations respecting the exercise of its powers and carrying out of its purposes.
- L. To fix, maintain, and revise fees, rates, and charges for functions, services, or facilities provided by the Authority in the manner provided by law.
- M. To own, operate, and maintain real and personal property and facilities in common with others, and to conduct joint, partnership, cooperative, or operations with others, and to exercise all the powers granted herein in joint, partnership, cooperative, or other operations with others.

Item 2.

- N. To act as agent on behalf of the Parties with regard to the functions and services described hereinabove and any existing contracts and agreements between either or both of the Parties or any other party, to the extent permitted by law and the terms of such contracts and agreements.
- O. To carry out all provisions of this Agreement.

ARTICLE IV
ORGANIZATIONAL PROCEDURE

4.1. Delegation of Powers, Duties, and Responsibilities.

- A. Each Party delegates to the Authority the power, duty, and responsibility to maintain, operate, manage, and control all of the Fire Rescue Services facilities, equipment, resources, and property of the Authority, including without limitation, all fire stations, land, buildings and firefighting, emergency medical and rescue equipment, and to employ the necessary personnel and do any and all other things necessary or desirable to provide continued efficient and economical Fire Rescue Services to all persons and property within the respective territorial limits of the Parties, which area shall be considered the jurisdiction of the Authority.
- B. The Authority is hereby empowered to provide Fire Rescue Services to persons and property outside the Authority’s jurisdiction by agreement in exchange for payment or reciprocal services, as long as such additional services can be provided through the use of existing facilities, equipment, resources, and personnel of the Authority.

4.2. Personnel. The Board shall adopt the rules, regulations, and procedures necessary for the governance of the Authority’s personnel, which the Fire Chief shall implement and enforce through the establishment of such policies, procedures, rules, orders, and directives as the Fire Chief determines are necessary or appropriate.

4.3. Authority Fund. The Board shall establish such funds as it deems appropriate to account for all financial transactions of the Authority in accordance with generally accepted accounting principles.

ARTICLE V
BUDGET; MAINTENANCE AND OPERATION
COSTS; OTHER COSTS

5.1. Annual Budget.

- A. The Board shall adopt a preliminary budget for maintenance and operation costs, capital costs, and costs of other services in accordance with the budget

Item 2.

schedules of the City and the District, which budget may be amended from time to time based on changes in revenue projections made by the City and the District. The Board shall submit the budget to the respective governing bodies of the Parties. The budget shall become the Authority budget only after approval of the appropriations by the respective governing bodies and final approval by the Board.

- B. The Parties' financial contributions for the funding of the Authority shall be determined by the Revenue Allocation Formula, hereafter referred to as the "RAF," as set forth in "Exhibit A," attached hereto and incorporated by this reference.
- C. The City will provide the Authority with an annual forecast of the City base sales and use tax and City property tax described in Exhibit A in April and August of each year. The City will calculate the budgeted City base sales and use tax and budget City property tax amounts as part of the annual budget appropriation. The City's financial contributions for the funding of the Authority will reflect the actual amounts collected by the City each month.
- D. In January of each year, the City will, based on the maximum and minimum bands described in the table set forth in Exhibit A, reconcile the actual amounts collected in the prior year and adjust the City's annual financial contribution to the Authority for that year.
- E. The Board shall present requests for supplemental appropriations to the respective governing bodies of the Parties. For the purposes of this Agreement, "supplemental appropriations" shall mean any appropriation made above and beyond the annual appropriation made during the budgetary process.
- F. The Board shall have the power to reappropriate funds within the balance of one or more funds for whatever purpose the Board deems appropriate or necessary without approval of the City or District. Such reappropriations shall be made only at meetings of the Board held after proper notice has been given, according to the bylaws of the Authority.

5.2. Records and Accounts. Through the City's Finance Department, the Authority shall provide for the keeping of accurate and correct books of account, showing in detail the capital costs, cost of services, maintenance and operating costs, and all financial transactions of the Authority which books of account shall correctly show any receipts and also any costs, expenses, or charges paid to or to be paid by each of the Parties. Said books and records shall be open to inspection at all times during normal business hours by any representative of either Party or by the accountant or other person authorized by either Party to inspect said books or records. The Board shall provide for the auditing of all books and accounts and other financial records of the Authority on an annual basis in accordance with the Local Government Budget Law of Colorado, utilizing the same certified public accountant as is used by the City in the auditing of its financial records. The results of said

Item 2.

audit shall be submitted to the City and the District not later than thirty (30) days after receipt by the Board.

5.3. Payment of Costs. The City shall pay the Authority monthly, and the District shall pay the Authority quarterly, in advance, its allocated share of the total budgeted annual costs and expenses. The Board is authorized to approve other arrangements for payments by the City and the District, provided the financial security of the Authority is not impaired. In addition to supplemental appropriation requests, the Board is authorized to request amounts in excess of any regular payment for the costs and expenses of the Authority, provided the total annual allocation does not exceed the estimated share of costs and expenses for either Party to this Agreement. The Authority shall make available to each of the Parties a final detailed statement of the final costs and expenses for the fiscal year allocated in the same manner as estimated expenses were allocated, as soon as possible after the close of each fiscal year.

5.4. Sources of Funds. Each Party shall provide the funds required to be paid by it to the Authority under this Agreement from any source of funds legally available to such Party for such purpose. All financial obligations of the City and the District incurred pursuant to this Agreement are expressly contingent upon the actual appropriation of funds by each Party. Upon an event of non-appropriation by either Party, that Party may terminate this Agreement effective as of the last day of the year in which funds have been appropriated by such Party. If one Party has appropriated funds when the other has not, the Party that has appropriated funds may, in its sole discretion, terminate this Agreement effective as of the last day of the year in which funds have been appropriated by both Parties, or choose to continue this Agreement in effect, in which case the Authority shall adjust the level of service consistent with the revenues available from the appropriating Party. If both Parties fail to appropriate funds under this Agreement, unless otherwise agreed to by the Parties, this Agreement shall terminate effective as of the last day of the year in which funds have been appropriated by both Parties.

ARTICLE VI SERVICES

6.1. Provision of Professional, Administrative, and Support Services.

- A. The City shall provide to the Authority those professional, administrative, and support services described in Section I. of Exhibit B to this Agreement. The Authority shall provide to the City the support services described in Section II. of Exhibit B to this Agreement. The annual cost of the support services described in Exhibit B to this Agreement shall be adjusted annually for inflation using the Bureau of Labor Statistics' CPI Inflation Calculator for the Denver-Aurora-Lakewood Consumer Price Index for Urban Consumers, or any successor index. The net annual balance for each year will be determined at the time of the annual budget appropriation for the ensuing fiscal year, then divided into twelve equal monthly amounts and either added to, or deducted from, the ensuing fiscal year's RAF City Annual Contribution amount to be transferred to the Authority. The transfers will take place monthly.

Item 2.

B. The City and the Authority shall each appoint an administrator, who must be knowledgeable about the terms of this Agreement and the services provided, and who must ensure compliance with the terms of Article VI and Exhibit B of this Agreement. The City's Chief Financial Officer will appoint a designee in writing to serve in the administrator role for the City. The Authority Board will appoint a designee to serve as the administrator for the Authority Board. The responsibilities of the administrators shall include, but not be limited to, the following:

1. Ensure adequate levels of the services described in Article VI and Exhibit B of this Agreement.
2. Provide clarity around standard operating procedures and systems requirements for the services described in this Agreement.
3. Ensure City-established standard operating procedures and system requirements are being followed.
4. Meet regularly to discuss alignment of the Authority's policies, operating systems, procedures, benefits, and tools with the City's.
5. Adjust annual charges in correspondence with the changing complexity of fulfilling the services described in Section VI and Exhibit B of this Agreement.
6. Use good faith efforts to resolve disputes relating to the services described in Article VI and Exhibit B of this Agreement. If the administrators cannot resolve the dispute, the City Manager and the Fire Chief shall meet within 30 days of the administrators' notifying them of the unresolved dispute to consider the matter and come to a mutually agreeable resolution.
7. Meet on a quarterly basis to discuss budget and actual costs for services described in Article VI and Exhibit B, as well as budget and actual revenues described in Exhibit A, of this Agreement.
8. Determine whether specific services within the categories of services established in Article VI and Exhibit B of this Agreement ("Established Category(ies)") should be modified or new services added to, or existing services removed from, an Established Category. The Parties hereby authorize the administrators to modify services within the Established Categories, or to add new services to or remove services from the Established Categories, with the approval of the City Manager and the Fire Chief, subject to appropriation of necessary funds. Such actions

Item 2.

shall be in writing and signed by the Administrators, the City Manager, and the Fire Chief, and, upon such execution, shall constitute an amendment to this Agreement without the need for the Parties to formally approve the amendment. Each administrator must advise the other administrator by October 31 of each year about planned or potential changes to services for the upcoming year. Any such communication must identify the changes to the services and the affected Established Category(ies).

ARTICLE VII OWNERSHIP OF PROPERTY

7.1. Real and Personal Property. The Authority shall continue to hold all right, title, and interest in any and all real property and personal property transferred to the Authority by the City or the District or acquired by the Authority since January 1, 1982 for the purpose of providing Fire Rescue Services, unless such property is disposed of in compliance with the terms of this Agreement.

7.2. Asset Inventory Schedules. The Authority shall maintain separate asset inventory schedules for any and all property transferred from the City or the District which remains under the ownership of the Authority, as well as any and all property acquired by the Authority since January 1, 1982.

ARTICLE VIII TERMINATION

8.1. Disposition of Assets. Upon termination of this Agreement pursuant to paragraphs 1.1. or 5.4., above, the assets of the Authority shall be disposed of as follows:

- A. All assets acquired by the Authority from contributions from the Parties shall be returned to the contributing Party if said assets are still owned by the Authority.
- B. If assets contributed to the Authority are not in existence, the contributing Party shall have the option of receiving the fair market value of the asset at the time of disposal by the Authority in either cash (if available) or assets of the Authority acquired from funds provided by the Parties.
- C. All remaining assets acquired by the Authority after January 1, 1982, from funds provided by the Parties shall be distributed to the Parties on the basis of the appraised value of said assets at the time of termination and in the same proportion as the respective contributions of funds by the Parties for acquisition of the assets over the life of this Agreement.
- D. The Parties may agree to dispose of any assets of the Authority in any other acceptable manner.

Item 2.

E. If the Parties cannot agree on the disposition of certain assets of the Authority, said assets shall be subject to an independent appraisal and shall be sold at public auction with the proceeds allocated to the Parties in the same proportion as the respective contributions of funds by the Parties for acquisition of the asset.

8.2 Pension Funds. For those active firefighters who are members of the Fire and Police Pension Association (“FPPA”) statewide retirement pension plan, each Party shall become the successor “sponsor” for those active firefighters that it hires and retired members for whom it assumes the plan responsibilities and financial liabilities. Except as permitted in an Affiliation Agreement reached between the City and the Authority in September of 2020, for any 401(a) or 457 retirement plan sponsored by the Authority, the Party that hires the greatest number of active employees who participate in the plan shall take such actions as are necessary to become the successor sponsor of the plan and the other Party shall take such actions as are necessary to become a Participating Employer under the plan.

ARTICLE IX
MISCELLANEOUS PROVISIONS

9.1. Notices. Any notice required or permitted hereunder shall be in writing and shall be given by United States mail, postage prepaid to:

CITY: City Manager
City of Fort Collins
P.O. Box 580
Fort Collins, Colorado 80522

DISTRICT: Chair of the Board
Poudre Valley Fire Protection District
102 Remington Street
Fort Collins, Colorado 80524

9.2. Consent. Whenever any provision of this Agreement requires consent or approval of the Parties, the same shall not be unreasonably withheld.

9.3. Amendments. Except as provided in Section 6.1(B)(5) and (7), this Agreement, including its exhibits, may only be amended in writing, by the Parties.

9.4. Severability. In the event any provision of this Agreement is determined to be illegal or invalid for any reason, all other provisions of this Agreement shall remain in full force and effect unless and until otherwise determined. The illegality of any provision of this Agreement shall in no way affect the legality and enforceability of any other provision of this Agreement.

Item 2.

9.5. Successors. This Agreement shall be binding upon and shall inure to the benefit of the successors of the Parties.

9.6. Assignment and Delegation. A Party shall neither assign any of the rights nor delegate any of the duties created by this Agreement without the written consent of the other Party.

9.7. Legal Services. On August 15, 2015, the City and the Authority entered into an intergovernmental agreement regarding the provision of legal services to the Authority by the City Attorney's Office ("Legal IGA"). The Parties agree that the terms of this Agreement supersede the Legal IGA and that the Legal IGA is no longer in effect on January 1, 2025. The Parties authorize the Fire Chief to engage the City Attorney for any of the purposes described in Exhibit B if the following conditions are met:

- A. While providing such services, the City Attorney and those members of the City Attorney's staff designated by the City Attorney to provide the legal services shall remain at all times City employees.
- B. The City Attorney determines that the City Attorney's Office has the capacity and resources to handle a particular matter.
- C. The City Attorney and the Fire Chief agree that the subject matter is not more appropriately handled by other legal counsel.
- D. The provision of such legal services is consistent with the Colorado Rules of Professional Conduct.
- E. Any informed written consent to the provision of such services may be provided by the Fire Chief.

9.8. No Third Party Beneficiaries. This Agreement is made for the exclusive benefit of the Parties and shall not be construed to be an agreement for the benefit of any third party or parties and no third party shall have a right of action hereunder for any cause whatsoever.

9.9. Execution. This Agreement may be executed in counterparts and by facsimile or electronic pdf, each of which shall be deemed an original and together shall constitute one valid and binding instrument.

[Signature Page Immediately Follows]

Item 2.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed on the date hereinabove written.

CITY OF FORT COLLINS, COLORADO
a municipal corporation

DocuSigned by:
By: Jeni Arndt
20F798A88621436...
Mayor

ATTEST:

DocuSigned by:
Debra Coldiron
834E243869B4C...
Name: Debra Coldiron Title: City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Jenny Lopez Filkins
76E59587D7144C2...
Deputy City Attorney

POUDRE VALLEY FIRE PROTECTION DISTRICT

Signed by:
By: Martina Wilkinson
B12345678901234567890...
Chair

ATTEST:

Signed by:
Dave Pusey
8993BD89CA0498...
Secretary

APPROVED AS TO FORM:

Signed by:
Robert G Cole
4216720CFE19428...
Council for District

Exhibit A

Funding Formula and Revenue Allocation Formula (RAF)

The City of Fort Collins (“City”) and the Poudre Valley Fire Protection District (“District”) will each make annual contributions to the Poudre Fire Authority (“Authority”) according to the following contribution calculations:

A. City Annual Contribution to the Authority per RAF:

Subject to the adjustments described below, the City will annually contribute to the funding of the Authority the following amounts (the “City Annual Contribution”):

1. 13.235 percent of the City Base Sales and Use Tax (excluding sales and use tax revenue which has been legally pledged for use only on specific projects and debt obligations, or has otherwise been restricted or committed for a particular use as a matter of law or contract); and
2. A sum equal to 67.5 percent of the operating mill levy of the City Property Tax; and reduced by
3. The annual net cost of the Support Services provided by the City and the Authority, as identified in Exhibit B.

“City Base Sales and Use Tax” and “City Property Tax” refer to the actual amounts received by the City for these relevant accounts. The City Contribution to the Authority will reflect the actual amounts collected by the City each month.

The City will provide the Authority with annual forecasts of the City Base Sales and Use Tax and the City Property Tax amounts. These forecasts will be provided by the City in April and August. The City will then budget for anticipated City Base Sales and Use Tax and City Property Tax revenue amounts as part of the annual appropriation of the budget in November of each year.

B. Limitations on City’s Contribution Amounts:

Annually, the City will reconcile the actual amounts collected and adjust the City Annual Contribution based on the Upper Band (percentage above budget) and Lower Band (percentage below budget) for each of the following:

Item 2.

	Upper Band (% above Budget)	Lower Band (% below Budget)
Sales Tax	3.0%	-2.0%
Use Tax	6.0%	-2.0%
Property Tax	2.0%	-2.0%

If any of the individual actual tax revenue amounts collected are within the band range, no adjustment is necessary. If a tax revenue amount is above the annual upper band or below the annual lower band, an adjustment will be made at year end to account for the excess or shortage to return the City Annual Contribution to within the band percentage amounts.

C. City Annual Contribution Calculation Examples:

The formula for determining the City Annual Contribution to the Authority will be calculated as the sum of:

1. The defined percentage of City Base Sales and Use Tax revenue

	Base Tax	Percentage	Contribution
Sales Tax	\$ 125,000,000	13.235%	\$ 16,543,750
Use Tax	<u>\$ 16,500,000</u>	13.235%	<u>\$ 2,183,775</u>
Total Sales and Use Tax	\$ 141,500,000	13.235%	\$ 18,727,525

2. PLUS, a defined percentage of City Property Tax revenue

	Base Tax	Percentage	Contribution
Property Tax	\$ 33,000,000	67.500%	\$ 22,275,000

3. LESS, the net cost of Support Services from Exhibit B (per annual appropriated City budget and Authority budget in November)

Less: Net Cost of Support Services - Exhibit B	\$ (450,000)
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4. The sum of which components equals the City Annual Contribution to the Authority.

City Calculated Annual Contribution	\$ 40,552,525
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Item 2.

D. Limits on Contribution Example:

Limits on Contribution:

	Budgeted Contribution	Actual Contribution	Upper Band	Lower Band	Actual Adjusted Contribution
Sales Tax	\$ 16,543,750	\$ 16,750,000	\$ 17,040,063	\$ 16,212,875	\$ 16,750,000
Use Tax	\$ 2,183,775	\$ 2,000,000	\$ 2,314,802	\$ 2,140,100	\$ 2,140,100
Property Tax	\$ 22,275,000	\$ 23,000,000	\$ 22,720,500	\$ 21,829,500	\$ 22,720,500
Support Services Costs	\$ (450,000)	\$ (450,000)	N/A	N/A	\$ (450,000)
Total Contribution	\$ 40,552,525	\$ 41,300,000			\$ 41,160,600

In the example above the total Actual Contribution exceeds the total Actual Adjusted Contribution as required by the limitation bands. Therefore, the following adjustment would be required at year end:

Year-end Contribution Adjustment Calculation	Actual Contribution	Actual Adjusted Contribution	Net Annual Adjustment
	\$ 41,300,000	\$ 41,160,600	\$ (139,400)

E. Capital Improvement Expansion Fees:

The City has adopted capital improvement expansion fees for general governmental services, including fire, to help defray the capital cost of ever-increasing demands to provide such necessary capital improvements related to the provision of fire services in the City. The City has established a separate account for the expansion fees, which shall be requested from the Fort Collins City Council via an ordinance, and then appropriated by the Authority Board of Directors for expenditure.

F. Annexations Adjustment:

In the event the City annexes properties included in the District, the City and District will work cooperatively to ensure that service levels will be maintained through adequate funding adjustments after the annexation has occurred. This will be achieved through adjustments to the RAF sales and use tax percentage and/or the RAF property tax percentage, to ensure no loss of revenue to the Authority. This adjustment will take place as of the end of the calendar year in which the annexation occurs and in conjunction with the timing of the annual reconciliation of contribution amounts described in Section B above.

G. URA/TIF/ Adjustments and Other Implications:

In the event of Urban Renewal Authority (URA) implementation of tax increment financing (TIF) that materially affects the City Annual Contribution to the Authority or cost of service to the Authority, the City and District will work cooperatively to ensure that service levels will be maintained through adequate funding adjustments.

Item 2.

All parties are committed to renegotiating the RAF, or City Annual Contribution amount, in good faith in the event of other implications that affect the efficient implementation of the RAF, or management of the Authority, in a fiscally prudent manner.

H. **District Contribution.**

The District will annually contribute to the funding of the Authority the revenue from the following sources:

1. The District shall annually certify a mill levy (minimum 10.595 mills) pursuant to state law, and 100% of the mill levy revenue, less reasonable administrative expenses for the operation of the District, plus specific ownership tax, shall be contributed to the funding of the Authority for any authorized purpose.
2. The District has intergovernmental agreements with Larimer County and the Town of Timnath for the assessment, collection, and remittance of emergency services impact fees on new development that is located within:
 - a. both the unincorporated portion of the County and the District, or that in the future becomes located within the unincorporated portion of the County and the District; and
 - b. the incorporated portion of the Town of Timnath and the District, or that in the future becomes located within the incorporated portion of the Town and the District.
3. The District impact fees are established to defray the impacts directly related to development within the District. The District, via resolution, will transfer District impact fees to the Authority on an as needed or requested basis.

I. **Other Revenues**

The Authority will generate other revenues for support of specific programs and services through a variety of sources. The Authority is authorized to expend these funds with approval of the Authority Board of Directors in the same manner as City and District funds are allocated to Authority purposes.

These revenues will be the Authority's alone and not revenue of either the City or the District. These revenue sources may include such sources as:

1. Fee Revenue
 - a. Fire Prevention Bureau Fees.
 - b. Wildland Reimbursements or Fees.
 - c. Capital Expansion Fees imposed by the City and District and remitted to the Authority.
 - d. Fleet Maintenance Program Fees.
 - e. Opticom Maintenance Fees.

Item 2.

2. Miscellaneous Income.
3. Grant Revenue.
4. Federal, State, or County reimbursement for disaster assistance or other purposes.

J. **General Provisions**

If District or City funding of the Authority changes significantly, all parties commit to renegotiating the IGA and the City and District contribution amounts in good faith.

Item 2.

Exhibit B

Support Services Provided by the City to the Authority and by the Authority to the City

I. Support Services Provided by the City to the Authority

Department	Service	Description
Emergency Preparedness and Security	Coordinated emergency services	<ul style="list-style-type: none"> • Coordinate emergency services on an as-needed basis. • Consult and provide support for security services projects on a fee-for-service basis. (CHARGED SEPARATELY)
Human Resources	Retirement Plan Enrollment and Administration	<ul style="list-style-type: none"> • Administer all City-sponsored retirement plans in the same manner as provided to City employees including: <ul style="list-style-type: none"> ○ Process new enrollments, changes, and off-boarding. ○ Interpret plans, disseminate plan information, and answer questions related to City-sponsored retirement plans. • Administer ACA; process 1095's and 1094's. • Provide GERP administration for existing participants. • Coordinate with PFA on any existing non-City-sponsored retirement plans. PFA will interpret plans, disseminate plan information, and respond to questions that are specific to PFA plans, including FPPA. • Any other services identified in an Affiliation Agreement previously reached between the parties related to administration of retirement plans.
	Health and Welfare Benefit Enrollment, Administration, and Wellness Program	<ul style="list-style-type: none"> • Administer all City-sponsored health and welfare benefits in the same manner as provided to City employees, including: <ul style="list-style-type: none"> ○ Process new enrollments, open enrollment, changes, and off-boarding. ○ Interpret benefits, disseminate benefit information, and answer questions. • Health and Welfare Benefits will be charged at the same Per Employee Per Month rate as City employees. • Coordinate with PFA on the administration and processing of FPPA Death and Disability benefits. • Coordinate with PFA on the implementation of any non-City-sponsored benefits. • COBRA administration. • Provide access to City Wellness programs, such as the Wellness Fair, Health Screenings/Blood Draws, and flu shots, in the same manner as provided to City employees. • Personal enrichment classes and other Wellness programs are only available if PFA participates in the HR Talent Management System at the negotiated rate, and we would need to do a calculation of staffing capacity requirements and costs similar to the funding model for the Library, recognizing we do not presently have the capacity today.

Item 2.

	<p>Training (OPTIONAL)</p> <ul style="list-style-type: none"> • PFA may choose to opt into City training but to do so they must participate in the HR Talent Management System at the negotiated rate. This will make it possible for PFA to search and sign up for trainings. PFA employees may then participate in trainings and would pay a per participant fee. (CHARGED SEPARATELY)
	<p>Job Posting</p> <ul style="list-style-type: none"> • Link from City employment website to Authority’s employment website positions.
	<p>Records and Human Resources Information Systems</p> <ul style="list-style-type: none"> • PFA is responsible for ensuring accuracy of employee data required by the City using established formats, following the Payroll schedule, to administer their programs and services. Once the City enters the data, PFA is accountable for auditing for accuracy. • Process and maintain employee data in ERP system. • Maintain personnel files needed to process payroll and benefits. PFA will serve as the official record keeper for their employees. • Process unemployment claims. • Process data uploads using City-provided templates. • Maintain and enter pay grade tables and pay increase updates using City-provided templates. • Provide standard employee data to PFA from the ERP system as is accessible by other City departments. • Coordinate with PFA on implementation of any non-City-sponsored personnel needs, such as payroll types. • Provide the EEO report from JDE. PFA submits the filing with the EEOC.
Financial Services	<p>Payroll Administration</p> <ul style="list-style-type: none"> • Provide payroll services in the same manner as provided to City employees, including: <ul style="list-style-type: none"> ○ Process new enrollments, open enrollments, and employee exits. ○ Process employee garnishments.
	<p>Accounting</p> <ul style="list-style-type: none"> • Provide accounting services in the same manner as provided to the City, including: <ul style="list-style-type: none"> ○ Accounts payable. ○ Purchasing cards. ○ General accounting support. ○ Maintain financial records and asset inventory. • Provide master schedules, templates, workbooks and other tools in timely fashion to support completion of year-end financial reporting requirements. • Per Section 5.2 of the Agreement, annual financial audit by same auditor as contracted by the City. (CHARGED SEPARATELY)
	<p>Banking, investments, and cash management</p> <ul style="list-style-type: none"> • Manage investments with the City’s investment pool. • Provide banking and cash management services.
	<p>Safety & Risk Management</p> <ul style="list-style-type: none"> • DOT Pool Compliance management and compliance. • Provide office ergonomics reviews for Authority office employees. • Safety glasses program. • Coordinate property and liability insurance renewals by same provider as contracted by the City. (CHARGED SEPARATELY)

Item 2.

	Purchasing	<ul style="list-style-type: none"> • Provide accounting services in the same manner as provided to the City, including: <ul style="list-style-type: none"> ○ Purchasing advice. ○ Issuing purchase orders. ○ RFP/Bid creation and coordination. ○ Service Agreements/Contracts.
	City Give	<ul style="list-style-type: none"> • Provide general support for donation management in the same manner as provided to City departments and in accordance with established processes and procedures. • Provide support for specific capital campaigns by request, in the same manner and charged at the same rate as City departments. (CHARGED SEPARATELY)
	Grant Administration	<ul style="list-style-type: none"> • Provide grant administration support services in accordance with established processes and procedures.
Operations Services	Fleet	<ul style="list-style-type: none"> • Access to Fleet service in the same manner and charged at the same rate as City departments, including: <ul style="list-style-type: none"> ○ Vehicle fueling. ○ Pool vehicle rentals. ○ Vehicle repair. (CHARGED SEPARATELY)
	Facilities	<ul style="list-style-type: none"> • Access to Facilities service in the same manner and charged at the same rate as City departments, including: <ul style="list-style-type: none"> ○ Facility repairs. ○ Preventive maintenance on HVACs, A/Cs, furnaces. ○ Project management for larger projects ○ Real estate services. (CHARGED SEPARATELY) • Service contacts (advice on who to call). • Environmental monitoring.
Polices Services	Dispatch	<ul style="list-style-type: none"> • Provide dispatch services to fire, rescue, and emergency medical services. • Maintain dispatch equipment and capital assets and administer partnerships, such as CRISP and LETA (CHARGED SEPARATELY) • Dispatch staffing levels shall be supplemented by the Authority by agreement between PFA and City administrators. (CHARGED SEPARATELY)
Information Technology	Network Administration	<ul style="list-style-type: none"> • Work in close coordination with Authority IT in configuring, maintaining and managing the Authority's data network including network switches, routers, VPN access and wiring. • Provide internet access. • Partner with the Authority in FCPS Computer Aided Dispatch (CAD) systems
	GIS	<ul style="list-style-type: none"> • Access to City GIS programs, data and licenses.
	Voice/Phone system	<ul style="list-style-type: none"> • Land-line phone system network and maintenance.
	Server/Storage Administration	<ul style="list-style-type: none"> • Occasional server support.

Item 2.

	Application Support	<ul style="list-style-type: none"> Provide application support in the same manner as provided to the City.
	CyberSecurity	<ul style="list-style-type: none"> Provide CyberSecurity software. (CHARGED SEPARATELY)
Comm Dev & Neighborhood Services	Capital Expansion Fees	<ul style="list-style-type: none"> Collect and maintain accounts for Capital Expansion Fees collected from developers by the City on behalf of Authority.
Community Services	Landscape Maintenance	<ul style="list-style-type: none"> Irrigation and Landscaping at Spring Park Fire Station 3, City Park Station 2, Remington St. PFA Headquarters. Irrigation and Landscaping at Timberline Station 6 location according to the intergovernmental agreement between the Authority and the City Cemetery Division. Tree pruning, treatment, and replacement at Authority locations within City limits.
City Clerk	Agenda Management	<ul style="list-style-type: none"> Agenda Management Software. (CHARGED SEPARATELY)
City Attorney's Office	Legal Services	<ul style="list-style-type: none"> Legal support to City departments providing administrative services described in this Exhibit B Updates or changes to Fort Collins Municipal Code or related policies or agreements tied to fire or emergency services provided by the Authority Municipal court or Fort Collins Municipal Code enforcement Advising Authority staff on development review issues that arise in the City's development review process Any purpose mutually agreed to by the Fire Chief and the City Attorney, subject to the conditions described in Section 9.7 of the Agreement

II. Support Services Provided by the Authority to the City

Department	Service	Description
Emergency Management	Battalion Chief	<ul style="list-style-type: none"> Emergency Management services provided by the Battalion Chief for the PFA Service Territory, including but not limited to: Special events. Community Wildfire Protection Plans. Incident command (systems, planning, meetings, staffing of command post, and grant writing), liaison and comprehensive collaboration with Community partners, and state and federal agencies.
Finance	Annual Comprehensive Financial Report (ACFR) audit support	<ul style="list-style-type: none"> Ownership, timely completion, and coordination with City staff on all PFA audit support required documentation. Utilization of all City-provided and/or pre-authorized worksheets, templates, and tools for both routine and year-end financial reporting. Continual engagement and coordination with City staff throughout the fiscal year and regarding all audit timelines, PFA worksheets, and other required documentation.
Risk Management	Risk Management	<ul style="list-style-type: none"> Insurance and Risk management support activities, including:

Item 2.

		<ul style="list-style-type: none"> ○ Coordinating with City Purchasing on workers' compensation provider selection. ○ Point of contact for citizen claims. ○ Coordination of insurance renewals. ○ Workers' compensation claims & driver's license checks and monitoring with safety agency.
Information Technology	IT Analytical support	<ul style="list-style-type: none"> ● Portion of dedicated PFA position devoted to supporting the increased complexity of PFA specific application needs.
Human Resources	Administrative support	<ul style="list-style-type: none"> ● Human Resources employment verifications and FPPA pension files and fund transfers.
Miscellaneous	Storage	<ul style="list-style-type: none"> ● Enclosed vehicle storage costs for City vehicles at PFA facilities.

2024 ANNUAL REPORT

Fire Chief Derek Bergsten



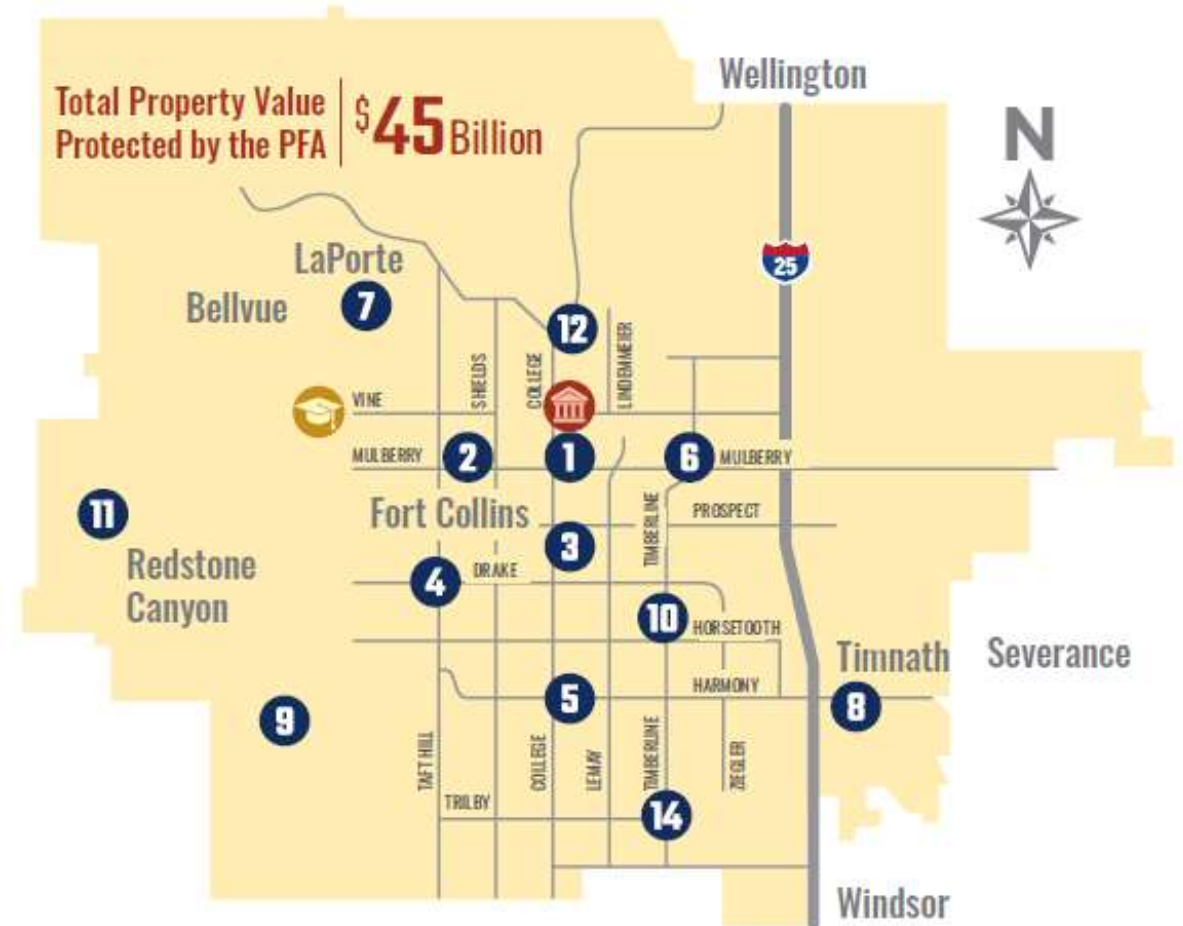
2024 ANNUAL REPORT

- Review of:
 - Organizational governance and structure
 - Personnel data
 - Total jurisdiction incident breakdown
 - Financial contributions from both governing entities
 - Response numbers in both geographical areas
 - Poudre Fire Authority (PFA) annual report content



WHAT IS POUUDRE FIRE AUTHORITY

- An independent governmental entity that provides fire and rescue services
- A consolidated fire agency serving two jurisdictions
 - Poudre Valley Fire Protection District
 - City of Fort Collins Fire Department
- No taxing authority
- Governing entities provide funding



POUDRE FIRE AUTHORITY STRUCTURE



THE PEOPLE OF POUDRE FIRE AUTHORITY



248 FULL-TIME
POSITIONS



207 UNIFORMED
POSITIONS



41 CIVILIAN
POSITIONS



36 VOLUNTEER
POSITIONS

ALL HAZARDS RESPONSE AGENCY



Fire Protection Services



Emergency Medical Response



Fire Suppression



Haz-Mat Response



Technical Rescues



Wildland Fire Response



Volunteer Firefighter Program



Fire Investigations



Inspection Services



Public Affairs and Education

INCIDENT BREAKDOWN 2024

TOTAL INCIDENTS **25,276**

Rescue & Emergency Medical Service Calls	17,135
Good Intent Calls	2,978
General Service Calls	2,060
False Alarm & False Calls	1,552
Special Incident Calls	579
Hazardous Conditions (No Fire)	566
Fire	378
Severe Weather & Natural Disasters	15
Overpressure Ruptures, Explosions, Overheat (No Fire)	13



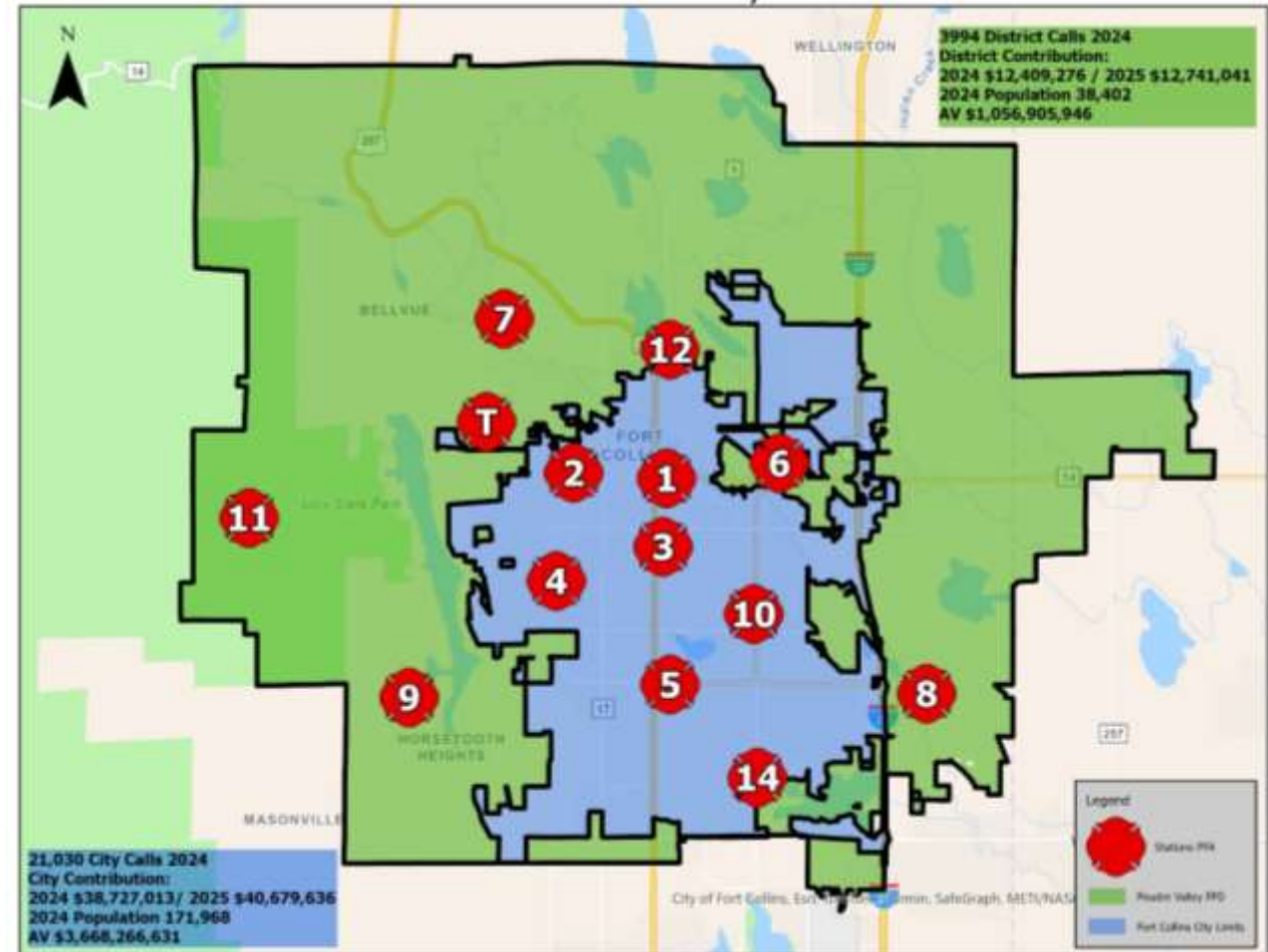
DISTRICT & CITY INCIDENT BREAKDOWN

City

- Total Incidents: 21,030
- Financial Contribution: \$38,727,013
- Population: 171,968

District

- Total Incidents: 3,994 total incidents
- Financial Contribution: \$12,409,276
- Population: 38,402



BUDGET & FUNDING OUTCOMES

TOTAL REVENUES **\$53,026,801**

Intergovernmental	\$51,291,396
Fees and Charges for Services	\$1,124,397
Miscellaneous Revenue	\$397,008
Earnings on Investments	\$204,000
Licenses and Permits	\$10,000



BUDGET & FUNDING OUTCOMES

GENERAL FUND EXPENDITURE – TYPE **\$48,613,295**

Salaries & Benefits.....	\$39,210,713
Other Purchased Services.....	\$4,364,782
Materials, Supplies, & Equipment.....	\$2,644,176
Capital Outlay.....	\$1,953,567
Miscellaneous Other.....	\$440,057

GENERAL FUND EXPENDITURE – DIVISION **\$ 48,613,295**

Operations.....	\$30,831,984
Support.....	\$7,880,742
Administration.....	\$3,799,465
Fire Prevention & CRR.....	\$2,990,859
Training.....	\$2,890,550
Grants/Projects.....	\$219,695



BUDGET & FUNDING OUTCOMES

CAPITAL PROJECTS FUND BUDGET

\$3,057,979

Apparatus Replacement.....	\$ 2,807,979
Major Facility Remodel & Builds.....	\$ 250,000

Reserves 

\$16.3 Million

Underspend 

Underspent by **\$1,536,524**
3.16% of the Budget

FA'S NEWEST DIVISION

- Training officially became a division
- Message from leadership rotation
 - Demonstrate leadership is not just one person
 - Features & messages from members of senior leadership in print piece

“ It’s rewarding to be a part of someone’s journey as they progress through the years and become part of the next generation of leaders.”

- Training Division Chief Tyson Barela



THE TRAINING DIVISION

Mission: Forging excellence in emergency services through training, education, certification, and credentialing

Responsibilities include:

- Employee trainings
- Professional development
- Education
- Tuition reimbursement
- New program development
- Certification and credentialing
- Basic skills needed by personnel



44,300 HOURS OF TRAINING



50 PROMOTIONS

“

Ultimately, the goal of the Training Division is to ensure that you, our community, has the well-trained first responders that you can rely on 24/7/365. ”

- Training Division Chief Tyson Barela



Item 2.



PROGRAMS & REGIONAL SUPPORT

- Fire Camp
 - 16 high school students experienced the fire service and earned CPR certification
- Fire Ops 101
 - 15 elected officials and community leaders participated in day-in-life experience
 - Put on in partnership with the Local 1945
- Eight federal wildland deployments
- Three Urban Search & Rescue (USAR) deployments





COMMUNITY FOCUS

- Opening of 9/11 Memorial at Spring Park
- Hosted Missouri Valley Division of Fire Chiefs Conference in Fort Collins
- First Annual EMS Survivor Celebration Event (next event on May 14)
- 9,149 people connected with at community events
- 57.8 million sq. ft. made safer through fire inspections

LAUNCH OF COMMUNITY HEALTH PROGRAM

- Two EMTs, a behavioral/mental health clinician, and program manager
- Program focused on preventative care and alignment of resources



311 CLOSED
CASES



17 OPEN
CASES





Looking Ahead

- Station 7 Opening – Community Celebration on June 21
- Pursuing new Headquarters at 1300 Riverside Ave.
- Fleet Updates – New Tower 1, Engine 2, Engine 10, and Brush 7 will go into service
- 11 Recruits currently in Fire Academy 25-1 which runs from March 3 to July 3 (graduation ceremony on July 3)

THANK YOU!



File Attachments for Item:

3. Land Use Code Update: Commercial Corridors and Centers

The purpose of this item is to update Council on the proposed code changes, approach, and timeline for the Land Use Code (LUC) update.

April 22, 2025

WORK SESSION AGENDA ITEM SUMMARY

City Council



STAFF

Megan Keith, Senior City Planner
Sylvia Tatman-Burruss, Sr. Policy & Project Manager

SUBJECT FOR DISCUSSION

Land Use Code Update: Commercial Corridors and Centers

EXECUTIVE SUMMARY

The purpose of this item is to update Council on the proposed code changes, approach, and timeline for the Land Use Code (LUC) update.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What questions do Councilmembers have regarding the proposed Land Use Code changes?
2. What feedback do Councilmembers have on the timeline or other considerations for the Land Use Code update?

BACKGROUND / DISCUSSION

Project Overview

The Land Use Code (LUC) Update: Commercial Corridors and Centers, focuses on changes along major roadways with frequent bus service to encourage more housing and mixed-use development, create more resilient commercial and employment centers, and improve predictability through site design standards and clear site improvement requirements.

Foundational Land Use Code Changes

Several foundational LUC changes were adopted by Council on April 16, 2024. These include:

- Reorganized content so the most used information is first in the Code
- Reformatted zone districts with consistent graphics, tables, and illustrations
- Created a menu of building types and form standards to guide compatibility
- Updated use standards, rules of measurement, and definitions to align with new building types and standards
- Expanded and re-calibrated incentives for affordable housing

- Regulate density through form standards and building types instead of dwelling units per acre

State Legislation

Several bills were passed last year through the state legislature that will affect local Land Use Policy. Compliance with these bills will be integrated into the LUC work and will be brought to Council to comply with their associated deadlines:

HB-1313 Housing in Transit-Oriented Communities:

This bill requires the establishment of a Housing Opportunity Goal and ongoing reporting to ensure a minimum zoned housing capacity along high frequency transit corridors. In addition, the bill requires communities to review and permit multifamily and mixed-use projects in transit areas without requiring a public hearing and to develop anti-displacement strategies. The City intends to comply with the first deadline to submit a preliminary transit-oriented community assessment report on or before June 30, 2025.

HB-1152 Accessory Dwelling Units:

This bill will require updating our Land Use Code to permit Accessory Dwelling Units (ADUs) wherever we allow single-family detached homes. As of February 14, 2025, the LUC was updated to be compliant with HB-1152.

HB-1304 Minimum Parking Requirements:

This bill will require updates to the Land Use Code to remove minimum parking requirements for multi-family and certain mixed-use projects close to transit. As of February 15, 2025, the LUC is compliant with HB-1304.

Policy Foundation

Code updates are complex, multifaceted efforts that build on years of previous planning work. The LUC is the City's primary regulatory tool for implementing our community's vision as described in various policies and adopted plans. The City has over 300 pages of adopted policies and information to inform the LUC Updates that primarily come from the following documents:

- *City Plan*
- *Housing Strategic Plan (HSP)*
- *Economic Health Strategic Plan*
- *Our Climate Future (OCF)*
- *Transit Master Plan*
- *15-Minute City Analysis*
- *Land Use Code Audit (which identified opportunities to align LUC with the newly adopted City Plan)*
- *Council Priorities (affordable and achievable housing strategies; 15-minute communities)*
- *Urban Forest Strategic Plan*

Relevant Council Priorities

- **Council Priority No. 1:** Operationalize City resources to build and preserve affordable housing
- **Council Priority No. 3:** Advance a 15-minute city by igniting neighborhood centers
- **Council Priority No. 4:** Pursue an integrated, intentional approach to economic health

- **Council Priority No. 8:** Advance a 15-minute city by accelerating our shift to active modes

These documents and priorities serve as primary inputs to the formation of Guiding Principles and code language, augmented by work accomplished in Phase 1 of the LUC update. Staff have been engaging internal staff and providing monthly updates at work sessions with the Planning & Zoning Commission.

Guiding Principles

The following Guiding Principles were developed utilizing goals, policies and action items from the adopted policy plan documents mentioned above, in addition to Council priorities.

- Enable more housing and mixed-use buildings, especially along roads with frequent bus service
- Create resilient commercial and employment centers that are adaptable to future needs
- Create clearer building and site design standards that promote transit use, walking, and rolling along roads with frequent bus service
- Improve Predictability of the Land Use Code, especially to support small business owners

Project Focus Areas

Focus areas for Land Use Code updates have been identified based on Guiding Principles, community input, and analyses conducted by the consultant team and City staff.

Transit Oriented Development Overlay (TOD) District

Corresponding Guiding Principle: *Enable more housing and mixed-use buildings, especially along roads with frequent bus service*

The Purpose of the Transit-Oriented Development Overlay District is to modify the underlying zone districts south of Prospect Road to encourage denser development and supportive land uses close to transit. The TOD Overlay offers height bonuses if projects meet various criteria. These criteria include building affordable units (at least 10%), including structured parking, and including mixed-use. Height bonuses are meant to incentivize greater density in certain areas. Most of the underlying zone district south of Prospect Road within the TOD Overlay is General Commercial.

Example: A 4-story building is currently allowed in General Commercial zoning (CG). With the TOD Overlay Zone Incentives, up to a 7-story building would be allowed if all incentives are used.

Although the TOD Overlay encourages higher-intensity mixed-use development, most of the built and proposed development and redevelopment in this area continues to be suburban in character and generally low-intensity uses. Testing the various potential configurations for market feasibility reveals that most configurations to include mixed-use, even with the additional height allowances, do not achieve a feasible internal rate of profitability return that would make a developer willing to take on a project. Primarily, costs of construction and low commercial rents disincentivize building more floors. Only with a tax incentive does the prospect of adding the additional 3 floors allowed within the TOD Overlay and a ground floor commercial component begin to achieve a feasible internal rate of return. However, a test scenario to assume one-story additional height allowance (5-story residential building) without a mixed-use component is found to be the most market feasible development type available today.

Another reason why the development pattern within the TOD Overlay continues to be low-density and auto centric could be the land uses that are allowed by the Land Use Code. Permitted land uses in the TOD currently include gas stations, self-storage, drive-thru restaurants, drive-thru pharmacies, car washes, drive-thru banks & credit unions, and stand-alone parking lots, amongst others. Auto-centric uses are already concentrated within most of the TOD Overlay, particularly in the area south of Prospect Road (please reference April 9 Open House Map 'Transit-Oriented Development' map). Additional concentration

of these uses makes it more difficult to achieve the dense, mixed-use environment as envisioned by the TOD Overlay.

Community engagement for this project thus far has documented a large volume of comments about the amount of existing surface parking provided by many of the commercial developments across Fort Collins, but particularly in the TOD overlay. Currently in the Land Use Code, there is a parking minimum and a parking maximum that must be met by non-residential uses. Therefore, another consideration during this code update could be to adjust and recalibrate the amount of parking required for non-residential uses.

Recommended Code and Policy Changes

Based on staff and consultant analyses, staff is recommending the following code changes within the TOD section of the LUC:

- **Recalibrate incentives:** Consider recalibrating height bonuses for standalone residential.
- **Adjust permitted uses:** Limit additional low-intensity or excessively auto-centric uses such as drive-thrus, gas stations, and single-floor mini storage.
- **Recalibrate non-residential parking:** Consider lowering surface parking minimums and/or maximums for commercial uses.
- **Leverage other City incentives outside of the LUC to encourage desired TOD development:** Examples: URA, public-private development opportunities.

Harmony Corridor and Employment Zones

Corresponding Guiding Principle: *Create resilient commercial and employment centers that are adaptable to future needs*

The Harmony Corridor District is intended to implement the design concepts and land use vision of the Harmony Corridor Plan - that of creating an attractive and complete mixed-use area with a major employment base. The Harmony Corridor Plan was adopted in 2006 as an element of City Plan. “Primary” and “Secondary” uses were established to emphasize the office and employment functions of the area. While this has served the area well in the past, market conditions have shifted away from large office parks and demand for residential and smaller retail has increased.

Current Standards:

In addition to defining Primary and Secondary Uses within the Harmony Corridor, the code defines ratios of Primary versus Secondary Uses for development plans as follows:

- Secondary Uses may occupy no more than 25% of the Gross Area of the Development Plan
- Locate industries and businesses in areas designated for Primary Uses.
- Primary uses must account for 75% of the development plan area.

Primary Uses:	Secondary Uses:
<ul style="list-style-type: none"> • Offices, financial services & clinics • Long term care facility • Medical centers/clinics • Light industrial • Mixed-use Dwellings • And Others 	<ul style="list-style-type: none"> • Residential uses (with some exceptions) • Convenience shopping centers • Standard restaurants • Limited indoor recreation use and facility • Child Care Centers • And Others

Recommended Code and Policy Changes

The development pattern within the Harmony Corridor has generally achieved the vision of the Harmony Corridor plan. Community feedback regarding this corridor has largely centered around the need for greater flexibility while maintaining some areas for employment uses to allow for mixed-use development. Testing various market feasibility scenarios has revealed that housing development is most feasible in this area, much more economically viable than employment or large office parks. That said, given the desire for flexibility and mixed-use potential, staff recommend a number of adjustments to standards intended to achieve the Guiding Principle for the Harmony Corridor and other areas zoned for Employment across the community.

- Adjust the primary/secondary use ratio to allow for a greater mix of uses, including housing
- Adjust primary use requirements in mixed-use buildings
 - Explanation: Currently, the LUC requires that the entire ground floor of a mixed-use building in these zone districts be occupied by a primary use. Consider reducing this requirement to allow a smaller portion of the ground floor or any individual floor to be occupied by a primary use.
- Allow more secondary uses as part of a multi-story, mixed-use development
 - Explanation: This would allow more configurations of mixed-use buildings, combining multiple secondary uses. For example, a building with a restaurant on the ground floor and upper floors of residential.
- Allow standalone secondary uses to be developed if replacing an existing surface parking lot

Building Design Standards

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

The LUC currently does not include non-residential building types or provide additional configurations of mixed-use buildings (Article 3 of the LUC). This often results in a lack of clarity for development teams regarding design standards and can sometimes lead to project delays and miscommunication.

Article 5 of the LUC (General Development and Site Design) includes the standards that influence building placement and site design, building standards, circulation and connectivity standards, bus stop design standards, etc. – **standards that influence the pedestrian, multi-modal, and transit experience.**

Form standards and building types (like the diagrams added during Phase 1 of the LUC update) can yield better design outcomes and can help achieve more predictability in built projects.

Article 5 of the LUC was not updated in the last round of code updates and contains redundant sections that could be clarified, simplified, and possibly eliminated with the addition of building types.

Recommended Code and Policy Changes

To address the redundancy in the code within Article 5 and to move to greater clarity and predictability, staff are recommending the following code changes:

- Develop new Non-Residential Building Types to be added to the LUC
- Consolidate and organize standards addressing non-residential buildings. Convert text standards to illustrations and graphics
- Update pedestrian-oriented design standards:
 - Connectivity and site circulation

- Frontage and ground floor activity
- Building massing and articulation

Change of Use

Corresponding Guiding Principle: *Improve predictability of the Land Use Code, especially to support small business owners*

The Change of Use process is used in a variety of situations, including for existing business spaces that are changing from one allowable use (ex: retail shop) to another (ex: restaurant). Often the requirements are meant to identify both areas of necessary site improvements (ex: sidewalks and lighting) that are commensurate with the change of site intensity (ex: more visitors at different times of the day).

Current standards do not offer clearly defined boundaries for the extent of site improvements. The onus is then placed on staff to decide on the level of requirements for a Change of Use process. These requirements are often based on site deficiencies rather than other factors, such as actual changes to site intensity or the magnitude of the project (ex: major site reconfiguration or a major change in site use intensity).

The Change of Use process has been identified as an area for improvement, both for process and clarity of requirements. These areas for improvement have been identified through community and staff engagement.

Recommended Code and Policy Changes

To alleviate ambiguity and to add predictability in the process, staff are contemplating the following changes:

- Design an approach that makes requirements clear from the beginning and is commensurate with the impact of the proposed changes:
 - Reduce the quantity of projects that must go through the change of use process.
 - When a site is undergoing a more significant change, limit site upgrades to a percentage of the total cost of the project.
 - Prioritize the site upgrades that the Land Use Code requires.

Other LUC Updates

The four categories of code updates organized by Guiding Principle capture the most significant anticipated code updates. However, staff are also tracking a list of smaller clarification and clean-up edits that will appear in the first version of the draft LUC. These edits will be documented, and staff will be prepared to review and discuss these suggested edits with City Council during future work sessions.

Focus Group topics and other engagement

Several Focus Group conversations were held with frequent users of the code and smaller, local businesses who have recently gone through a development review process. These were held in January and February of 2024. A summary of feedback from the five focus groups is attached to this AIS. Below is a brief summary of feedback:

Code Feedback and Recommendations

Feedback was wide-ranging, including many suggestions on process and coordination between departments. Subjects also varied widely, including suggestions for improvements to Historic Preservation

requirements and clarity regarding habitat buffer zones. While most participants recommended fixes to the process not directly outlined in the LUC, and considered them just as important as LUC changes, they also had many suggestions for improvement of the LUC. The following list is most pertinent to the updates proposed in the Commercial Corridors and Centers project, but more can be found in the attachment:

- Make the LUC easier to navigate. There is a steep learning curve for laypeople who are trying to navigate the LUC. It is not organized in a user-friendly way.
- Build in ranges and flexibility to make it easier to make modifications for infill development. Where possible, articulate an objective and offer flexibility in how a developer meets that objective.
- Participants like the form-based code but want to ensure that examples are realistic and representative. Build in flexibility around form definitions.
- Better distinguish between infill and greenfield standards, as infill projects always require modifications to the Code standards, which are currently better suited for suburban landscapes.
- Expand the definition of “uses,” as the change of use process is complicated.
- Revisit architectural design requirements, as requirements intended to improve architectural diversity hamper creativity.
- Clarify requirements for compatibility and transitions between adjacent uses, especially if there is a transition in density.
- Re-evaluate restrictions on secondary uses and redefine employment zones to better reflect the current, post-pandemic market.
- Update parking ratios and calculations in mixed owner environments and based on market conditions, for example in big shopping centers with a mix of business types and property arrangements.
- Include a shared parking section in the Code for commercial and residential mixed use.

Timeline and Next Steps

Following the April Work Session, staff will continue code refinement and plan to meet with focus groups again in May or June to review drafted code concepts. A public release of a draft LUC is anticipated in June. Staff expect to return to a work session with City Council in July to discuss feedback on the draft LUC and ideas for refinement of code sections prior to finalizing a draft.

ATTACHMENTS

1. Draft Summary of Focus Group Feedback
2. Boards from April 9th LUC Open House
3. Commercial Code Sensitivity Analysis
4. Presentation

Fort Collins Land Use Code Updates Winter 2025 Outreach Summaries

DRAFT

Compiled for Staff Review by Kearns & West

March 20, 2025

Fort Collins Land Use Code Updates Winter 2025 Outreach Summary Overall Themes and Takeaways

Approach

The City of Fort Collins is updating its 1997 Land Use Code (LUC or Code) to meet the community's evolving needs. The first set of updates focused on housing, reorganization, and moving to visual representations of code standards, away from a fully text-based code. City Council adopted these updates in May 2024. The second set of updates, which was the focus of outreach in January and February 2025, is centering on commercial and mixed-used corridors.

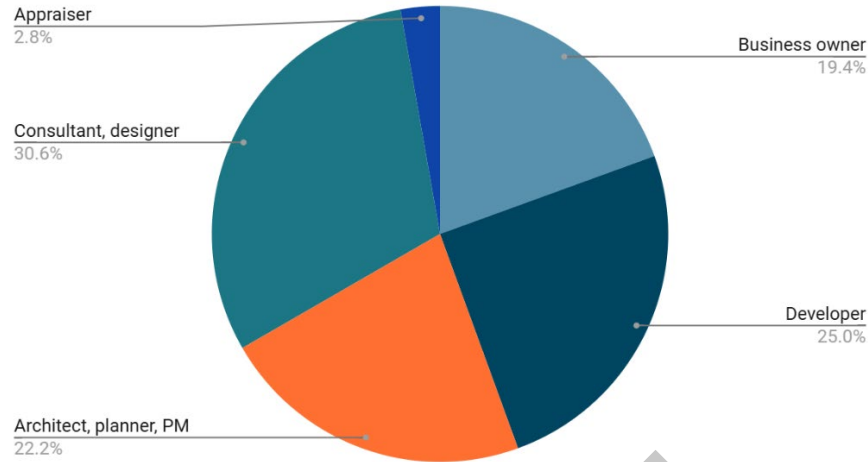
Kearns & West, a neutral facilitation firm, facilitated five focus groups, held five 1:1 conversations, and received email feedback to capture the perspectives of developers, consultants and designers, architects, site planners, project managers, brokers, agents, and business owners. The goals of the outreach were:

- Identify how the LUC can enable outcomes that align with City Plan's values and priorities.
- Understand perspectives on the existing Code and ideas for changes in the new Code.
- Understand how the LUC is or is not supporting interests and desired outcomes, need for clarity, and pain points.

Participants

Focus group participation was by invitation and referral from invitees, prioritizing frequent Code users to ensure that their technical expertise informs this set of updates. The City of Fort Collins provided Kearns & West with a list of individuals recommended for outreach, including developers, architects, site planners, designers, consultants, and small business owners, including recent development or permit applicants whose experience with the development review process demonstrated common challenges and opportunities with the Code. Across all technical outreach, Kearns & West heard from 36 frequent Code users (participants, users, or individuals) Most participants could be primarily categorized as business owners; consultants or designers; architects, planners, or project managers; or developers.

Stakeholder types



Individual focus group feedback, and a summary of all feedback heard from 1:1 conversations and written feedback sent to Kearns & West, are summarized in individual documents. This document captures themes and takeaways across all feedback received.

The City of Fort Collins is also reaching out to the public for feedback on the future of commercial corridors and centers through in-person and virtual open houses and an online comment form.

Summary

Outreach participants offered feedback on what is working well with the existing development review process and LUC, what they would like to see changed about the process, and what they would like to see changed about the Code. While participants named sections of the Code that needed improvement, much of the conversation focused on the development review *process* and how the LUC interacts with codes and standards from other divisions, departments, and agencies. Participants felt strongly that streamlining processes and standards across all divisions and departments is just as important as Code updates. This summary captures feedback received, recognizing that some is outside the scope of the LUC itself.

What's Working Well

Participants expressed appreciation for several elements of the development review process:

- Comments are timely and organized into a single document for easy review.
- City staff are generally helpful and great to work with.
- Recent improvements to the appeal process are saving time and money and ensuring that appeals are substantive.
- The conceptual review process is generally appreciated.
- Staff are willing to help applicants schedule meetings where all departments come together to work through tradeoffs and modifications in their respective codes and standards.

- The addition of a development review coordinator position has helped applicants navigate the process more smoothly.
- Form-based code is helpful.

Process Feedback and Recommendations

Participants expressed frustration with the interaction of standards and codes across various departments as well as with the expensive and lengthy development review process. They recommended improvements to address these concerns:

- Consider land use, building, forestry, utility, and fire department codes and standards holistically and update the process and standards accordingly to ensure coordination and/or integration of requirements as well as easier navigation of all processes.
- The City should affirm its priorities—small business development, affordability, density, etc.—and ensure that the Code is helping developers realize those priorities, including streamlining the review process for projects that help with those priorities.
- Match review cycles to the complexity of the project.

To improve coordination immediately, participants suggested solutions that have worked for some Fort Collins projects or in other jurisdictions:

- Implement weekly office hours to allow a work session after the first review/set of staff comments, where two or three staff are available to discuss design comments and answer questions.
- Organize design charettes that involve the project leads and representatives from various departments (planning, utility, Poudre Fire Authority, etc.) to coordinate across departments before conceptual review. The process allows all parties to discuss priorities and site constraints, tradeoffs, and needed modifications, address conflicts proactively, and save time.
- Invest more time up front in listening, understanding the needs of an applicant, and ensuring that an applicant understands what is and is not possible to save time in the future.

Participants also offered observations and recommendations related to staffing and staff support:

- Consider the impact of staff turnover on the review process. New staff should be required to sit in on reviews and/or meet with a developer for additional context soon after they are hired.
- Once properly trained, empower staff to take decisive action to support applicants, navigate conflicts, and evaluate modifications or variances.
- Increase the budget for development review coordinators.
- Better insulate staff from public feedback and/or set better boundaries around the impacts that the public has on the project design level. Staff get demoralized and may leave their positions if the public has too much power to hold up projects.

While the City has expressed a desire to support small businesses and the public loves living in a community with many small businesses, the development process is frustrating for small

business owners (SBOs) and discourages them from opening a business in Fort Collins.

Participants offered some recommendations specific to supporting SBOs:

- Provide a clear and accurate summary of the costs SBOs should anticipate throughout the development review process. SBOs need to plan financially and may base their design on the financial risks.
- Invest time upfront to listen to SBOs' visions for a property to ensure that they are pursuing the level of development review appropriate for them.
- Make clear to SBOs which feedback they must incorporate into their plans and what interpretations are applicable to them. The process does not make clear that some recommendations are required by the LUC and some are interpretations of the LUC.
- Consider creating a program for SBOs to move into a building, comply with essential standards, and then start operating, gradually becoming compliant with the Code in its entirety. Consider the purpose of the small business and its benefit to the community in relation to LUC gradual compliance.
- Better support already-operating SBOs in complying with modifications required by Land Use Code updates.
- Communicate clearly with SBOs about how construction on nearby roads and/or businesses will impact them and how/whether they can weigh in before and during construction. This will help build trust between SBOs and the City.
- Provide more upfront financial support to SBOs to make it easier for them to open their businesses and navigate the process, especially for SBOs from underrepresented groups. Consider how Small Business Administration loans impact an SBO's ability to meet other process or Code requirements.

Code Feedback and Recommendations

While most participants recommended fixes to the process not directly outlined in the Code, and considered them just as important as Code changes, they also had many suggestions for improvement of the Code:

- Make the LUC easier to navigate. There is a steep learning curve for laypeople who are trying to navigate the Code. It is not organized in a user-friendly way.
- Build in ranges and flexibility to make it easier to make modifications for infill development. Where possible, articulate an objective and offer flexibility in how a developer meets that objective.
- Participants like the form-based code but want to ensure that examples are realistic and representative. Build in flexibility around form definitions.
- Better distinguish between infill and greenfield standards, as infill projects always require modifications to the Code standards, which are currently better suited for suburban landscapes.
- Loosen restrictions related to historic preservation, as buildings that meet the threshold in Fort Collins may not meet the spirit for structures that merit preserving.
- Expand the definition of "uses," as the change of use process is complicated.
- Revisit required reviews for major or minor amendments and Type 1 and Type 2 uses. Participants feel that simple changes are subject to unnecessarily complicated processes.

- Define “compatibility” more clearly in the LUC to establish a consistent, non-subjective standard and allow flexibility in meeting it.
- Revisit architectural design requirements, as requirements intended to improve architectural diversity hamper creativity.
- Clarify which natural habitat buffers should be protected, particularly emphasizing the differences in protection requirements for human-made habitats. Simplify the requirements to protect natural features to eliminate complexity and red tape.
- Clarify requirements for compatibility and transitions between adjacent uses, especially if there is a transition in density.
- Re-evaluate restrictions on secondary uses and redefine employment zones to better reflect the current, post-pandemic market.
- Update parking ratios and calculations in mixed owner environments and based on market conditions, for example in big shopping centers with a mix of business types and property arrangements.
- Include a shared parking section in the Code for commercial and residential mixed use.

Differences Across Feedback

There were more similarities than differences in the feedback received from different user types. The most prominent difference was philosophical, with some practical applications: With respect to transportation, do you plan projects to move the city closer to City Council’s vision for the future or build to accommodate current conditions and preferences?

For example, some participants felt frustrated with parking minimums, especially in denser parts of town, and encouraged the city to let the market decide what is needed in terms of parking. Some felt strongly that parking needs to continue to be a priority, especially in shopping centers and for SBOs who worry about the impact of lack of parking on businesses. Some felt that Fort Collins will always be a city of cars and bikes, and that catering to public transit does not make sense.

Participant Appreciation

Kearns & West is very grateful to the individuals who shared their time and expertise to inform these LUC updates. We offer a hearty thank you to everyone who participated.

Commercial Buildings and Site Design

Guiding Principle:

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

What we've heard from the community so far on this topic:

All these gigantic parking lots along College drive me crazy. They're always 20% full at most. Build apartments and townhomes lining College with the big boxes behind. Housing is occupied at night and retail during the day. Let them share lots.

We need more areas like this. Small commercial locations located within walkable neighborhoods. Who doesn't want to walk down the block to their neighborhood cafe?

Please encourage more community commercial at major intersections. I would like to see less parking, more housing, and a more pedestrian friendly design, but these two malls north of Drake provide an easy place for many people in the surrounding neighborhoods to access via bike or foot.

The satellite image (of the city) tells the whole story. Sprawling parking lots mean wasted space, hot pavement, and a hostile environment for people.

Businesses need parking to succeed because we drive cars to get around. Zoning should encourage right-sizing of parking, not over-sized and certainly not undersized, so that businesses can succeed. By having the majority of the population as their customers, businesses should decide this, within some wide constraints.

There's simply too much parking and fewer commercial spaces/housing around our south transit center.

This is an excellent example for how to make a strip mall more compatible for pedestrians. All that has been done here is to move the storefront up to the curb. The parking still exists but is tucked behind the building. This encourages pedestrian access.

This parking lot is never close to halfway full. Another example of poor land use with big box stores with large parking areas that detract from the character of our city.

There is a lot of strict residential space in this city, if our neighborhoods allowed corner stores and more mixed use development it would be better for everyone.

What needs an update:

This topic is all about how commercial building and site design requirements can support more user-friendly, mixed-use spaces that are walkable and aligned with the 15-minute city concept—where everything you need is close by. The goal is to make sure both businesses and the community can thrive together.



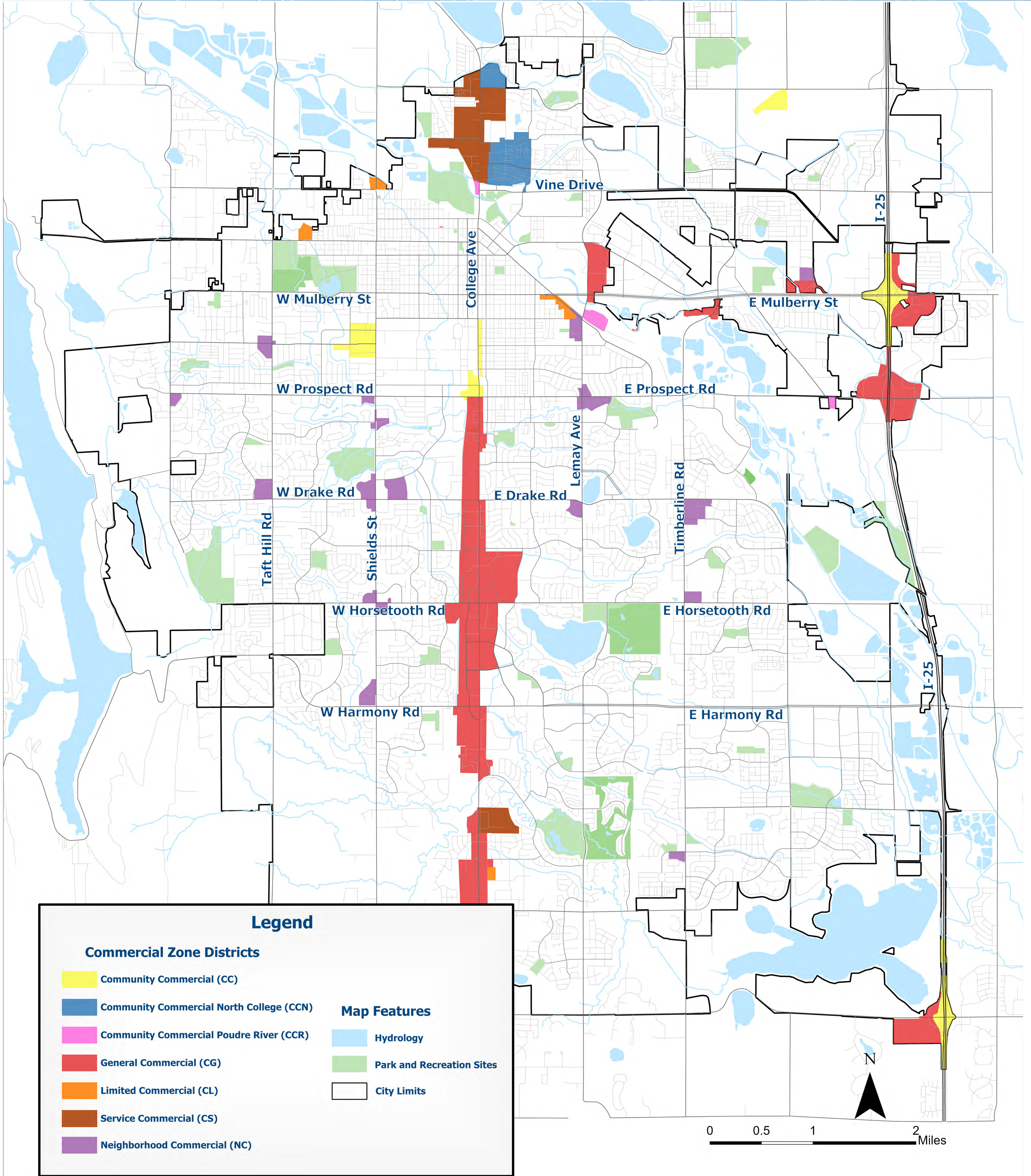
The current Land Use Code needs to be updated to create more walkable, less car-centric spaces by revising parking standards and adding form standards for commercial buildings. This will reduce the emphasis on vehicle storage and prioritize pedestrian-friendly design, multi-modal connections, and easier access to transit. By improving these standards, we can foster better design, more predictability, and stronger connections between residential and commercial areas, as well as transit stations.

Possible code changes:

- Consider adjusting the required parking ratios, minimums, and maximums for certain nonresidential uses.
- Clean up and augment design standards in Article 5 of the Land Use Code which includes building placement and site design, building standards, circulation and connectivity standards, bus stop design standards, etc. - standards that influence the pedestrian, multi-modal, and transit experience.
- Add nonresidential building types into the Land Use Code to accompany the residential building types that were added to the Land Use Code in May 2024.

Building design and site design, particularly when it comes to parking, are closely connected in shaping the pedestrian experience. The layout and configuration of a site, including the placement and amount of parking, directly impact how accessible and inviting a space feels for pedestrians. If parking is placed in front of buildings or dominates the landscape, it can create a car-centric environment that discourages walking and creates disjointed connections between residential, commercial, and transit areas. In contrast, well-designed site layouts with strategic parking placement and pedestrian pathways can create smoother transitions and more inviting spaces for people to move through.

Commercial Zoning Map



WE WANT TO HEAR FROM YOU!



What can we do to improve parking lots in future commercial developments?

How parking works now:

Under the current Land Use Code, there are parking requirements for non-residential uses. Nonresidential uses are required to provide a minimum number of parking spaces and are limited to a maximum number of parking spaces.

Land Use	Min. Spaces*	Max. Spaces*
Shopping Center	2	5
General Office	1	3
Retail	2	4
Standard restaurants and bars	5	10
Fast food restaurants	7	15
Grocery Store	3	6

*These spaces are per 1,000 square feet of building footprint.

Maintain the current nonresidential parking requirements without change.

Lower or eliminate the minimum nonresidential parking requirements.

Lower the maximum nonresidential parking requirements.

Eliminate minimum AND lower maximum nonresidential parking requirements.

Types of Development in Transit Areas (TOD)

Guiding Principle:

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

What we've heard from the community so far on this topic:

Please encourage or require all new developments near MAX bus stops to provide a pedestrian walkway connecting the stop to the main street. Asking pedestrians to walk an extra half mile to reach a stop does not encourage riders to use the service.

I like this small-scale commercial with some units fronting onto alley.



Drive through restaurants enable car dependency and this particular example frequently causes traffic to block a lane of a public road. Discourage construction of new drive-through restaurants and encourage small-scale restaurants in neighborhoods.

We should have housing, walkable commercial, or campus destinations at these stops, not mostly empty parking lots.

Most of the neighborhoods and businesses along the transit line are not connected to the transit line because of all the vacant parking lots.

I live in this neighborhood and it's a real shame that the only business neighboring all of these houses is a motor vehicle repair shop. Not only is it loud, but it doesn't support the residents living here. Commercial businesses in neighborhoods should provide services that people use daily and weekly, not annually (if ever). I would love to be able to walk here and buy food, for example.



This is a prime location for infill housing development. Along a rapid transit corridor, in walking distance of grocery and retail, and currently underutilized. What can be done in the LUC to incentivize redevelopment of parcels like this one?



I've lived here for two years, near this intersection, and just learned these businesses exist. They're so far setback from the road by the sea of parking that I literally didn't know they were there. I wish we could use our land use code to put businesses at the front/on the street and put parking in the back.



Transit-Oriented Development (TOD) Overlay

The TOD Overlay zone, introduced in 2007 and updated in 2013, aims to encourage development near transit stations, like the MAX Bus Rapid Transit along the Mason Corridor. It encourages mixed-use buildings, so people can walk to shops and services from homes and transit stations.

The TOD Overlay allows buildings to be up to 7 stories tall if they utilize all available incentives, such as including mixed-use spaces, structured parking, or affordable housing. This is a 3-story increase over the General Commercial zone's 4-story limit.

What needs an update:

Challenges in South of Prospect Area

While the TOD has led to more mixed-use projects north of Prospect, the area south of Prospect has mostly stayed low-density, suburban, and doesn't fully align with the TOD's vision for higher-density development.

Auto-Centric Uses in the TOD Overlay Area

Many parts of the TOD Overlay still allow auto-centric uses like gas stations, drive-thru restaurants, and car washes, which don't fit the TOD's goal of promoting higher-density, transit-friendly development.



Parking Lots



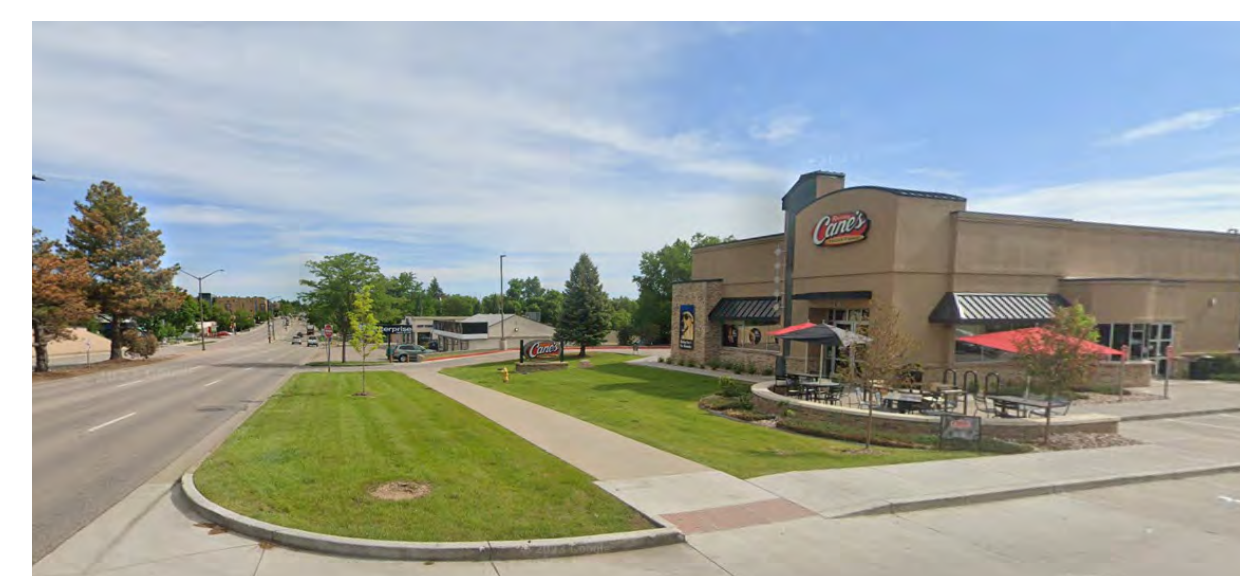
Gas Stations



Banks & Credit Unions



Parking between the road & businesses

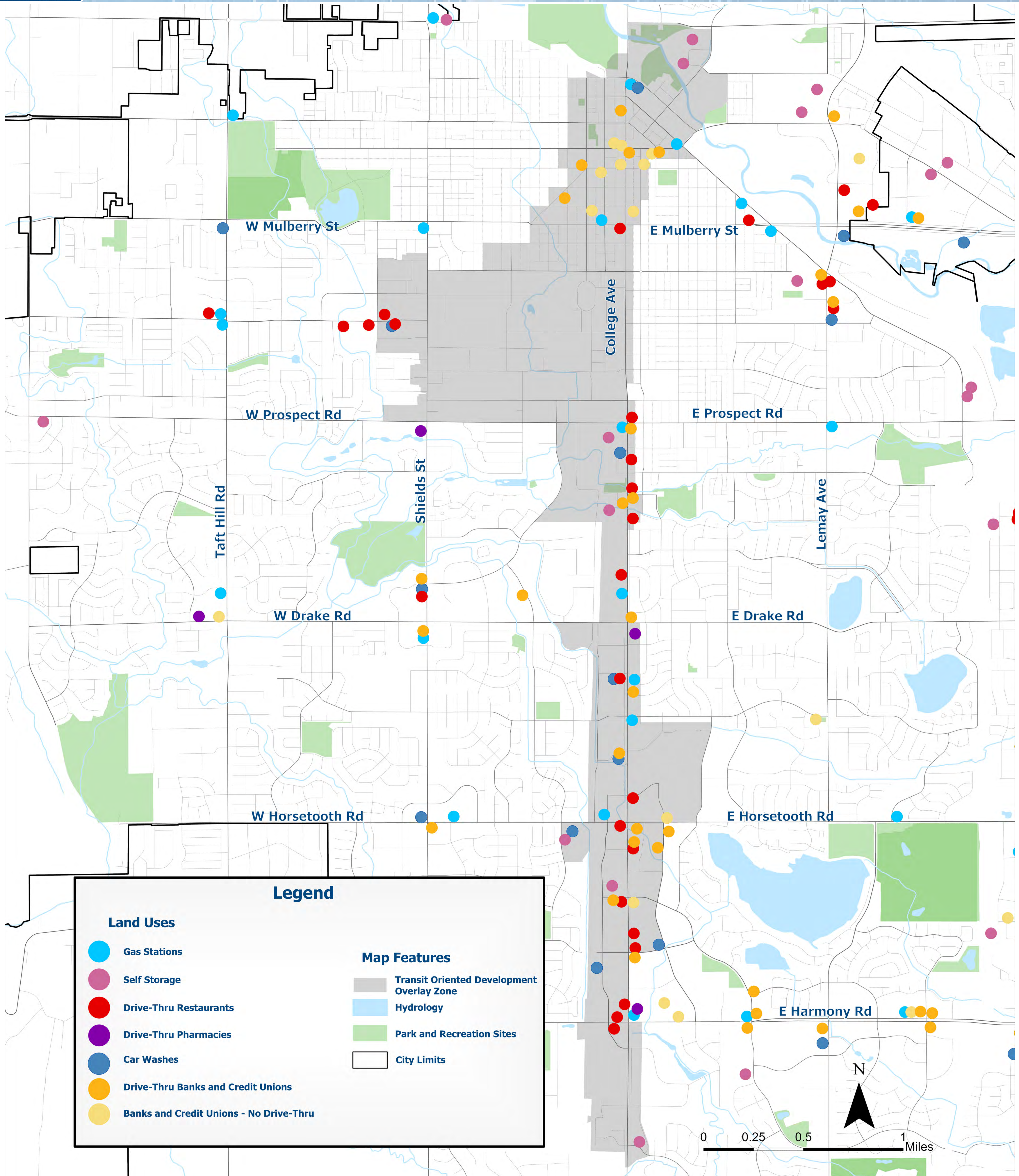


Drive-Thru Restaurants

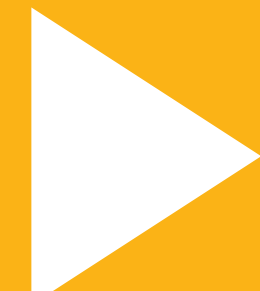


Frontage Road & low density

Transit-Oriented Development Map



WE WANT TO HEAR FROM YOU!



Would you like to see MORE of these uses in the TOD in the future?

We heard from the community that there is a desire for more walkable places and less auto-centric uses. Please consider whether these uses should be permitted more or less in the Transit-Oriented Development (TOD) Overlay zone in the future? This would not mean the removal of existing businesses; but instead, would *prevent additional new construction* of these uses in the future if they were proposed.

gas stations



self-storage



drive-thru restaurants



drive-thru pharmacies



car washes



drive-thru banks & credit unions



banks & credit unions



stand-alone parking lots



Harmony Corridor and Employment Zoning

Guiding Principle:

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

What we've heard from the community so far on this topic:

These big box stores and parking wastelands are on their way to becoming suburban blight over the next few decades. While the core of this shopping area is decent, the surrounding area is already inhospitable and should be considered for redevelopment with access to nearby residential.

Commercial along the street behind a sidewalk with parking in the back and even a roundabout. Though not perfect, this is much closer to how retail along larger streets should look.



This area has the opportunity to be great. If the sea of parking could be reduced to 25% of what it is today and the excess replaced with dense infill housing development, this area would be awesome to live in/near.



I don't like having no sidewalk leading to strip mall (through parking lot).

Why is this zoned as Urban Estate? It's on a prime intersection/transit corridor close to jobs. Rezone this and allow mixed-use. It could be a cool opportunity for a new walkable spot along a future transit line.

Raising up this section of the street in front of Safeway makes people drive much slower through here and makes it so much more comfortable to walk out here. This is so much better than the Safeway on Horsetooth and every King Soopers I've seen. All shopping centers should have designs like this.

Way too much parking. This development could have incorporated a street grid to better distribute the parking. Instead, it's a sea of parking lots, and it'll be that way when future development is added nearby.



The narrow sidewalks along Lemay are a nightmare for pedestrians, especially people with small children or wheelchairs.



What needs an update:

The Harmony Corridor Zone District limits non-employment uses in certain areas, which may no longer meet the community's needs, especially for mixed-use spaces or multi-modal corridors that support various transportation options.

Established in 2006, the Harmony Corridor Zone District aimed to prevent big-box retail and attract office parks with high-paying jobs on what was mostly agricultural land. Its focus was on developing a mixed-use area with a strong employment base, including shops and housing for workers.

To maintain this vision, the zone district set aside spaces for shopping centers, and placed strong restrictions on the remaining spaces: 75% or more of the land could only be used for land uses that provide higher paying jobs like medical centers and office parks. However, since the COVID-19 pandemic, demand for office space has dropped as remote and hybrid work has become more common. The current rules may no longer align with the way office environments function and could be hindering the creation of 15-minute places, where daily needs are within walking, biking, or rolling distance. Public input suggests that requiring building types that allow for flexible use of tenant spaces may better meet evolving needs.

Possible code changes:

Adjust the primary/secondary use ratio to allow for a greater mix of uses, including housing.

Allow more secondary uses as part of a multi-story, mixed-use development.

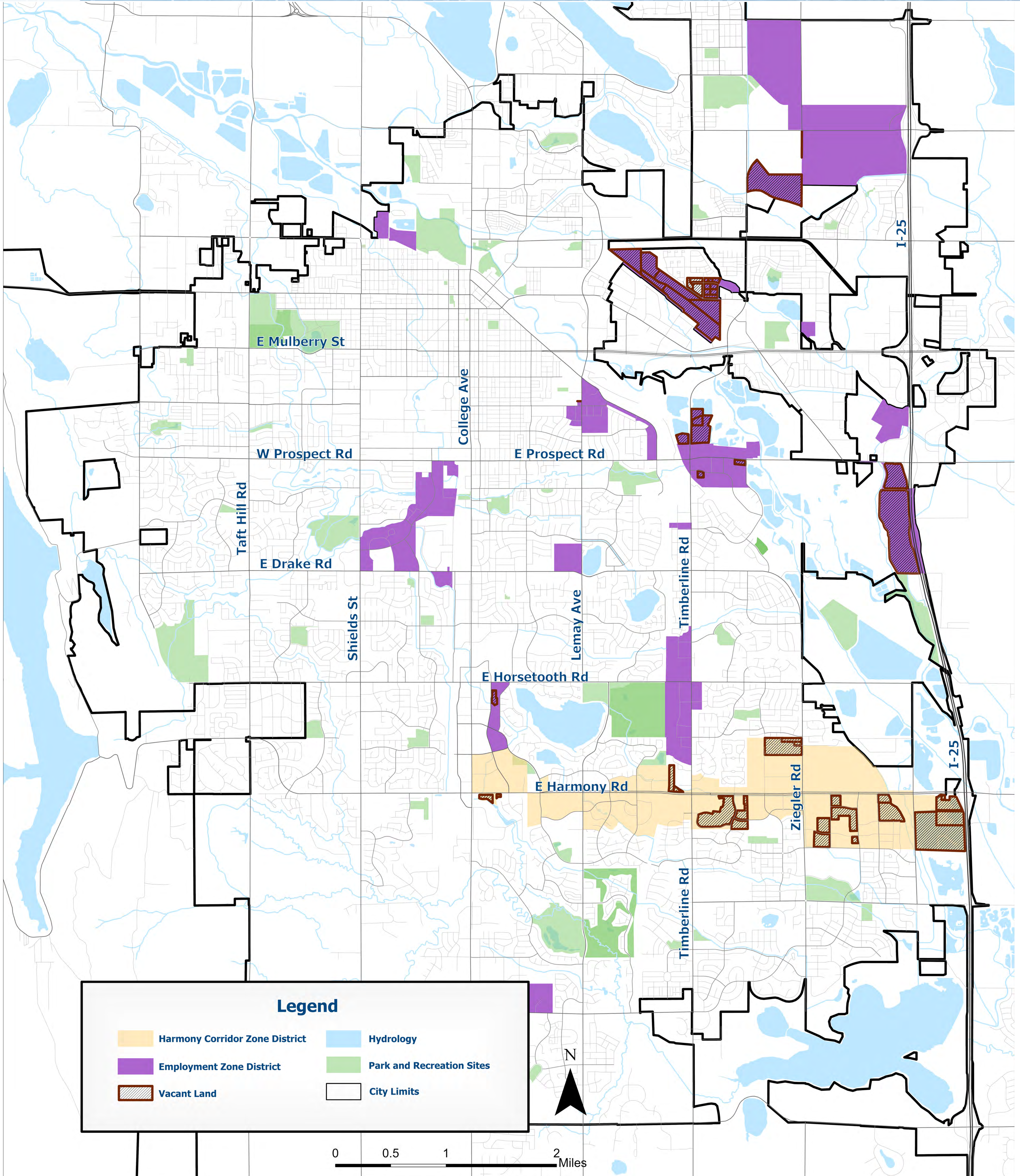
Currently, a standard restaurant would be considered a secondary use. Therefore, a building that had a ground floor restaurant with upper floors of residential would not meet the allowable primary/secondary use ratios.

Adjust primary use requirements in mixed-use buildings


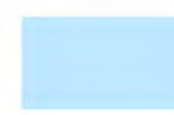

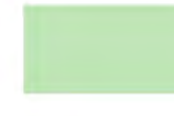


Currently, the Land Use Code already allows for mixed-use development in the Harmony Corridor zone. However, the secondary use must occupy the entire ground floor of the building. Oftentimes, this ground floor space can be challenging to lease as office or another primary use. Instead, consider allowing just a portion of the required primary use to 25% of the leasable area of any individual floor (ground or other).

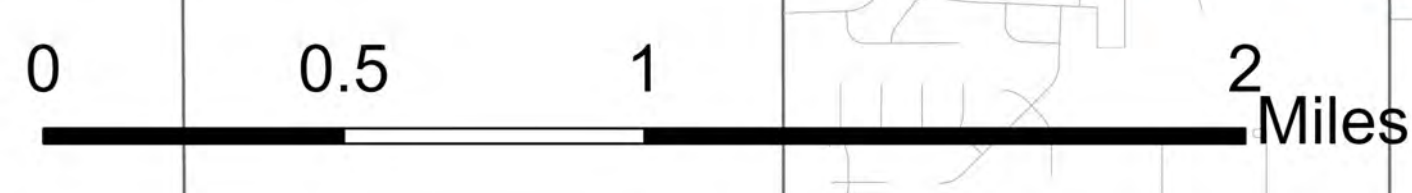
Allow stand-alone secondary uses to be developed if they are replacing an existing surface parking lot.

Harmony Corridor & Employment Zoning Map

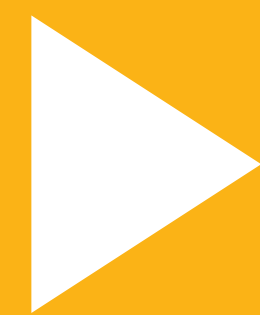


Legend

 Harmony Corridor Zone District	 Hydrology
 Employment Zone District	 Park and Recreation Sites
 Vacant Land	 City Limits



WE WANT TO HEAR FROM YOU!



The future of Harmony Corridor and the Employment Zone District

Please vote on the spectrum below from preserving the employment base (primary uses) as it is today to allowing more flexibility in land uses in the Harmony Corridor and Employment Zone District.

Primary Uses:

- Offices, financial services & clinics
- Long term care facility
- Medical centers/clinics
- Light industrial
- Mixed-use Dwellings
- And Others

Secondary Uses:

- Residential uses (with some exceptions)
- Convenience shopping centers
- Standard restaurants
- Limited indoor recreation use and facility
- Child Care Centers
- And Others



Do you think the Employment zone and Harmony Corridor should have more housing development in the future?

What types of commercial spaces or retail businesses would you like to see more of in the Employment zone and Harmony Corridor?

How do you envision the Employment zone and Harmony Corridor in 10-15 years?

Development Review Process Changes

Guiding Principle:

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

What we've heard from the community so far on this topic:

Consider how to encourage small businesses to open without putting enormous costs on their shoulders, such as the cost of installing city sidewalks or repairing off-site infrastructure.

Because developers are juggling requirements from different City departments, it would help to create a single point of contact who can expedite decisions and coordinate across departments.

Create a program for small business owners to move into a building, comply with essential codes, and then start operating, gradually becoming compliant with the entirety of the Code.

The review process is long, expensive, and sometimes unpredictable. Developers need cost and schedule predictability.

Explore lessons learned from comparable municipalities, such as Boise, Austin, and Portland, to help resolve issues efficiently.

The number of review cycles should be determined by the complexity of the project. For example, reuse projects don't need multiple rounds of review.

Many small business owners get overwhelmed by Conceptual Review, become discouraged, and abandon their project.

Update employment zones to attract additional businesses to the City and create spaces that allow for entrepreneurial ideas and exploration.

Empower City staff to provide straightforward answers, think outside the box, and help small business owners achieve their vision.

Small Business Concentrations:

Overall small business concentration is relatively evenly distributed throughout the City of Fort Collins, with only a few notable exceptions of higher and lower concentration areas. Small businesses are considered those with 50 employees or less.

Higher Concentration: Old Town

Old Town has by far the highest concentration of small businesses in Fort Collins. Old Town square and the surrounding area contain a significantly higher concentration of small businesses than any other community center, shopping center, or location within Fort Collins. Other shopping centers and community areas also have small business presences; however Old Town and the surrounding area is the only one that stands out among the rest with a much higher concentration of small businesses.

Higher Concentration: College Avenue Mid-Town

There are a significant number of small businesses concentrated with proximity to College Avenue between Prospect and Harmony. These businesses are all built with direct access and proximity to College Avenue. College Avenue sees a higher proximity of small businesses activity directly along/next to the road than other similar road stretches such as Harmony Road.

Small Business in Fort Collins:

- Number of Businesses in Fort Collins: **7,000**
- Number of Small Businesses in Fort Collins: **6,700**
- Number of Jobs: **120,000**
- Number of People Employed by a Small Business: **30,000**
- Total Labor Force Participation Rate: **71%**



Downtown Businesses



Downtown Businesses



Mid-Town Businesses



Mid-Town Businesses

Development Review Process Changes

What needs an update:

The process for making minor changes or changing the use of a property needs to strike a careful balance. On one hand, we want to make sure that safety improvements and upgrades are made to support community goals. On the other hand, we don't want to make the process excessively difficult or expensive, especially for small businesses or startups that often move into older buildings.

Right now, the process can be unclear for people just starting out. Many don't know early on what kind of upgrades or costs they might face when they're trying to change the use of a space or finish it for a new tenant. For some small business owners, it can feel like the process is all or nothing—either they have to do everything or they can't make the changes they need, which can make it hard for them to move forward.

Current Process - Small Business Change of Use Examples:

Example 1: Minor Changes



BEFORE

The applicant requested to:

- Change the use from an office to taproom
- Provide outdoor seating
- Remove the sloped walk deck and install new stairs
- Add a new 4-foot tall fence to enclose the yard
- Add a new flagstone walkway from the public sidewalk to the building
- Add crusher fines paving for the seating area.



AFTER

What triggered the Development Review?

The exterior changes required a Minor Amendment to the existing site plan.

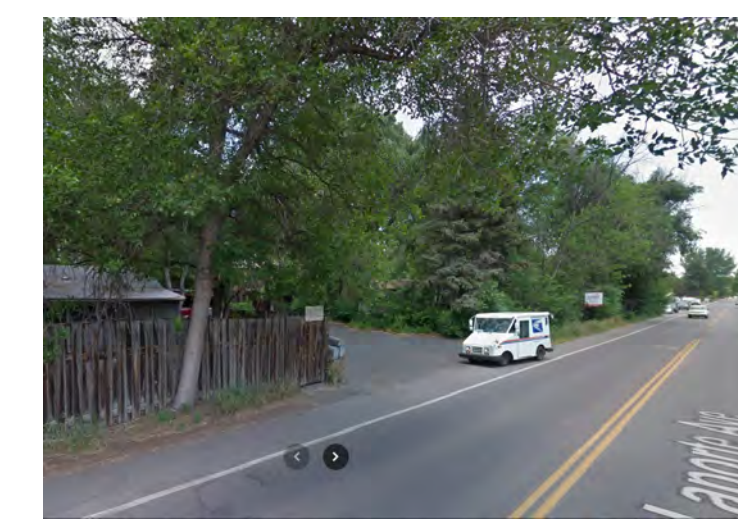
To approve the project, the City required the following upgrades:

- Slats on the fencing around the yard to be spaced wide enough that the historic building was still visible from the public right-of-way
- A shorter fence than was originally proposed
- A ring of mulch around the existing tree with a radius of 3 feet
- On-site bicycle parking

Example 2: Major Changes

The applicant requested to:

- Annex a property into the city limits
- Redevelop an existing building into a microbrewery and taproom
- Add an outdoor food truck area
- Demolish one house to build a parking lot
- Change the use of one existing house to an office



BEFORE



AFTER

What triggered the Development Review?

The change in the site's use to a brewery, the removal of housing, and the need for annexation triggered a Major Amendment review for the project.

To approve the project, the City required the following upgrades:

- No required on-site parking, but 7-14 spaces recommended, with one van-accessible handicapped space.
- Parking lot set back at least 15 feet from the property line, designed to prevent cars from blocking entry/exit, with adequate space for vehicles.
- Landscaping with tree islands and low-water-use plants in and around the parking lot, and along the perimeter; trees in the parkway along the street.
- Screening for outdoor storage, including brewery operations.
- Thirteen bicycle parking spaces and a trash enclosure.
- Ecological Characterization Study for the ditch and wetlands, with no development within 50 feet of the irrigation canal (Natural Habitat Buffer Zone) and no light spill into this area.
- Add sidewalks along street frontage.
- Walkway connecting the main entrance to the public sidewalk, avoiding vehicle areas.
- Dedication of right-of-way for public sidewalks and easements for underground utilities.
- Mitigate or replace trees removed from the site and protect existing trees during construction.
- Show change in impervious areas from the project, and provide on-site stormwater treatment and detention to prevent contamination and minimize flooding during storm events.

Please note: this is not an extensive list of everything that was required by all City departments.

How we might change the code to address this issue:

These options are still under consideration. The goal is to design an approach that makes requirements clear from the beginning and is commensurate with the impact of the proposed changes.

Graduated Approach concept:

Required upgrades are limited to a percentage of the cost of the project and/or applied over time.

This idea helps small businesses by making required upgrades more manageable. Instead of paying for all necessary improvements upfront, businesses would only need to cover a percentage of the cost or spread the upgrades over time.

Reduce the amount of change of use applications required:

Consider capturing improvements or enhancements when a site is fully redeveloping. If no site changes are occurring or intensity of the site is not greatly increasing, consider not requiring upgrades. This assumes sites will eventually achieve total redevelopment in the future.

Right now, businesses often have to apply for permission to change how a building is used, even for minor adjustments. This proposal suggests simplifying that process by reducing the number of times a business needs to apply for changes, especially if the building isn't being significantly altered or expanded.

Improvement Plan concept:

Developing improvement plans for commercial centers that can be implemented in steps or phases while allowing short-term change of uses to continue occurring on a frequent basis.

This approach allows commercial centers to upgrade gradually over time rather than all at once. Changes can be made in phases, ensuring the center evolves and improves continuously. This method supports long-term growth and sustainability without relying on tenant turnover, enabling the commercial center to enhance its overall appeal and functionality over time.

WE WANT TO HEAR FROM YOU!

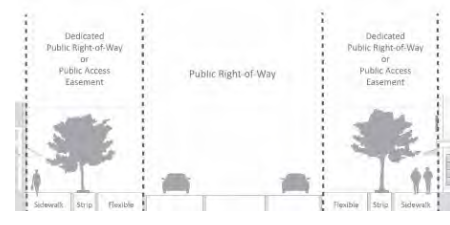


Given the site improvements we could enforce with a change of use, which to you are the most important?



Sidewalk Upgrades

Improvements to sidewalks that may include widening, resurfacing, or adding new features to make walking safer and more accessible.



Right-Of-Way Dedication

The process of setting aside land for public use, such as streets, sidewalks, or utilities, to improve access and infrastructure.



Bike Parking

Installation of designated areas for safely storing bicycles, promoting biking as an alternative mode of transportation.



Street Trees & Tree Lawn

Planting and maintaining trees along streets and in tree lawns (landscaped strip of land between the sidewalk and the street) to improve aesthetics and air quality.



Replace Missing Landscape

Replanting or restoring areas where landscaping is currently absent to enhance the visual appeal and environmental benefits of the site.



Trash & Recycling Enclosure

Providing designated, enclosed spaces for trash and recycling bins to keep areas neat and ensure proper waste management.



New Landscaping/Tree Canopy

Adding new plants, trees, and green spaces to enhance the visual appeal, environmental quality, and overall atmosphere of the site.



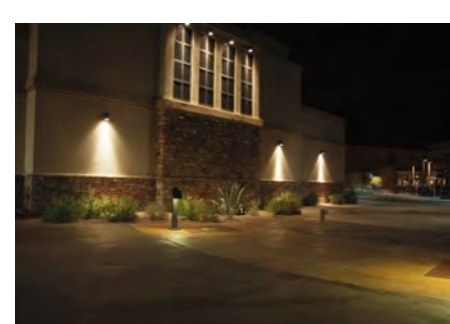
Interior Parking Lot Landscaping

Installing trees, shrubs, or green spaces within parking lots to improve air quality, reduce heat, and create a more pleasant environment.



Connecting Walkway

Creating pedestrian pathways that link different parts of the site or connect the site to nearby areas, making walking more convenient and safe.



Lighting Upgrades

Installing light systems designed to protect night skies and the health and safety of residents and ecosystems.



Stormwater Improvements

Implementing systems to manage and reduce stormwater runoff, such as rain gardens or permeable pavements, to prevent flooding and improve water quality.



Water Quality & LID (Low Impact Development)

Using environmentally friendly stormwater management technique that seeks to mimic natural systems, primarily through gardens and landscaping, while also offering a functional stormwater run-off system.

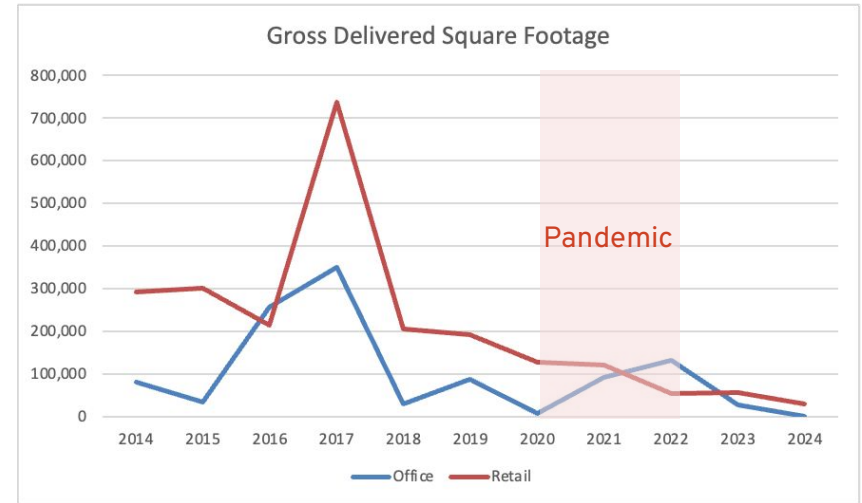
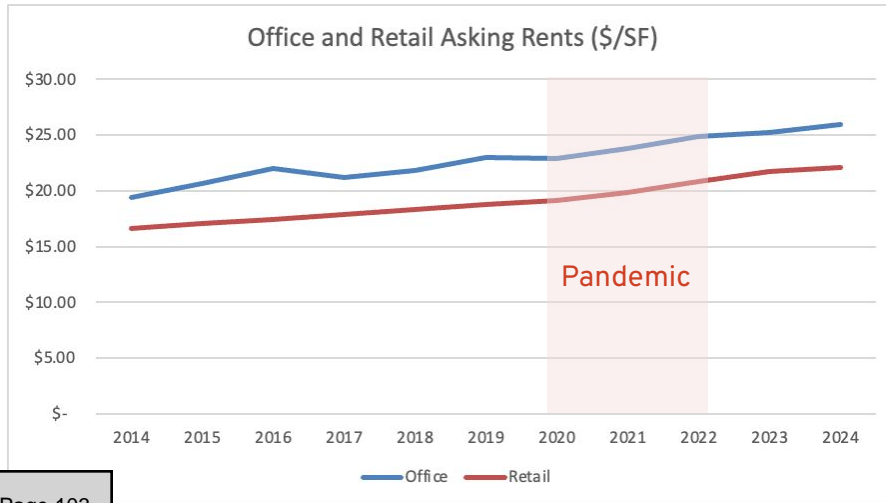


Commercial Code Sensitivity Analysis

Fort Collins Commercial Zoning Code Update
March 31, 2025

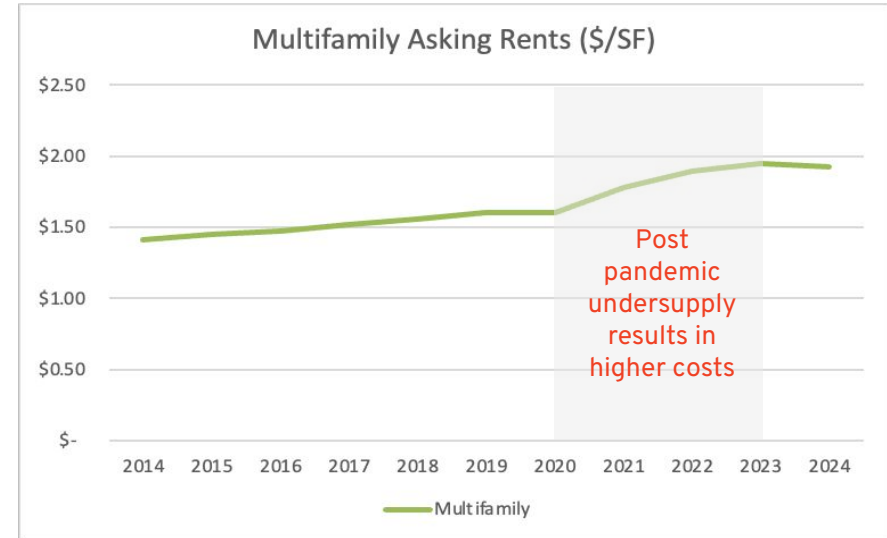
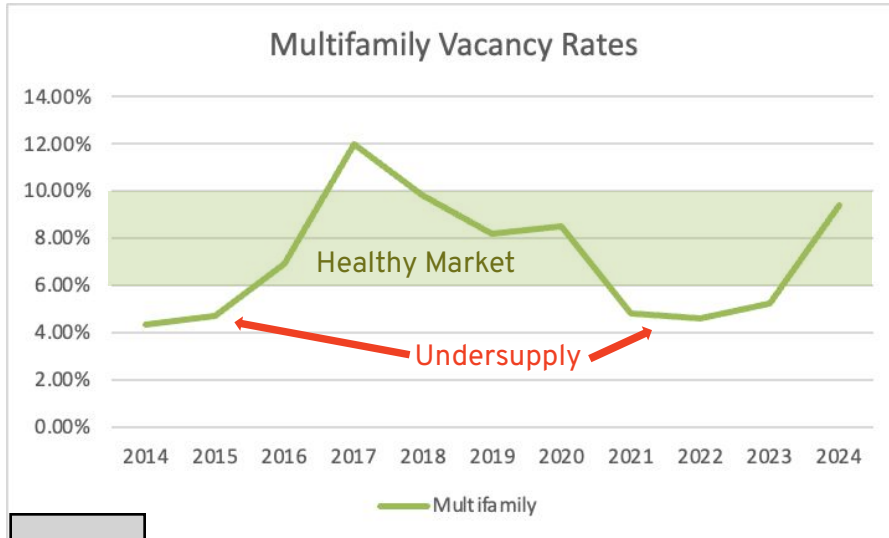
Ft. Collins Office and Retail Markets

While office and retail rents have remained stable in Ft. Collins (relative to nationwide trends), demand for new office and retail space has continued to decline following the COVID-19 Pandemic.



Ft. Collins Multifamily Market

Meanwhile, housing demand and costs have increased since the pandemic and just started to stabilize in 2024.



Key Concerns & Code Issues Evaluated

1. **Flexibility for Secondary Uses in Employment Districts:** Should primary/secondary use requirements be re-considered to support 15-minute city goals in the Harmony Corridor and Employment Districts?
2. **Transit Oriented Development (TOD) Incentives:** How effective are existing incentives at encouraging TOD development types?

Concept #1: Flexibility for Secondary Uses

Sensitivity Tests:

- **Test 1A: Existing Code**
 - HC: 6 story (5 story wood frame over 1 podium) residential with ground floor office
 - ED: 4 story (3 story wood frame over 1 podium) residential with ground floor office
- **Test 1B: Horizontal Mixed Use**
3 story apartments & 1 story free standing retail/commercial
- **Test 1C & 1D: Retail Vertical Mixed Use**
 - 1C: 6 story (5 story wood frame over 1 podium) mixed-use with partial ground floor retail
 - 1D: 7 story mixed-use with partial ground floor retail

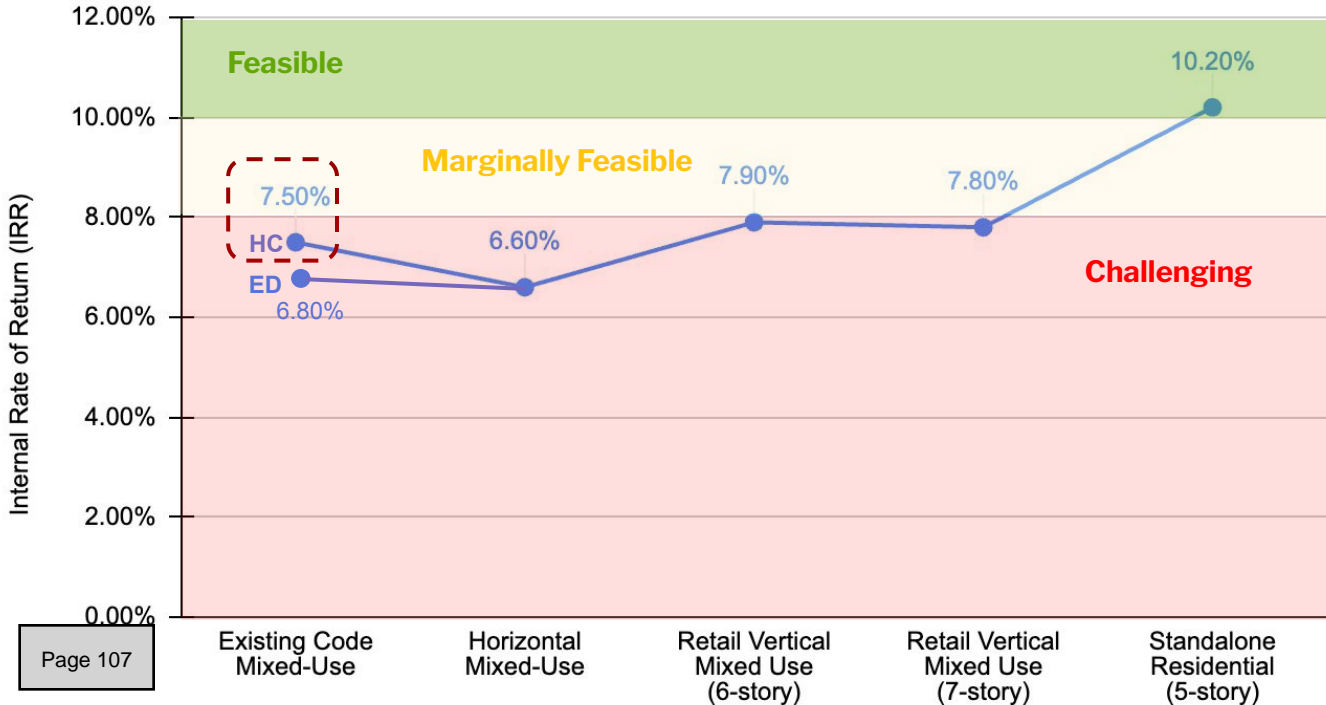


Test 1E: Standalone Residential

5 story wood frame apartment building

Item 3.

Concept #1: Sensitivity Analysis Results

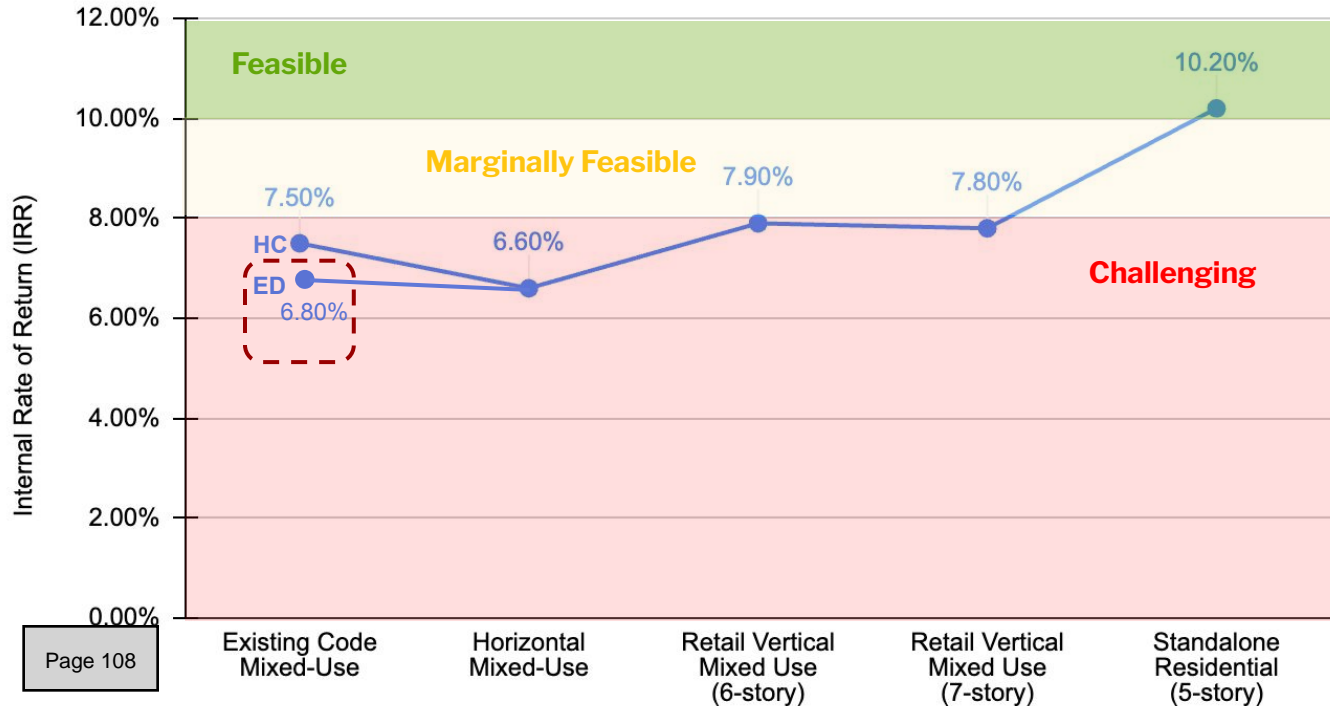


Test 1A- Harmony Corridor

Office lease rates not high enough to justify construction costs. This is a drag on the pro-forma. Parking and ground floor requirements for office reduce leasable area for residential.

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Concept #1: Sensitivity Analysis Results

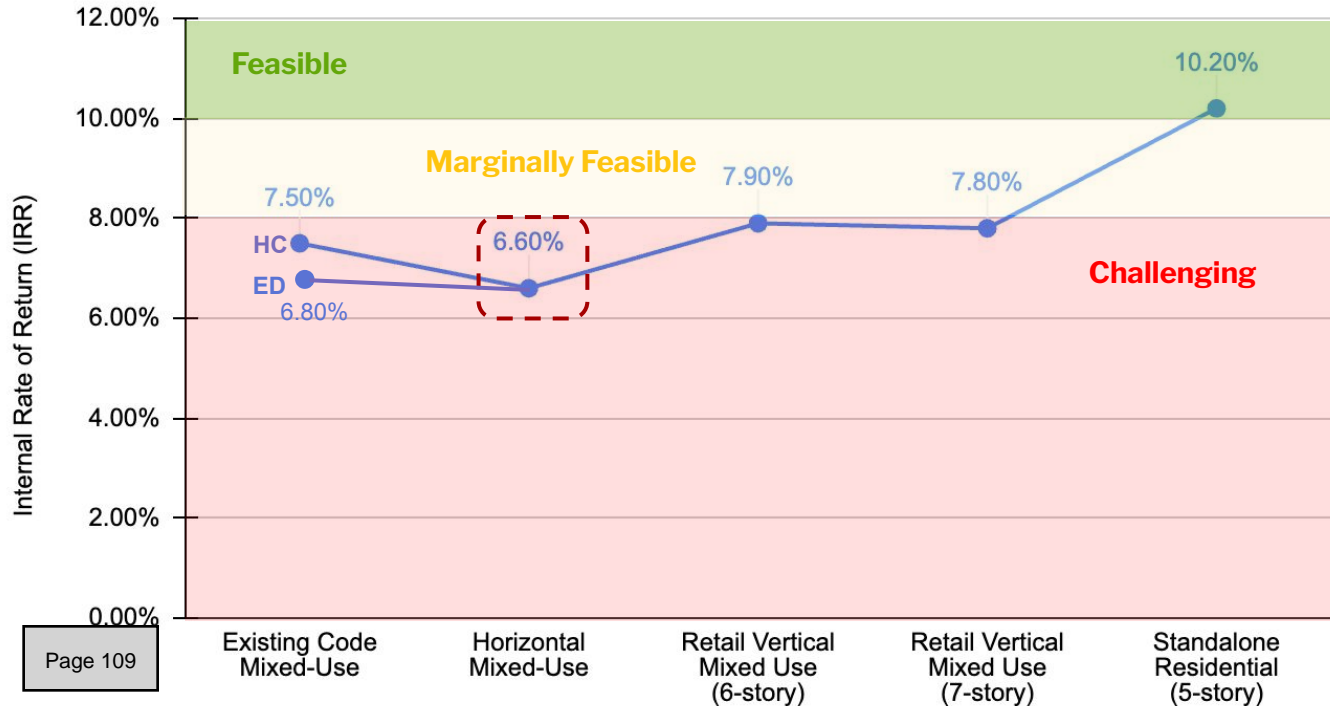


**Test 1A-
Employment District**

Similar concerns to Harmony Corridor regarding office lease rates and ground floor primary use requirements. Employment District only allows for four stories in height further reducing project feasibility.

Item 3.

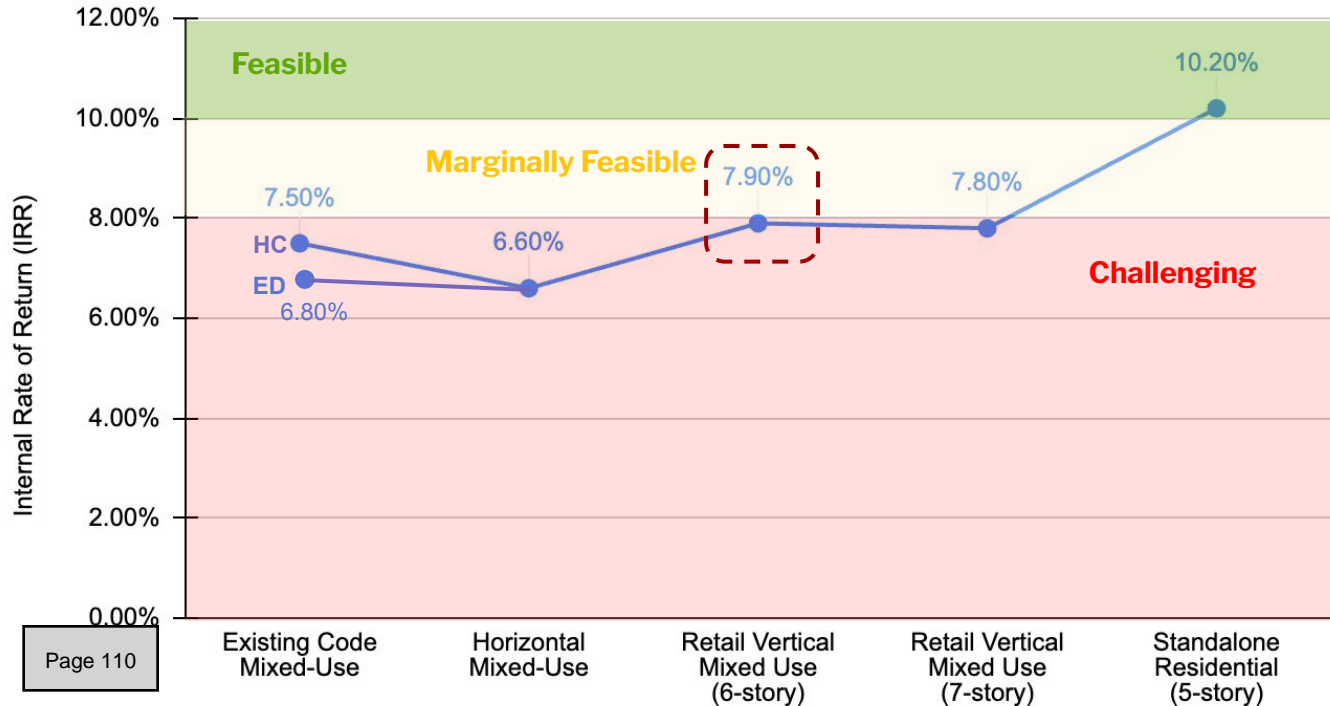
Concept #1: Sensitivity Analysis Results



Test 1B
Inefficient use of land. Smaller residential walk-up apartment and 1 story commercial result in two relatively small buildings with much less leasable area.

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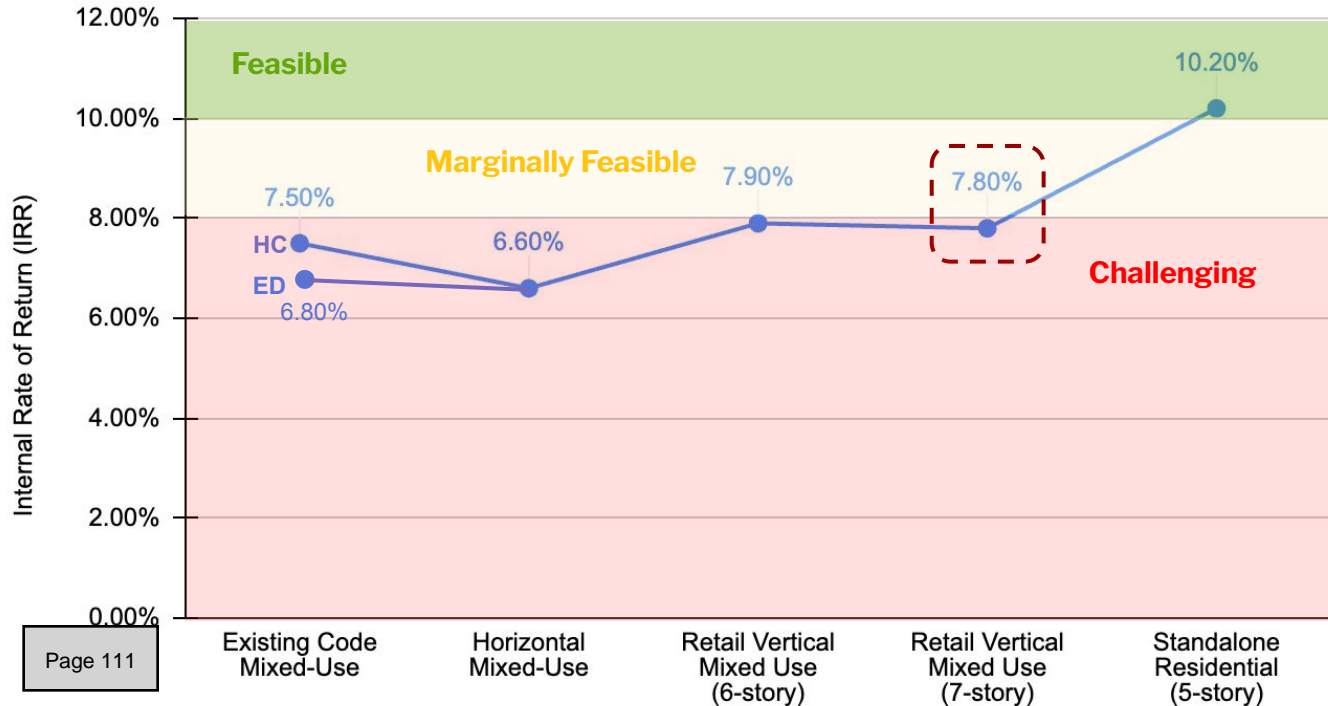
Concept #1: Sensitivity Analysis Results



Test 1C
5 stories of wood frame residential over retail and tuck under parking. Retail has higher lease rates than office and provides amenity for residential units.

Item 3.

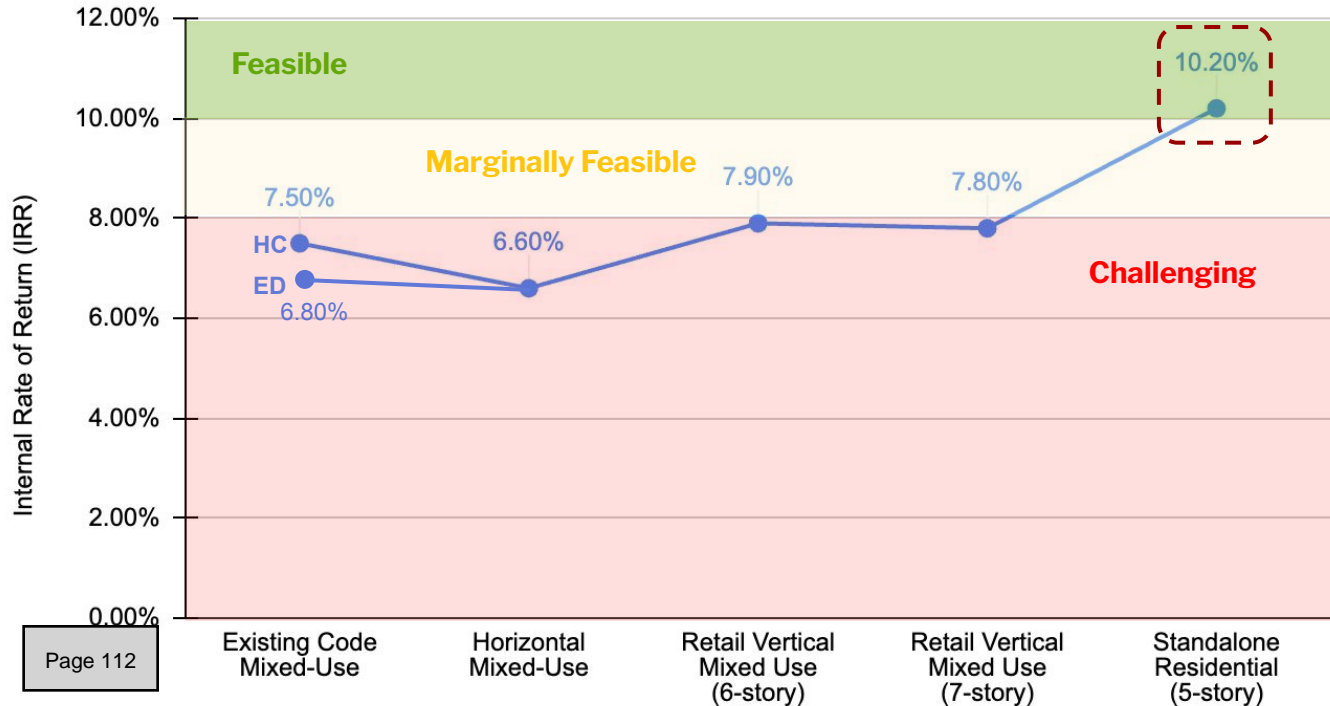
Concept #1: Sensitivity Analysis Results



Test 1D
5 stories of wood frame residential over retail over 2 floors of concrete. Even with parking reductions for retail, there is a disincentive to building an additional floor due to higher construction costs.

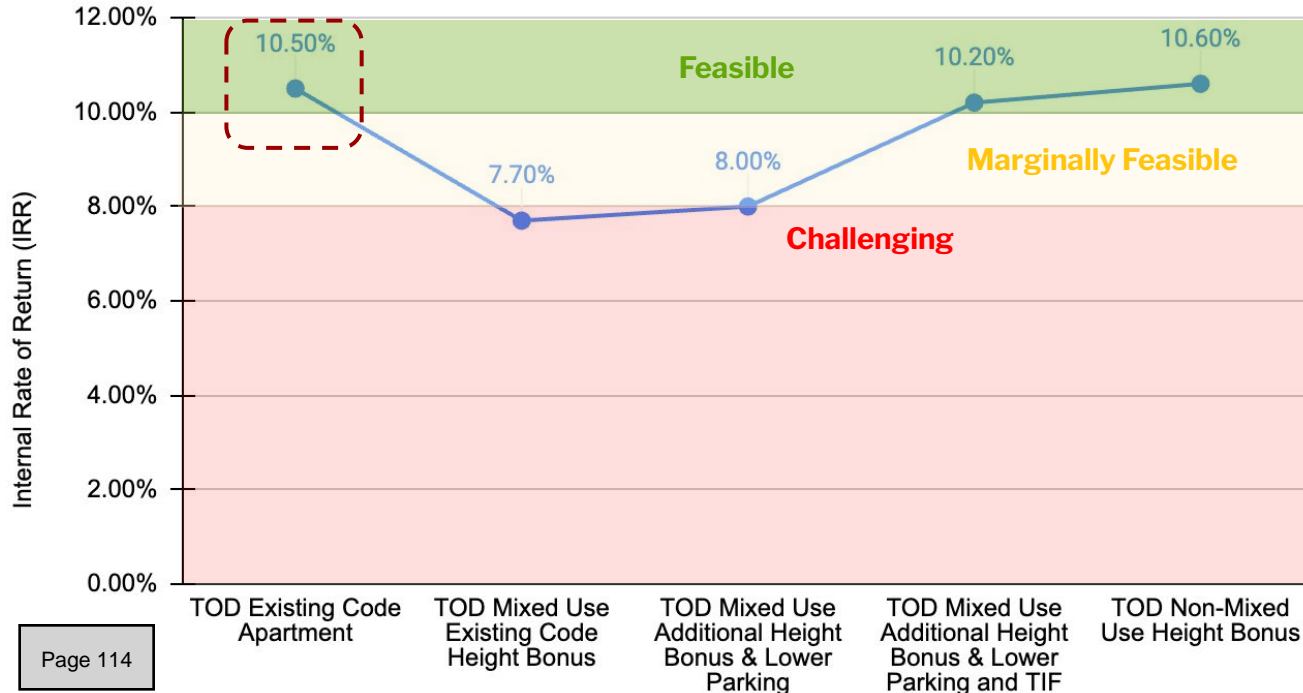
Item 3.

Concept #1: Sensitivity Analysis Results



Test 1E
5 stories maximizes wood frame construction type. Residential revenue potential is higher than commercial.

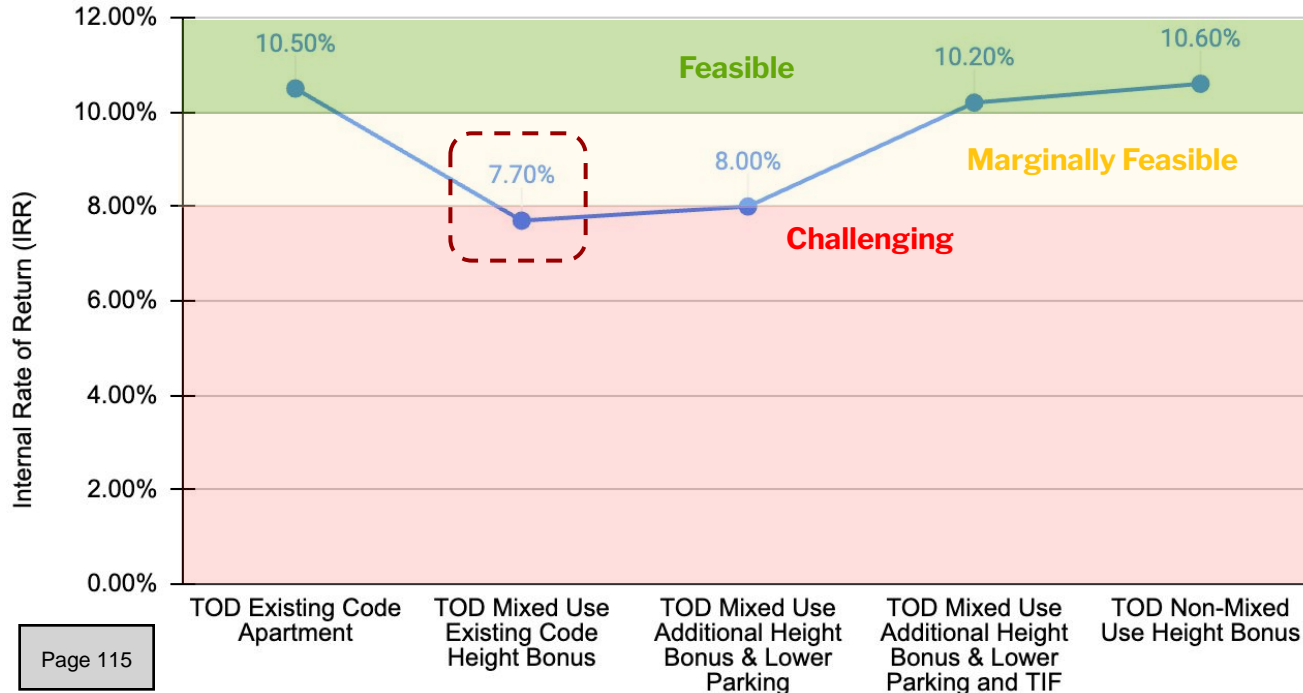
Concept #2: Sensitivity Analysis Results



Test 2A

Existing code allows a 4-story elevator-served residential building. This building type is cost-efficient and dense enough to pencil given typical land costs.

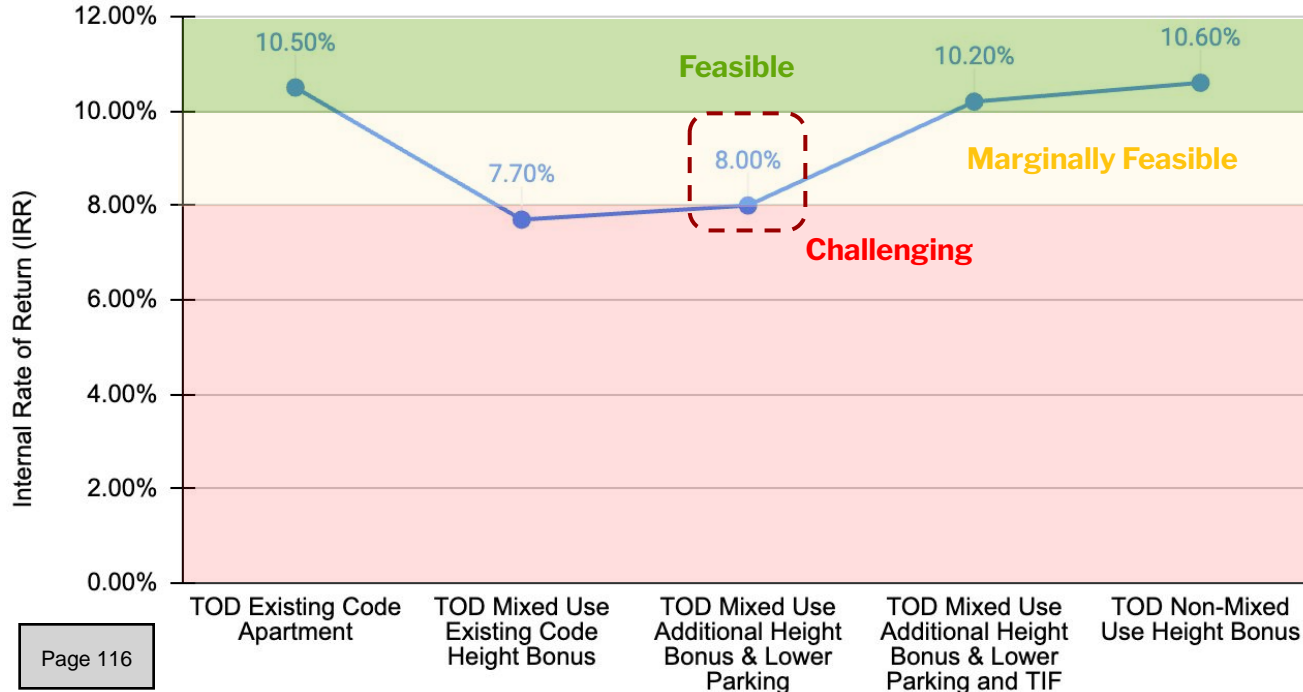
Concept #2: Sensitivity Analysis Results



Test 2B

The TOD overlay provides 1 additional floor and reduced parking requirements in exchange for mixed-use. Costs and soft commercial rents make this unattractive.

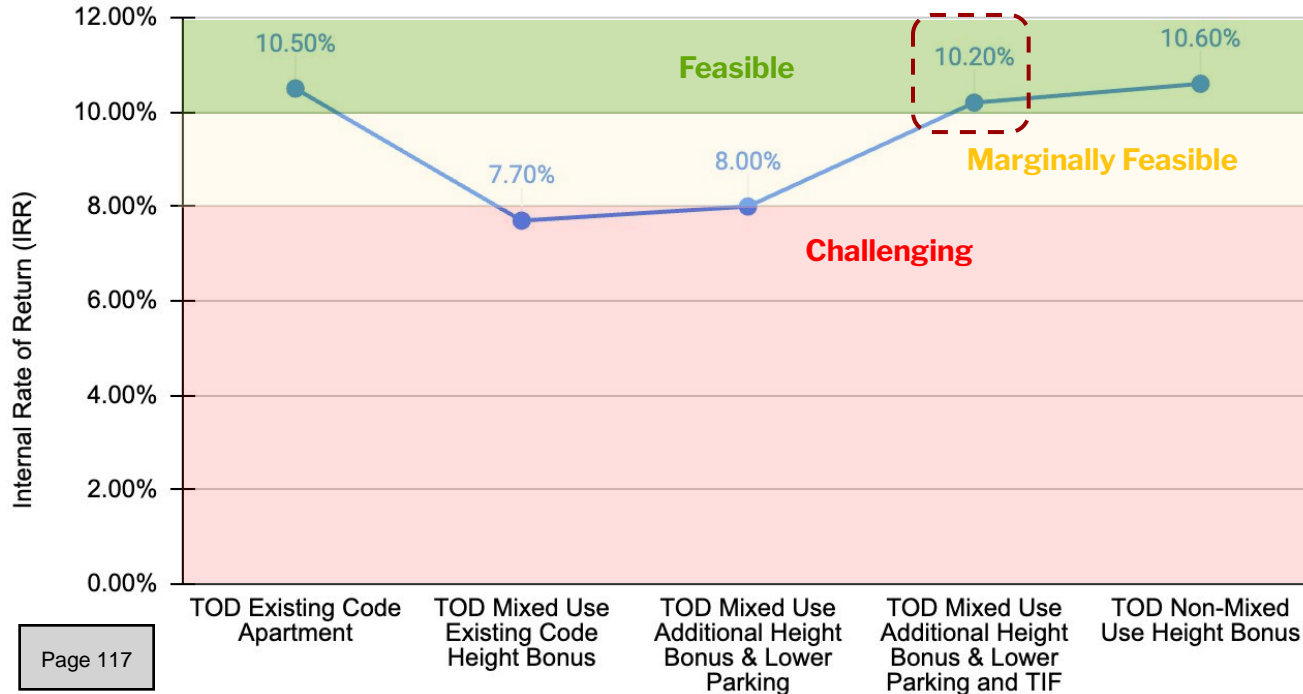
Concept #2: Sensitivity Analysis Results



Test 2C

Even if we maximize the stick built / podium building type at 7 stories and provide minimal parking, there is a disincentive to building more floors.

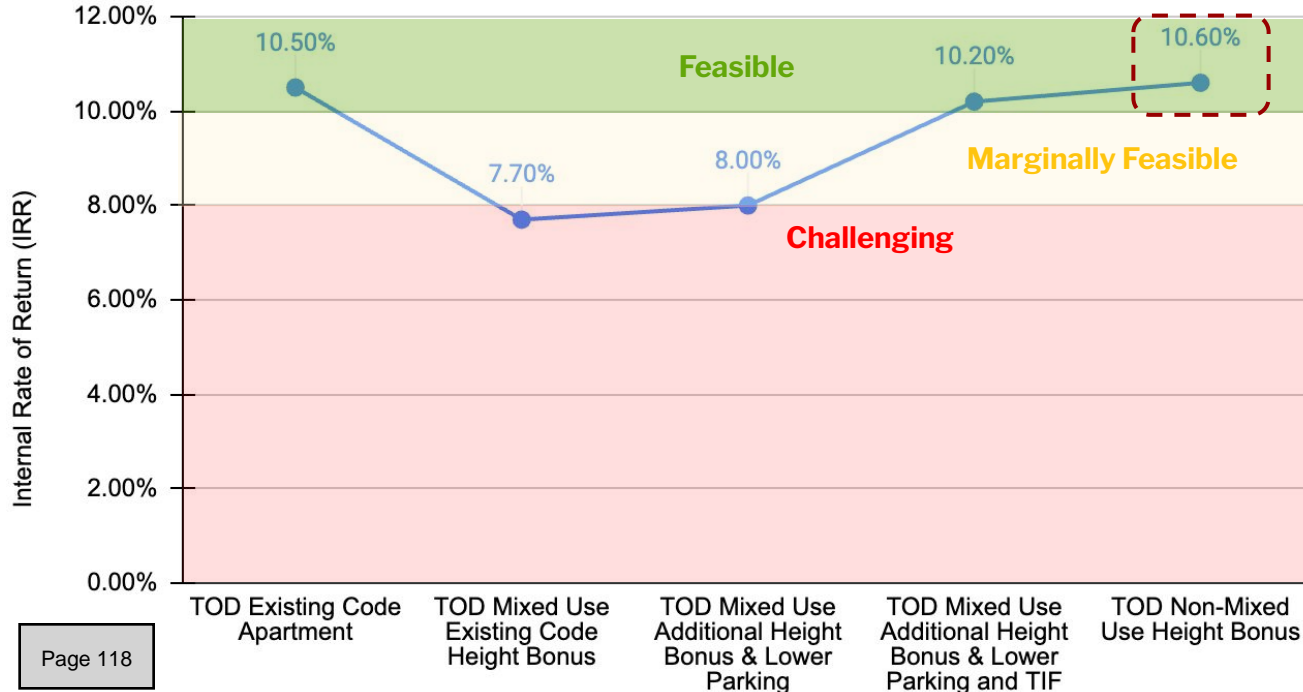
Concept #2: Sensitivity Analysis Results



Test 2D

Only with a 100% 10-year tax incentive does the prospect of adding 3 floors with a commercial component begin to make sense.

Concept #2: Sensitivity Analysis Results



Test 2E

This assumes 1-story additional height allowance is allowed in the TOD, without a mixed-use component. This is the most market feasible development type available today.

*A 6-story apartment was also tested and resulted in an 8.8% IRR.



Land Use Code Updates

The Future of Commercial Corridors and Centers

Megan Keith, Senior City Planner

Sylvia Tatman-Burruss, Sr. Policy & Project Manager

1. What questions do Councilmembers have regarding the proposed Land Use Code changes?
2. What feedback do Councilmembers have on the timeline or other considerations for the Land Use Code update?



Clay Frickey
Planning Manager



Sylvia Tatman-Burruss
Senior Project
Manager

⋮
Project Manager



Megan Keith
Senior Planner

⋮
Project Manager



Noah Beals
Development Review
Manager

⋮
Technical Lead

Item 3. What is the Focus of this update?

The Future of Commercial Corridors and Centers: Land Use Code Updates

The Future of Commercial Corridors and Centers is focused on updating the Land Use Code governing commercial zone districts, corridors and development standards to ensure they align with current city policies and community needs.

- Advancing the City's 15-Minute City goals
- Aligning with existing City policy plans
- Balancing desired outcomes
- Adding clarity to the City's Development Review Process

Item 3. **Structure Plan**


PLACETYPES

Districts

 Downtown District


 Urban Mixed-Use District

 Suburban Mixed-Use District

 Neighborhood Mixed-Use District

 Mixed Employment District


 Research & Development/Flex District

 Industrial District

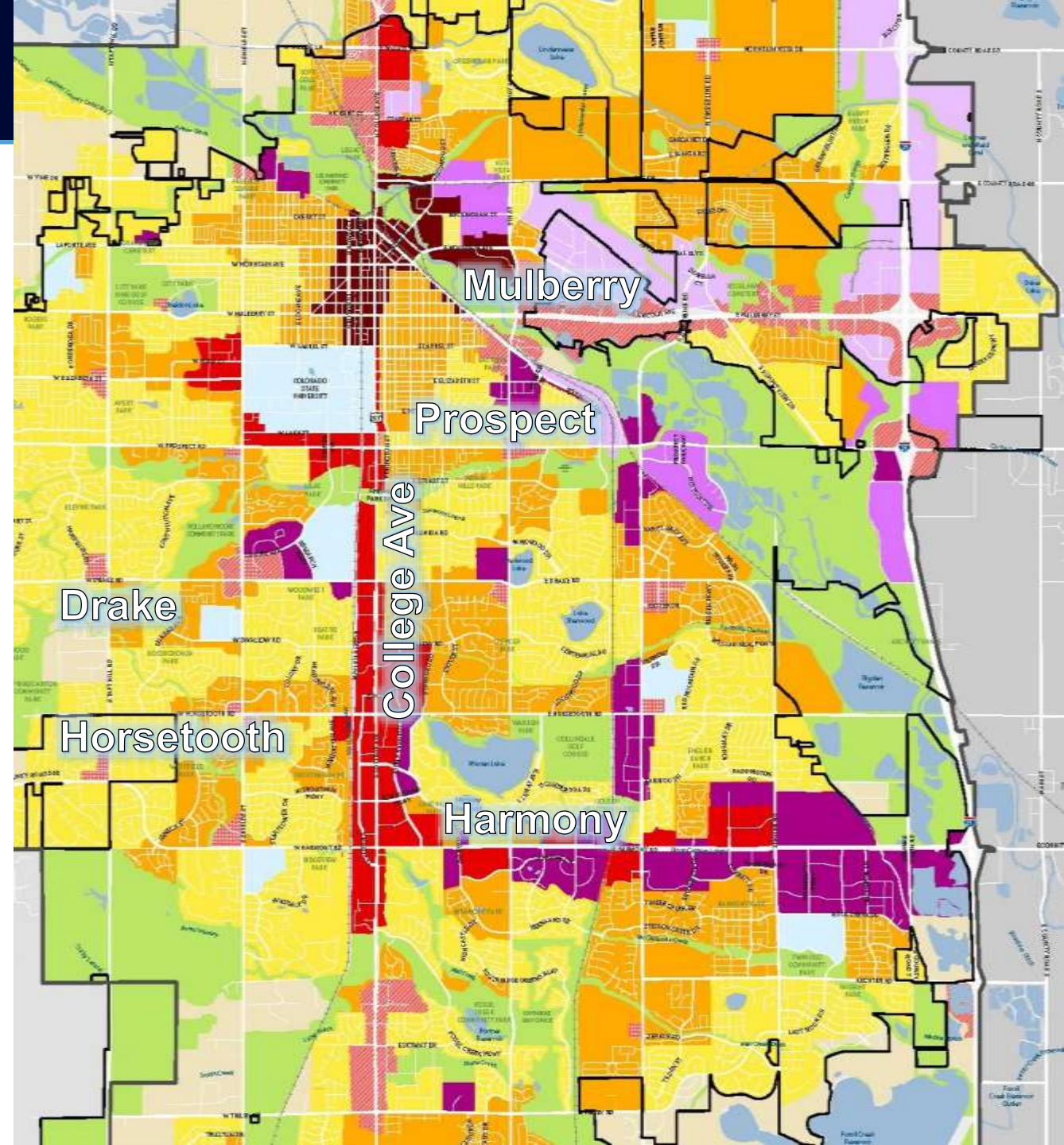
 Campus District

Neighborhoods

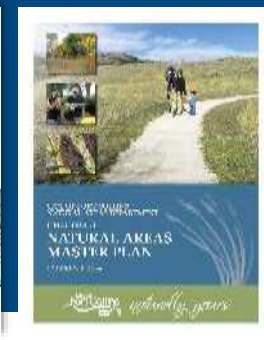
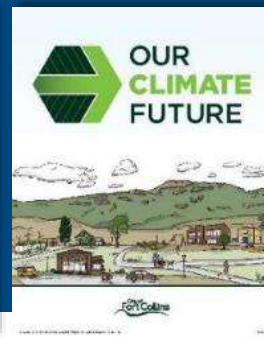
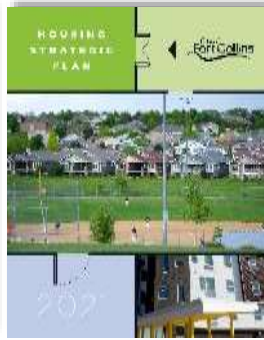
 Rural Neighborhood

 Suburban Neighborhood

 Mixed Neighborhood







Purpose of the Land Use Code Updates: To Align the LUC with Adopted City Plans and Policies



What the Land Use Code Does



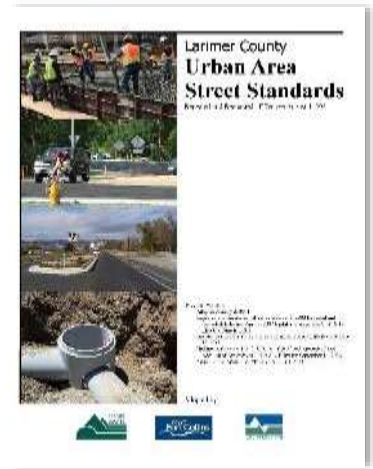
- 
 Establishes process and requirements for development approvals
- 
 Sets development standards
- 
 Guides future community planning
- 
 Regulates property use and public benefit

How do homeowners interact with the LUC? Example: Building an addition on your house (setbacks, floor area, roof design, etc.)

How do business owners interact with the LUC? Example: Where can I do business? What uses are allowed on my property? (use standards)

What the Land Use Code Doesn't Do

- 
 Subsidize Development
- 
 Regulate Building Code
- 
 Regulate Street Design and Construction



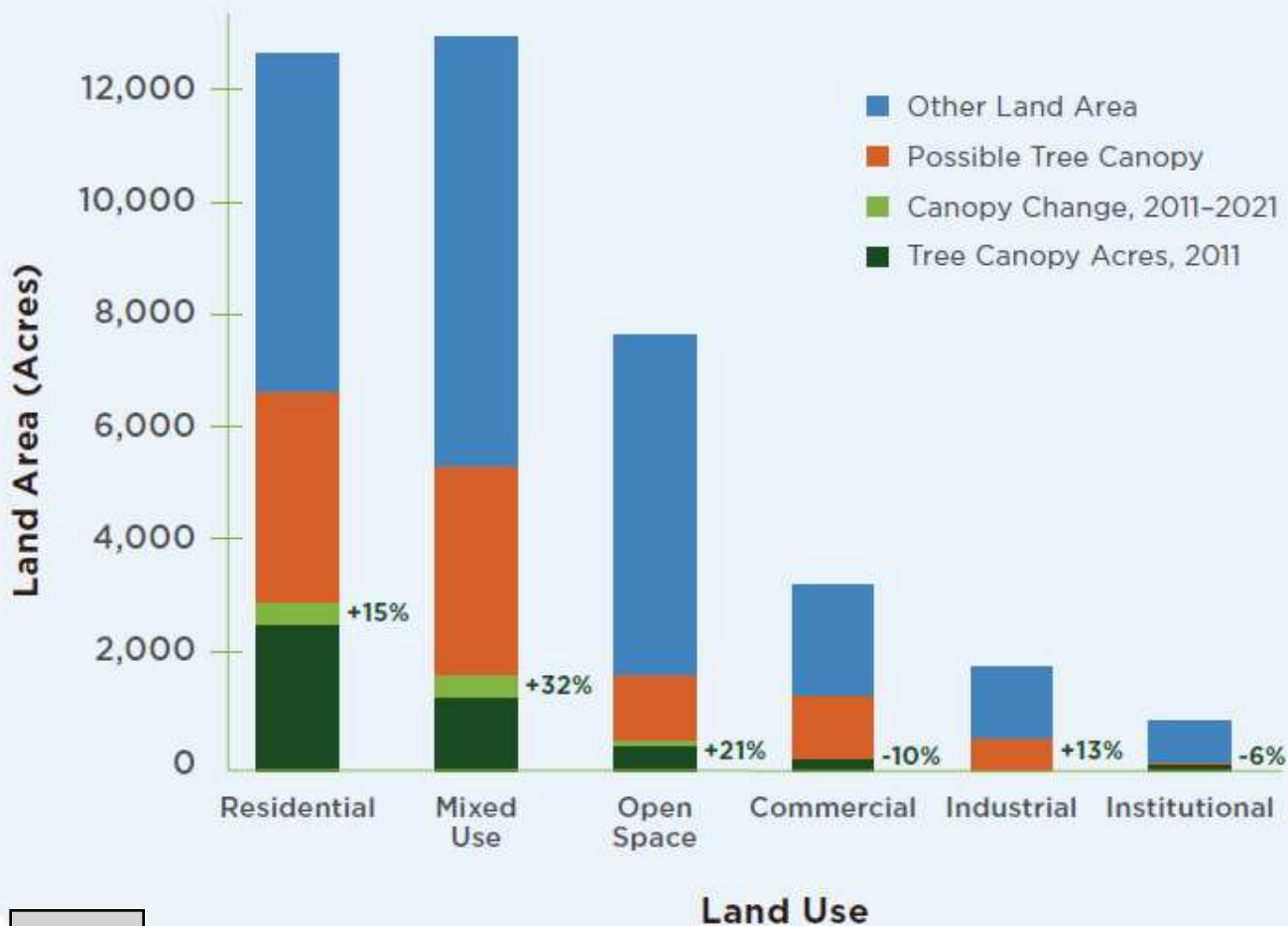
LCUASS



Building Code + others

House Bill	Status
<p>HB24-1313 – TOD</p> <ul style="list-style-type: none"> Requires communities to have an average zoned density of 40 units per acre along high frequency transit No public hearing required for mixed-use and multifamily development Communities must develop strategies to mitigate gentrification and displacement 	<p>In Progress: On or before June 30, 2025, a preliminary transit-oriented community assessment report to the department that includes the transit-oriented community's housing opportunity goal, the data and method used to calculate that housing opportunity goal, and the areas within the transit-oriented community that may need to be zoned to accomplish that housing opportunity goal</p>
<p>HB-1152 – Accessory Dwelling Units</p> <ul style="list-style-type: none"> ADUs permitted everywhere single-unit dwellings are allowed 	<p>Complete: Effective as of February 14, 2025</p>
<p>HB24-1304 – Multifamily Parking</p> <ul style="list-style-type: none"> No minimum parking requirements for new multifamily/mixed-use development along transit corridors 	<p>Complete: Effective as of February 14, 2025</p>

TREE CANOPY COVER BY LAND USE TYPE, 2011-2021



ACROSS FORT COLLINS

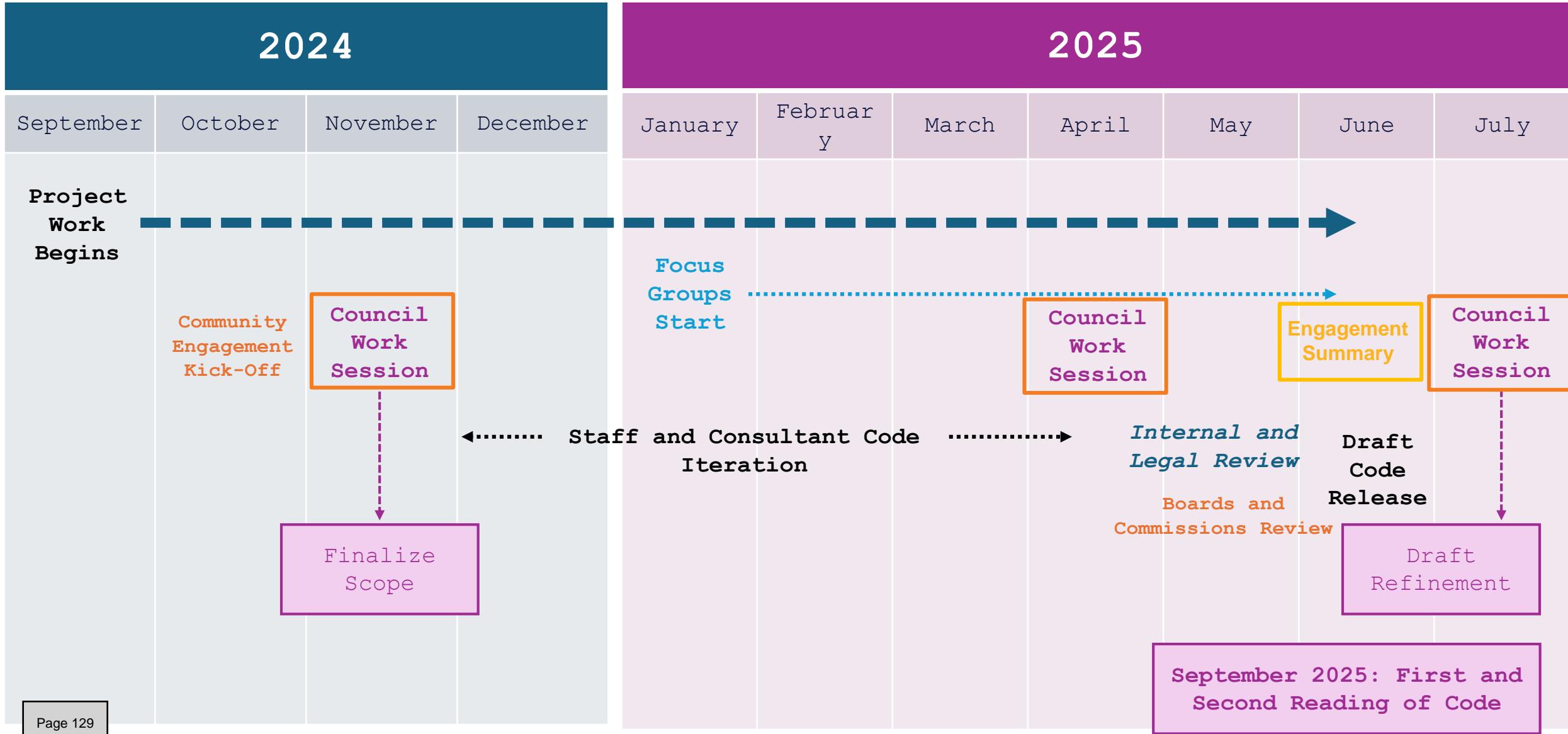
- Canopy has grown in most Land Use Types
- Residential and Mixed-use greatest opportunity
 - 8,083 acres of potential tree canopy
- Commercial and Institutional have lost canopy

Exploring Tree Preservation and Mitigation tree policy...

- Working with Landscape consultant
- Balancing priorities and Guiding Principles
- Bring mitigation policy options to full Council for consideration in Q3 2025



Project Schedule & Public Process



- Hosted 6 neighborhood visits, one in each City Council District, with over 50 participants
- Business Kick-Off Event with around 35 attendees
- Community Forum with around 70 attendees

Themes from Neighborhood Visits:

Likes:

- Locally-owned businesses, outdoor seating
- Public art
- Accessibility to surrounding neighborhoods and transit options
- Amenities like childcare, diverse housing options, retail like coffee shops

Dislikes:

- Expansive parking lots and lack of sidewalks or walkways
- Pedestrian crossings that feel unsafe for cyclists and pedestrians
- Bus stops that feel disconnected from their surroundings
- Bike racks that are difficult to locate, poorly designed



Focus Group Themes:

- **Code-Related changes**
 - Change of Use Clarity
 - Connecting Walkway Standards
 - Building Types
 - Mismatched Uses and Zone Districts
 - Some uses require too complex a review process (Planning and Zoning, Hearing Officer, BDR)
- **Process-Related Changes**
 - Consistency in code interpretation
 - Ability for staff to make decisions (could be resolved with some code changes for clarity)
 - Conflicting comments between different departments
 - Lack of clarity in what is required vs. what is “nice to have”

April Engagement Events:

- **Virtual Open House**
 - Date:** Monday, April 7
 - Time:** 6-7:30 p.m.
 - Platform:** Zoom (RSVP required for access link)
- **In-Person Open House**
 - Date:** Wednesday, April 9
 - Time:** 3-7 p.m.
 - Location:** Center for Creativity, 200 Mathews St.



Guiding Principles and Project Focus

Council Priority



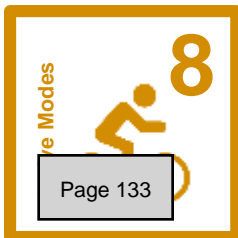
Council Priority No. 1: Operationalize City resources to build and preserve affordable housing



Council Priority No. 3: Advance a 15-minute city by igniting neighborhood centers



Council Priority No. 4: Pursue an integrated, intentional approach to economic health



Council Priority No. 8: Advance a 15-minute city by accelerating our shift to active modes

Guiding Principles

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

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

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

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

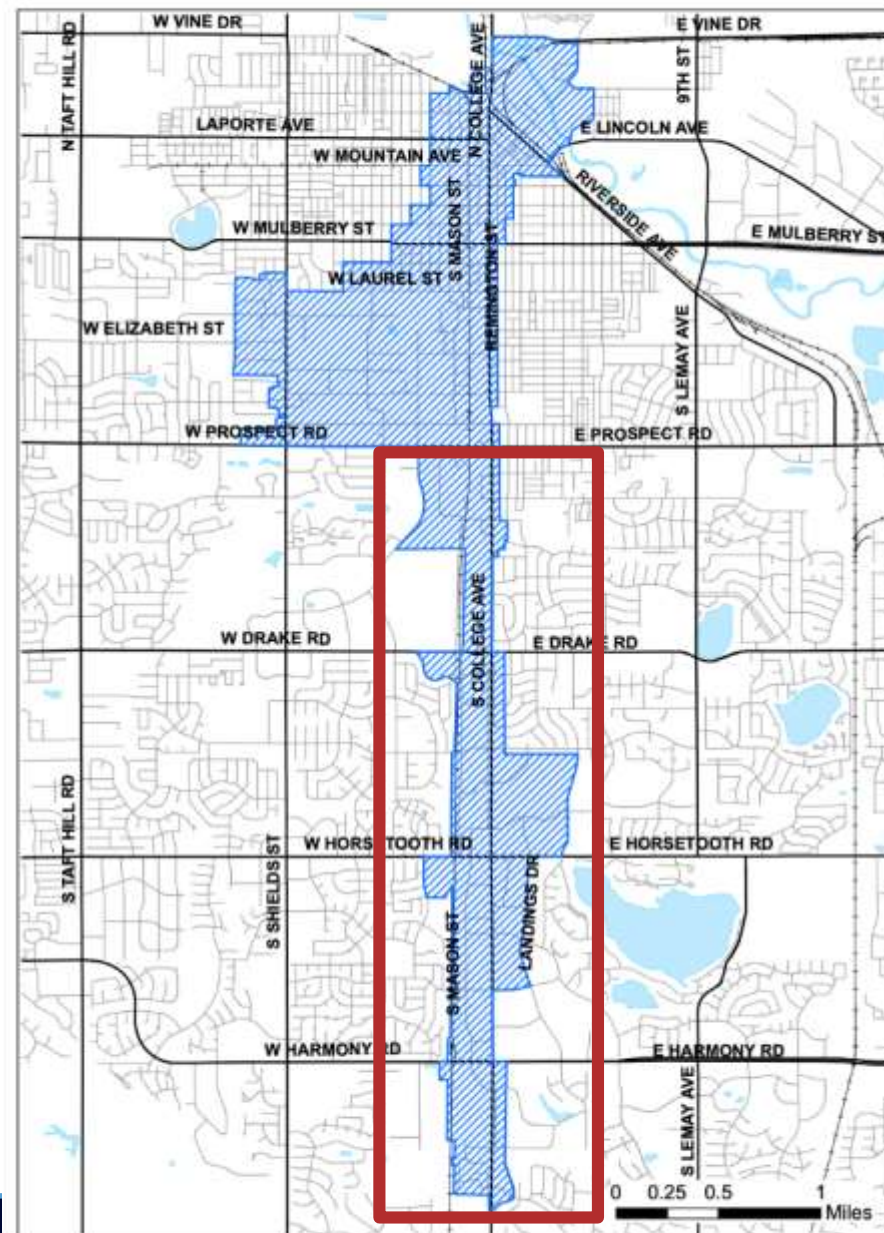
Updated after November Work Session

Transit Oriented Development Overlay

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

- Purpose: Modify the underlying zone districts south of Prospect Road to encourage land uses and densities that enhance and support transit.
- The TOD Overlay offers height bonuses if projects meet various criteria.
- Permitted land uses in the TOD: gas stations, self-storage, drive-thru restaurants, drive-thru pharmacies, car washes, drive-thru banks & credit unions, and stand-alone parking lots, amongst others.

Transit-Oriented Development (TOD) Overlay Zone



Transit Oriented Development Overlay

Recalibrate existing incentives for encouraging TOD development and examine uses permitted within this area

- Much of the development and redevelopment in this area continues to be low-intensity and auto-centric uses.
- With current market conditions, the incentives offered by the TOD Overlay are not economically feasible for producing mixed-use development.
- Some currently allowed uses may not align with the vision of the TOD overlay.
- Large areas of existing surface parking.

Quotes/Statements from Focus Groups & Community Engagement:

The satellite image (of the city) tells the whole story. Sprawling parking lots mean wasted space, hot pavement, and a hostile environment for people.

Most of the neighborhoods and businesses along the transit line are not connected to the transit line because of all the vacant parking lots.

All these gigantic parking lots along College drive me crazy. They're always 20% full at most. Build apartments and townhomes lining College with the big boxes behind. Housing is occupied at night and retail during the day. Let them share lots.

Draft Guiding Principle: Enable more housing and mixed-use buildings, especially along roads with frequent bus service.

Recommended Land Use Code Changes:

- Recalibrate incentives: Easier to achieve height bonuses for standalone residential
- Adjust permitted uses: Limit additional low-intensity or excessively auto-centric uses
- Recalibrate non-residential parking: consider lowering surface parking minimums and/or maximums for commercial uses
- Leverage other City incentives outside of the LUC to encourage desired TOD development



Item 3.



Questions?

Harmony Corridor & Employment Zones

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

The Harmony Corridor District is intended to implement the design concepts and land use vision of the Harmony Corridor Plan - that of creating an attractive and complete mixed-use area with a major employment base.

• Primary Uses:

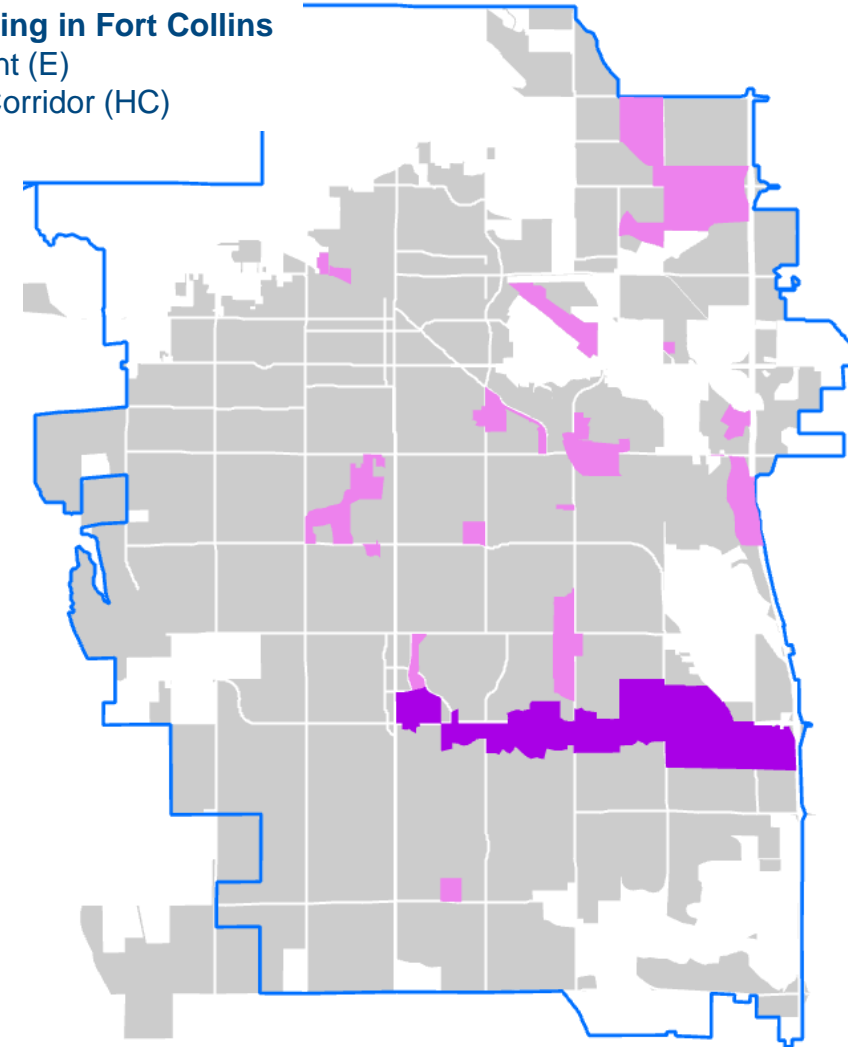
- Offices, financial services & clinics
- Long term care facility
- Medical centers/clinics
- Light industrial
- Mixed-use Dwellings
- And Others

• Secondary Uses:

- Residential uses (with some exceptions)
- Convenience shopping centers
- Standard restaurants
- Limited indoor recreation use and facility
- Child Care Centers
- And Others

Employment Zoning in Fort Collins

- - Employment (E)
- - Harmony Corridor (HC)



Harmony Corridor & Employment Zones

Reconsider primary/secondary use requirements to support 15-minute city goals in the Harmony Corridor and Employment Districts

- Current primary/secondary use requirements could impair mixed-use strategies and policies
- Low demand for primary uses over several decades, corridor is almost fully developed
- Demand for new office space has continued to decline following the COVID-19 Pandemic

Quotes/Statements from Focus Groups & Community Engagement:

Redefine employment zones to better accommodate market needs and mixed-use commercial developments.

Re-evaluate restrictions on secondary uses and redefine employment zones to better reflect the current, post-pandemic market.

Guiding Principle: Create resilient commercial and employment centers that are adaptable to future needs

Recommended Land Use Code Changes:

- Adjust the primary/secondary use ratio to allow for a greater mix of uses, including housing
- Adjust primary use requirements in mixed-use buildings
- Allow more secondary uses as part of a multi-story, mixed-use development
- Allow standalone secondary uses to be developed if replacing an existing surface parking lot



Item 3.



Questions?

Building Types & Design Standards

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

- The LUC currently does not include non-residential building types or provide additional configurations of mixed-use buildings (Article 3 of the LUC)
- Article 5 of the LUC (General Development and Site Design) includes the standards that influence building placement and site design, building standards, circulation and connectivity standards, bus stop design standards, etc. – ***standards that influence the pedestrian, multi-modal, and transit experience.***

Mixed-Use

BUILDING STANDARDS



Building Types & Design Standards

Create nonresidential building types, streamline and reduce redundancy within Article 5

- Form standards and building types (like the diagrams added during the last round of LUC updates) can yield better design outcomes and can help achieve more predictability in built projects.
- Article 5 of the LUC was not updated during the last round of updates and contains redundant sections that could be clarified, simplified, and possibly eliminated with the addition of building types.

Quotes/Statements from Focus Groups & Community Engagement:

Most of the neighborhoods and businesses along the transit line are not connected to the transit line because of all the vacant parking lots.

Please encourage or require all new developments near MAX bus stops to provide a pedestrian walkway connecting the stop to the main street. Asking pedestrians to walk an extra half mile to reach a stop does not encourage riders to use the service.

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

Recommended Land Use Code Changes:

- Develop new Non-Residential Building Types to be added to the LUC
- Consolidate and organize standards addressing non-residential buildings. Convert text standards to illustrations and graphics
- Update pedestrian-oriented design standards:
 - Connectivity and site circulation
 - Frontage and ground floor activity
 - Building massing and articulation



Item 3.



Questions?

Change of Use Process

Item 3.

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

- A change of use means the act of changing the occupancy of the building or land to a different use
- Under the current process, businesses are required to comply with the LUC, with a few exceptions
 - Traditionally, the Land Use Code has relied on an 'all-or-nothing' approach to site upgrades
 - The Director may grant a waiver for a few standards only



Change of Use Process

Explore strategies to help ensure sites are brought up to modern standards over time without discouraging new business formation

- Older sites and buildings help foster new business formation but require costly and time-consuming site upgrades
- The current process lacks clarity about the type of upgrades and cost associated
- Changes required can seem disproportionate to the change proposed

Quotes/Statements from Focus Groups & Community Engagement:

Consider how to encourage small businesses to open without putting enormous costs on their shoulders, such as the cost of installing city sidewalks or repairing off-site infrastructure.

The number of review cycles should be determined by the complexity of the project. For example, reuse projects don't need multiple rounds of review.

Create a program for small business owners to move into a building, comply with essential codes, and then start operating, gradually becoming compliant with the entirety of the Code.

Draft Guiding Principle: Improve predictability of the Land Use Code, especially to support small business owners

Land Use Code Changes under consideration:

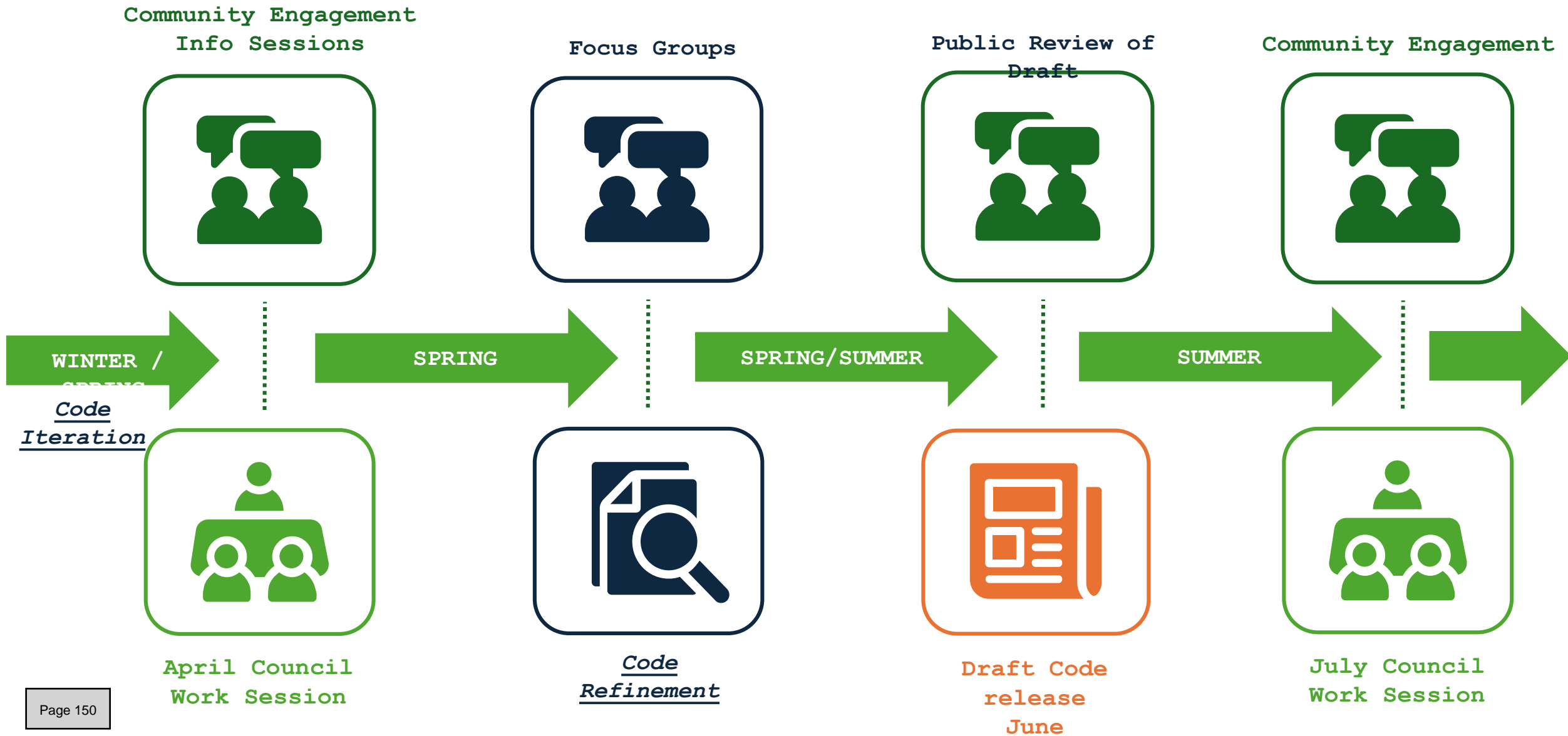
- Design an approach that makes requirements clear from the beginning and is commensurate with the impact of the proposed changes:
 - Reduce the quantity of projects that must go through the change of use process
 - When a site is undergoing a more significant change, limit site upgrades to a percentage of the total cost of the project
 - Prioritize the site upgrades that the Land Use Code requires



Item 3.



Questions?



1. What questions do Councilmembers have regarding the proposed Land Use Code changes?
2. What feedback do Councilmembers have on the timeline or other considerations for the Land Use Code update?



File Attachments for Item:

4. Sounds of the City

The purpose of this item is to discuss different sounds in the city, its effect on the community from a diverse perspective, current compliance practices and areas of opportunity. A phased approach is proposed, prioritizing the immediate review of traffic, fireworks, and agricultural exemptions, followed by ongoing research and neighborhood engagement regarding amplified noise.

April 22, 2025

WORK SESSION AGENDA ITEM SUMMARY

City Council



STAFF

Rupa Venkatesh, Assistant City Manager
Lori Schwarz, Community Development and Neighborhood Services Director
Eileen May, Cultural Services Director
Sergeant David Lindsay, Fort Collins Police Services

SUBJECT FOR DISCUSSION

Sounds of the City

EXECUTIVE SUMMARY

The purpose of this item is to discuss different sounds in the city, its effect on the community from a diverse perspective, current compliance practices and areas of opportunity. A phased approach is proposed, prioritizing the immediate review of traffic, fireworks, and agricultural exemptions, followed by ongoing research and neighborhood engagement regarding amplified noise.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What feedback does Council have regarding the identification of opportunity areas?
2. What feedback does Council have regarding the phased approach of updates to the municipal codes regarding noise?
3. Are there other noise related issues that Council would like more information on?

BACKGROUND / DISCUSSION

The City's noise-related municipal codes, last updated in 2008, do not reflect current urban density, traffic patterns, or the expanded availability of entertainment venues. This has resulted in increasing tension between quality-of-life expectations, the desire for vibrant urban spaces, and the preservation of neighborhood livability.

Staff is recommending a phased approach to addressing updates to the code related to traffic, fireworks, agricultural exemptions, and amplified noise. Phase 1 will focus on items that are low effort to implement but high impact as it relates to enforcement and Phase 2 will focus on amplified noise which will require further research and neighborhood outreach, if Council wants staff to pursue this item.

In addition to these focused areas, staff seeks Council guidance on additional noise and sound concerns that may necessitate code amendments, or clarification regarding the existing code's efficacy in enabling appropriate compliance and enforcement.

Phase 1 : Traffic, Fireworks, Agricultural Exemptions

Fort Collins Police Services (FCPS) staff continue to receive numerous reports from community members regarding noise occurrences throughout the City. These reports span a variety of sources, with examples including party complaints, general noise complaints, vehicle related noise complaints, and fireworks. In response, police staff have reviewed reported incidents and citations related to noise violations from 2023 to 2024. The goal was to assess how effectively current ordinances are being used in enforcement. Through this analysis, three primary areas for consideration and potential updates were identified.

The first consideration is to establish a new ordinance within the City's Traffic Code specifically addressing prohibited actions and equipment violations related to vehicle-generated noise. While the existing Municipal Code touches on some aspects of vehicle noise, it primarily focuses on residential noise occurrences. A dedicated ordinance would provide clearer, more targeted language, enabling more effective enforcement. This recommendation is driven by a noticeable increase in complaints about vehicle-related noise, including loud stereos, ineffective mufflers, engine revving, and similar concerns.

The second area involves clarifying and restructuring the current muffler ordinance within the Traffic Code. Updating the language will enhance clarity and allow police staff to apply the ordinance more effectively during enforcement efforts.

The third update includes considering the creation of a new ordinance that enables police staff to hold both property owners and tenants accountable for illegal firework use. Current ordinances present limitations in enforcement, and this new measure would help improve accountability and support more effective regulation of fireworks within city limits.

The Community Development and Neighborhood Services (CDNS) staff have also reviewed the City's noise ordinance due to recent complaints in the downtown area and adjacent neighborhoods. These have included agricultural operations as well as amplified noise concerns. Through this review, staff has identified a few areas for consideration of updates to the 2008 noise ordinance.

The first is to clarify the alignment of the existing municipal noise ordinance with Colorado statutes. Currently, the noise ordinance provides a brief reference for exceptions as 'noise from agricultural activities'. The recommended language would reflect state law and provide a definition of agriculture for consistency in application of this ordinance.

Phase 2: Amplified Noise

The second area for consideration would require additional research and community feedback. During the response to resident complaints, CDNS staff has noted that the ambient sound levels of the community now exceed the maximums provided in the current noise ordinance. This makes it difficult to enforce regulations when the baselines have already been exceeded during normal daily activities within the community.

As noted previously, the maximum decibel levels for zoning districts are being regularly exceeded in the normal activities of our community. Dependent upon City Council feedback, CDNS staff will begin taking regular sound readings, at identified locations throughout the city, to better understand the fluctuations at different times of the day as well as through different seasons. We will continue to respond to any community concerns regarding sound and closely monitor these situations to better understand correlations specific to times of day and noise-generating activities.

In addition to these readings, Staff will also begin a holistic neighborhood engagement strategy to understand the effects and opinions of amplified sound throughout the community. Amplified sound can range from small speakers at neighborhood events through live concerts at various outdoor venues across

the city. We will also research how other communities are addressing these types of sounds to determine best practices for our city.

Finally, the current noise ordinance is creating barriers to fully realizing the goals outlined in the FoCo Creates Master Plan, which envisions Fort Collins as a vibrant, dynamic city where arts and culture are central to the community's identity. The restrictions on amplified sound, while intended to protect residential tranquility, limit the City's ability to host larger, diverse cultural events—such as outdoor concerts, multicultural festivals, and community-driven performances—that bring people together and showcase the city's rich creative talent. By adjusting the noise ordinance, we can create more opportunities for artistic expression, support local artists and cultural groups, and foster an inclusive environment where residents and visitors can experience the full range of creative activities envisioned in the FoCo Creates plan. Reevaluating these restrictions will help better align with the plan's goal of cultivating a thriving, accessible cultural scene in Fort Collins.

Lastly, this data and feedback will serve as the foundation for future recommendations and potential revisions to the current noise ordinance, ensuring a balanced approach that supports both community vitality and quality of life.

Future Considerations

The following are not in any staff work plans; however, staff is aware of these potential opportunities for future considerations.

- *Automated Noise Monitoring:* Feasibility of automated noise level tracking through red-light camera technology, contingent upon future legislative changes in Colorado. Although AVIS has the technological capability, it is prohibited under Colorado state law
- *Urban Noise Sensor Deployment:* Potential for deploying city-wide noise sensors to inform data-driven urban planning and development decisions.
- *Advanced Speaker Technology:* Advancements in speaker intelligence design for noise pollution mitigation.
- *Quiet Zone and Wayside Train Horn Investments:* Continue research into quiet zone designations and potential investments in wayside train horn systems.
- *Venue Noise Mitigation:* Potential to collaborate with venue promoters on noise mitigation design considerations for future new venues.

NEXT STEPS

Dependent on Council feedback, staff can bring forward ordinance updates for consideration on first reading as early as May 6, 2025 for Phase 1 recommendations. This will allow for enforcement to begin at the start of this summer.

Dependent on Council feedback, staff can continue to research work contemplated in Phase 2 and start neighborhood outreach. Updates can be shared with Council during a Work Session in October 2025 and code updates considered in November 2025. This will allow for changes to take into effect for the next presenter series.

ATTACHMENTS

1. Presentation



Sounds of the City

Sgt. David Lindsay
Police Services

Lori Schwarz
Community Development and
Neighborhood Services Director

Eileen May
Cultural Services Director



What feedback does Council have regarding the identification of opportunity areas?



What feedback does Council have regarding the phased approach of updates to the municipal codes regarding noise?



Are there other noise related issues that Council would like more information on?

Agenda for tonight's Work Session



WHAT ARE THE TYPES OF SOUNDS IN THE CITY?



HOW ARE WE ENFORCING UNWANTED NOISE AND IS IT WORKING?



WHERE ARE THERE OPPORTUNITY AREAS?



TIMELINE FOR COMMUNITY OUTREACH AND COUNCIL CONSIDERATION

Item 4. Alignment with City Plans



Council Priority:
Pursue an integrated, intentional approach to economic health



Council Priority:
Advance a 15-minute city by igniting neighborhood centers



Strategic Plan C&R 1: Make City arts, cultural and recreational programming more inclusive to reflect the diversity of our community



Strategic Plan:
Neighborhood & Community Vitality Performance Measures



FoCo Creates Arts and Culture Master Plan (2019)



Item 4. Types of Sound & Opportunity Areas



Regulations Working Effectively

- Chronic Animal Sounds
- Construction Activities
- House Parties
- Idling Vehicles
- Industrial Operations
- Lawn Care Activities

Phase 1 Recommendations

- Agricultural Operations
- Fireworks
- Traffic/Vehicle Sounds

Phase 2 Recommendations

- Ambient Sound Levels
- Amplified Sounds
- Entertainment Areas
- Outdoor Concerts

Current Noise Ordinance:

Daytime Limits: 7:00 am – 8:00 pm

- Residential zone limits: 55 db
- Downtown/Neighborhood Commercial: 60 db
- Employment: 70 db
- Industrial: 80 db

Nighttime Limits: 8:00 pm – 7:00am

- Residential zone limits: 50 db
- Downtown/Neighborhood Commercial: 55 db
- Employment: 65 db
- Industrial: 75 db



Item 4. **NS – Agricultural Operations**

Update Existing Municipal Noise Ordinance to Align with Colorado statutes

- Provides definition of "agriculture" as defined by the state
- Clarifies agricultural operation exception within the noise ordinance
- Ensures consistency between local and state regulations

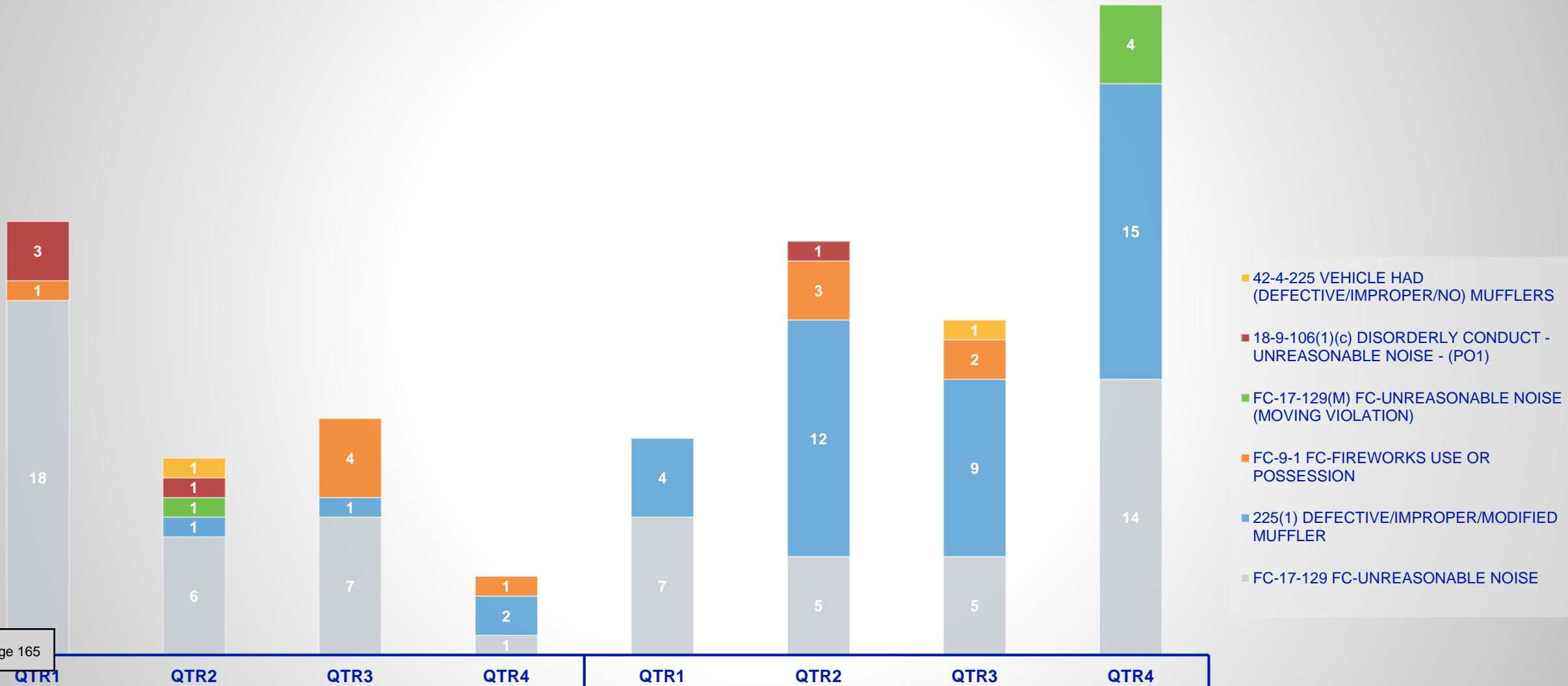


- Ordinances we currently enforce that impact house parties/gatherings and some traffic related noise:
 - Unreasonable noise – disorderly conduct, moving violation, party
 - Mufflers – none or modified
 - Fireworks (limited enforcement ability)
- 2023-2024:
 - 126 noise-related violations resulted in a citation
 - 4 resulted in an arrest
 - Unreasonable noise and defective/modified muffler comprised 82% of all noise-related violations

2023-2024: Noise-Related Citations



Noise-Related Citations by volume: YoY by Quarter



Item 4. **Commendations to Further Enforcement Efforts**

- Add municipal ordinance specific to unreasonable TRAFFIC noise with criteria, including:
 - Time of day
 - Location
 - Vehicle modifications etc.
- Clarify and enhance muffler ordinance
- Add fireworks ordinance to hold homeowner/resident accountable for fireworks violation(s) related to the property
- Education efforts – strategically repeated:
 - Social media platforms
 - SRO’s – school district
 - Community engagement events

Item 4. **Phase 1 timeline**



Clarify agriculture exemptions to align the state



Add unreasonable traffic noise ordinance



Enhance muffler ordinance



Add fireworks ordinance specific to property



Dependent on Council feedback, these Code changes can be brought forward for Council consideration as early as May 6 for first reading and May 20 for second reading



Questions and feedback on Phase 1



Regulations Working Well

- Chronic Animal Sounds
- Construction Activities
- Lawn Care Activities
- Industrial Operations
- House Parties

Phase 1 Recommendations

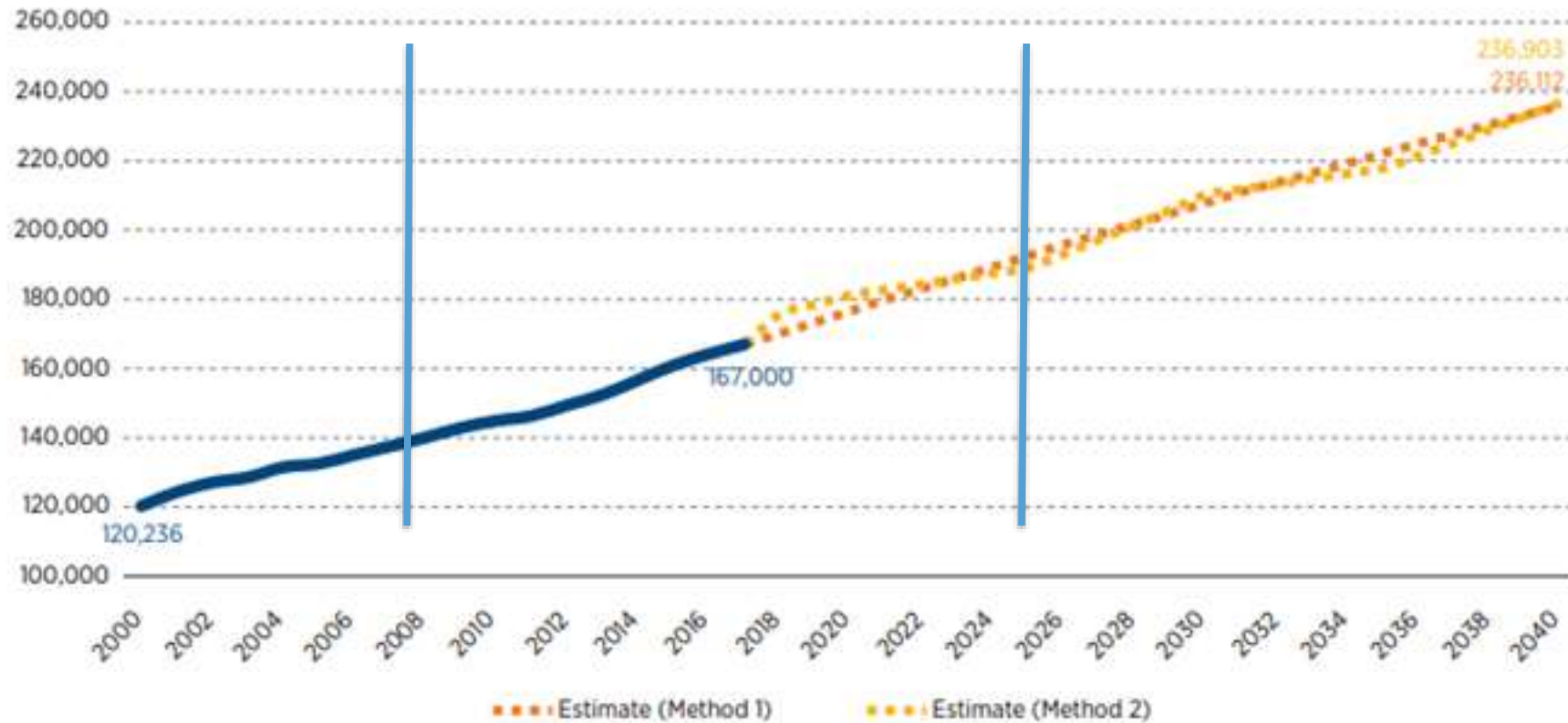
- Agricultural Operations
- Fireworks
- Traffic/Vehicle Sounds

Phase 2 Recommendations

- Ambient Sound Levels
- Amplified Sounds
- Outdoor Concerts
- Entertainment Areas

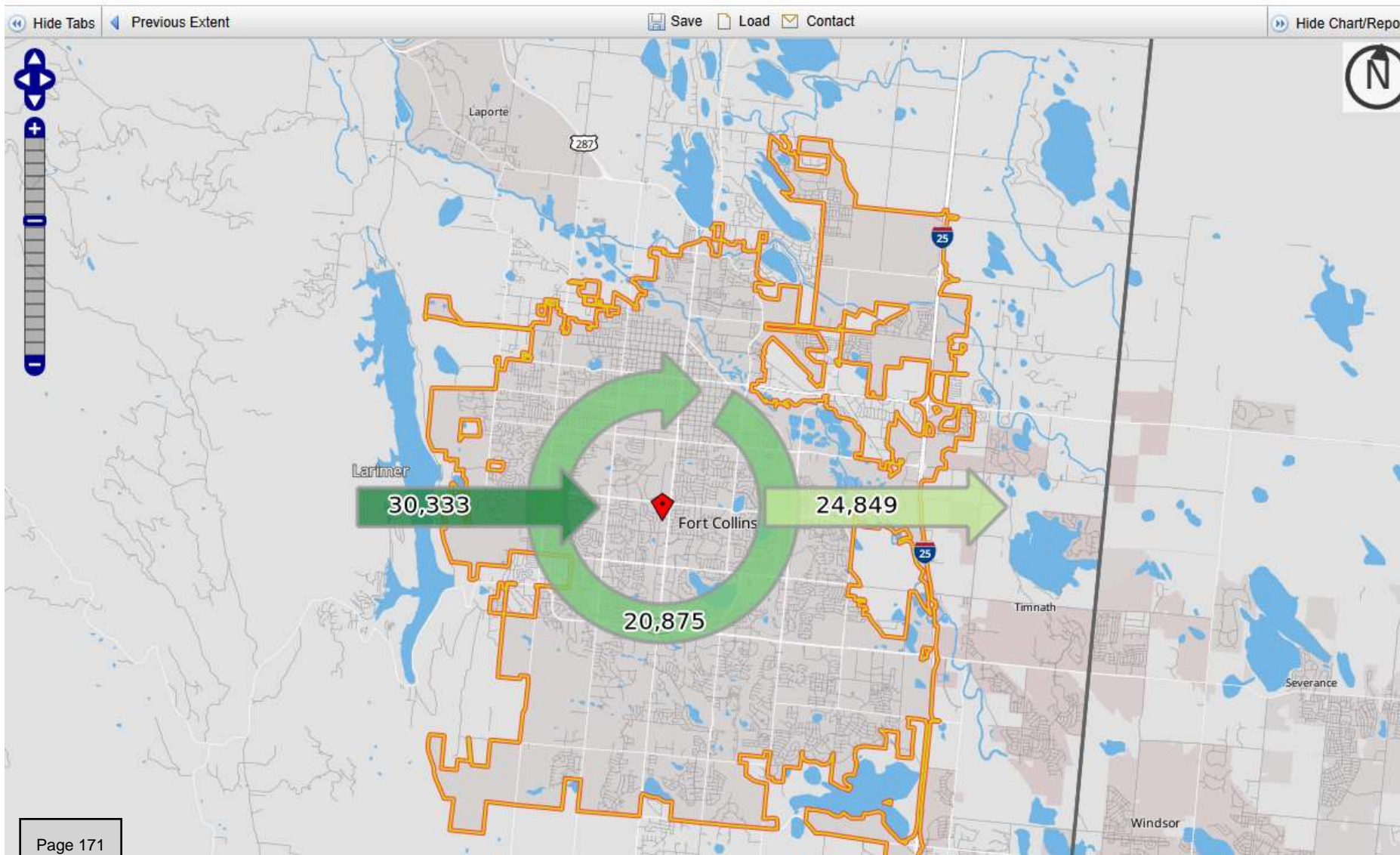
Item 4. **Why now: Population Growth**

Estimated Population Growth³
Fort Collins, 2000-2040

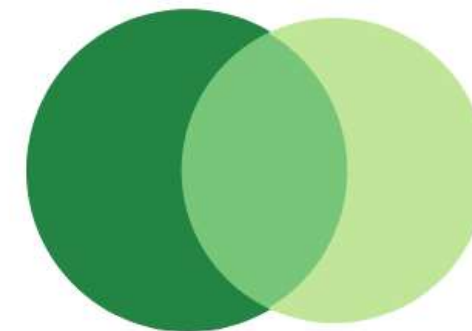


Year	Population
2008	140,034
2009	142,853
2010	144,461
2011	145,549
2012	148,016
2013	150,727
2014	154,354
2015	158,003
2016	160,021
2017	163,579
2018	166,382
2019	168,276
2020	169,810
2021	170,755
2022	171,848
2023	171,343
2024*	175,066
2025*	177,267
* Preliminary Estimates	

Item 4. Why now: Increased vehicle volume in 2008



Inflow/Outflow Job Counts in 2008
All Workers

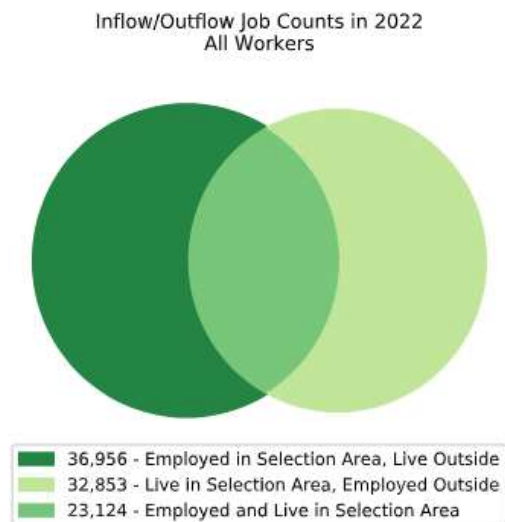
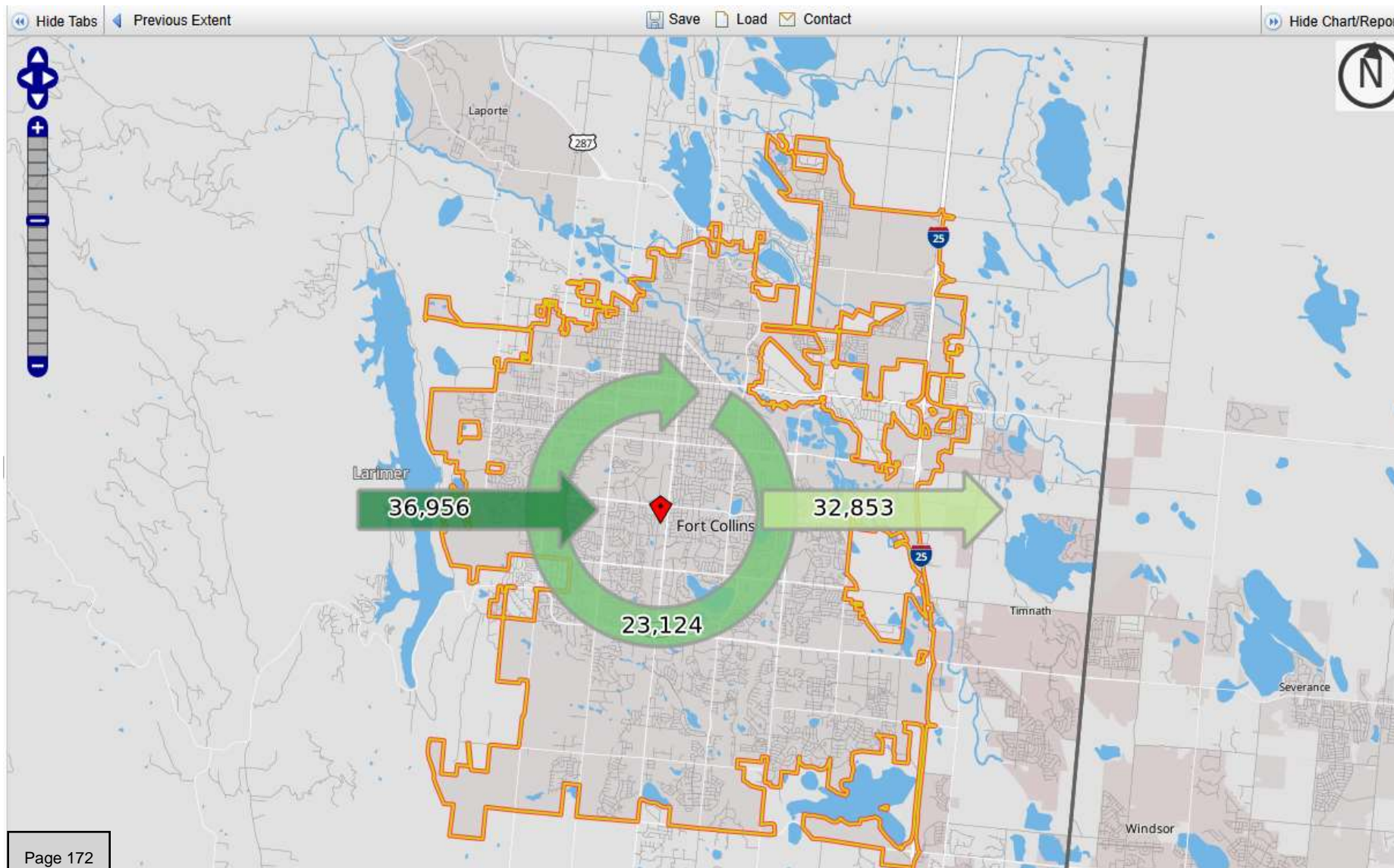


Inflow/Outflow Job Counts (Private Primary Jobs)

	2008	
	Count	Share
Employed in the Selection Area	51,208	100.0%
Employed in the Selection Area but Living Outside	30,333	59.2%
Employed and Living in the Selection Area	20,875	40.8%
Living in the Selection Area	45,724	100.0%
Living in the Selection Area but Employed Outside	24,849	54.3%
Living and Employed in the Selection Area	20,875	45.7%

[Reset Highlighting](#)

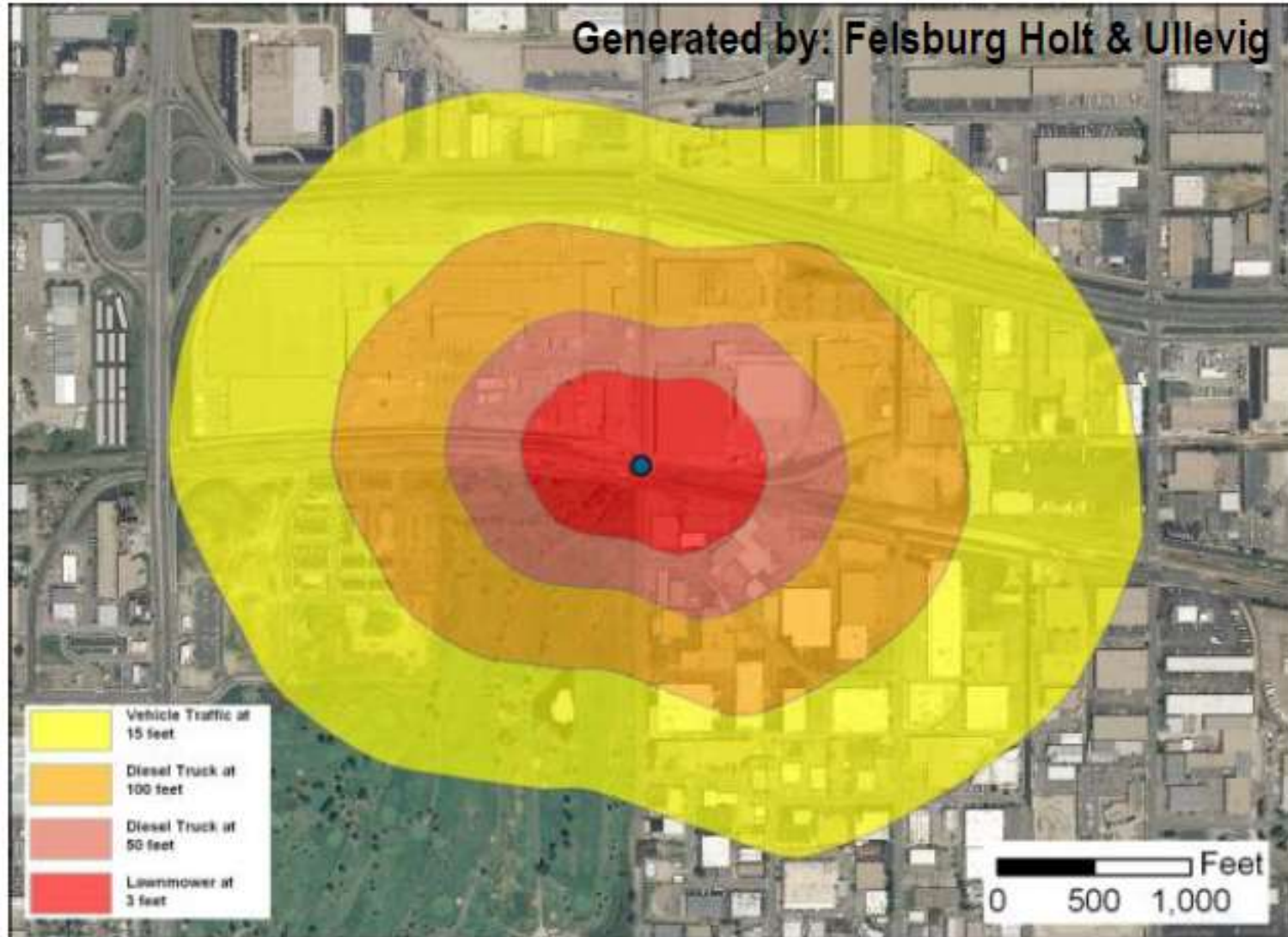
Item 4. Why now: Increase vehicle volume in 2022



Inflow/Outflow Job Counts (Private Primary Jobs)

	2022	
	Count	Share
Employed in the Selection Area	60,080	100.0%
Employed in the Selection Area but Living Outside	36,956	61.5%
Employed and Living in the Selection Area	23,124	38.5%
Living in the Selection Area	55,977	100.0%
Living in the Selection Area but Employed Outside	32,853	58.7%
Living and Employed in the Selection Area	23,124	41.3%

[Reset Highlighting](#)



Train Horn in Crossing

Item 4. INS – how do we manage compliance?



Item 4. **NS – Future Noise Ordinance Considerations**



Adjust Ambient Noise Limits to Reflect Current Conditions

Daytime Limits: 7:00 am – 8:00 pm

- Residential zone limits: 55 db
- Downtown/Neighborhood Commercial: 60 db
- Employment: 70 db
- Industrial: 80 db



Consider Provisions for Amplified Sounds including:

- Neighborhood Block Parties
- Downtown District
- Entertainment Venues
- Parks Programming

Other Noise Ordinance Considerations by City Council

Since 2008, Fort Collins has added:

- 6+ new neighborhood parks
- Twin Silo Community Park
- Poudre River Whitewater Park
- Foothills Activity Center
- 9 new venues including The Exchange (Old Town), The Gardens on Spring Creek Amphitheater, Foothills Mall, Washington's, The Armory, and The Elizabeth Hotel.

Parks and Recreation Master Plan (2021)

- **Goal: Expand Park Activation** through programming, events, and community engagement
- Increased activity demands a noise ordinance that balances vibrant use with neighborhood peace

FoCo Creates Arts & Culture Master Plan (2019)

- Prioritizes **placemaking, activation, and cultural vibrancy**
- Calls for **creative uses of public spaces**, including performances and community events that may generate noise

Community Expectations Have Shifted

- More people are living near activated spaces and desire **both liveliness and livability**
- **Clearer, updated noise guidance** helps preserve community trust and manage expectations

Support Creative Activation of Public Spaces

- FoCo Creates calls for **more performances, festivals, and art events** in parks, plazas, and streets
- Current ordinance may limit spontaneous or small-scale performances
- Updated rules can empower artists while managing sound responsibly

Advance Cultural Equity & Access

- A modern noise ordinance ensures that **all neighborhoods** can host cultural events
- Reduces barriers for community-led activations

Align Policy with Placemaking Goals

- Plan prioritizes **placemaking and community-building through the arts**
- Noise ordinance reform supports vibrant, welcoming, culturally-rich public spaces
- Encourages collaboration between artists, neighborhoods, and the City

Position Fort Collins as a Creative City

- Updating the ordinance signals that Fort Collins **welcomes and supports the arts**
- Reinforces goals of becoming a **regional leader in cultural vitality and innovation**



History and Context

Ordinance No. 118, 2017

- Limits timing, frequency, and volume of Gardens on Spring Creek concerts

Aligning Policy with Potential:

- Event Growth
- Lost Revenue
- Economic Ripple Effect
- Community Programming Impacts
- Environmental Design Consideration
- Strong Community Support
- Opportunity for Balance



Advancing Creative Placemaking

- The Master Plan emphasizes transforming public spaces into hubs for creativity and connection

Enhancing the Gardens' Role

- Reevaluating noise restrictions will enable the Gardens to thrive as a dynamic, multi-use cultural space.

Increasing Access to Arts and Culture

- Greater flexibility with amplified music fosters inclusive, community-driven events that reflect the city's diverse voices.

Strengthening the Creative Economy

- Cultural events are key drivers of economic vitality. Removing noise ordinance barriers promotes local vendors, creates artist opportunities, and attracts tourism—all aligned with the Master Plan's core goals.

Fostering Collaboration

- Loosening restrictions supports partnerships between the Gardens, local musicians, nonprofits, and cultural groups, advancing the Plan's focus on cross-sector collaboration.

Building Cultural Vibrancy

- Allowing the Gardens to host more expressive, sound-inclusive events brings the Master Plan's vision of a thriving cultural scene to life in Fort Collins.

Pending Council Feedback:

Staff intends to conduct further research and return with recommended code updates related to amplified noise.

Timeline & Engagement Plan:

Goal: Holistic neighborhood engagement strategy

Summer–Fall 2025

- Conduct general outreach and community readings
- Leverage Gardens on Spring Creek concert series (ends Sept. 13) for surveys and research

October 2025

- Council Work Session to review findings and draft recommendations

November 2025

- First Reading of proposed Code changes (Early November)

Item 4. **Questions for Council**



What feedback does Council have regarding the identification of opportunity areas?



What feedback does Council have regarding the phased approach of updates to the municipal codes regarding noise?



Are there other noise related issues that Council would like more information on?