



City Council Work Session Agenda

October 10, 2023 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
Shirley Peel, District 4
Kelly Ohlson, District 5

Colorado River Community Room
222 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

Anissa Hollingshead
City Clerk

CITY COUNCIL WORK SESSION 6:00 PM

A) CALL MEETING TO ORDER

B) ITEMS FOR DISCUSSION

1. **Platte River Power Authority Resource Planning Update.**

The purpose of this item is to update Council on Platte River Power Authority’s ongoing resource planning, including pending decisions to add new natural gas dispatchable generation. Staff will also be available to answer questions regarding how electricity resource planning is anticipated to impact Fort Collins’ Our Climate Future goals.

2. **Council Priorities for Landscape Standard Improvements Including Xeriscape, Soil Amendments, and Trees.**

The purpose of this item is to seek council feedback on the staff work attributed to three council priorities related to landscaping:

1. Council Priority 14. Effective soil amendment policies and compliance (water usage)
2. Council Priority 19. Xeriscape – Increase rebates and education, less green lawns with new development.
3. Council Priority 28. Improving Tree Policies

This discussion is in preparation for the first reading of ordinances related to this work scheduled for November 21, 2023, and January 2024.

3. **East Mulberry Plan and Potential Annexation Strategy.**

The purpose of this work session is to seek Council feedback on the draft of the East Mulberry Plan and potential annexation considerations related to the plan. Staff will share a potential approach to annexation for Council to consider based on a concept referred to as “Thresholds.”

C) ANNOUNCEMENTS

D) ADJOURNMENT

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 advance notice. Requests for interpretation at a meeting should be made by noon the day before.

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.

October 10, 2023

WORK SESSION AGENDA

ITEM SUMMARY

City Council



STAFF

Kendall Minor, Utilities Executive Director
John Phelan, Energy Services Manager

SUBJECT FOR DISCUSSION

Platte River Power Authority Resource Planning Update.

EXECUTIVE SUMMARY

The purpose of this item is to update Council on Platte River Power Authority's ongoing resource planning, including pending decisions to add new natural gas dispatchable generation. Staff will also be available to answer questions regarding how electricity resource planning is anticipated to impact Fort Collins' Our Climate Future goals.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What feedback do Councilmembers have regarding Platte River Power Authority resource planning?
2. What additional information do Councilmembers need regarding impacts of electricity resource planning on Fort Collins' Our Climate Future goals?

BACKGROUND / DISCUSSION

Platte River Power Authority Resource Planning

In 2018, Platte River Power Authority (Platte River) Board of Directors approved the Resource Diversification Policy (RDP), which directed Platte River to proactively work toward the goal of achieving a 100% noncarbon energy mix by 2030, provided the organization's foundational pillars of reliability, environmental responsibility and financial sustainability can be maintained. This is one of the most progressive and aggressive carbon reduction goals in the United States for an electric utility. To achieve this goal—and comply with legislation and regulations regarding greenhouse gas emissions (HB19-1261)—Platte River will retire all its coal fired baseload dispatchable generation including Rawhide Unit 1 by the end of 2029. Since the approval of this policy, Platte River has added 225 megawatts (MW) Roundhouse wind, 52 MW of solar at the Rawhide site and contracted for 150 MW of Black Hollow solar, which will be operational by 2025. Roughly half of Platte River's owner communities' annual loads will be met with the addition of these new renewable generation resources.

It is important to note, with the intermittency of wind and solar and the loss of baseload dispatchable resources the challenge is to create a reliable, efficient, low-carbon, and financially sustainable resource replacement strategy to maintain reliability. This includes an identified need for new dispatchable

resources, i.e., facilities that supply on demand adjustable power outputs to the electrical grid. These new resources will also support Platte River's need to meet the reserve margin requirements of the regional energy Market it is preparing to join in 2026.

Currently, Platte River is developing a 2024 Integrated Resource Plan (IRP) that will ensure an adequate supply of reliable, financially sustainable, and environmentally responsible electricity to cover its member communities' load and meet the reserve margin requirements of the energy Market. This IRP is a continuation of the 2020 IRP and portfolio updates from 2022. The Western Area Power Administration (WAPA), one of four power marketing administrations within the U.S. Department of Energy (DOE), requires an IRP every five years.

The IRP process contains three major inputs:

- Assumptions including load forecast, distributed energy resource potential, power price forecast, resource cost forecast, extreme weather models and future renewable generation expectation;
- Development of portfolios that emphasize a renewable resource mix, lowest reasonable cost and maximum CO2 reduction while meeting required reserve margins;
- Reliability testing of the proposed portfolios under normal and extreme weather events and extended periods of low or no renewable generation, similar to the winter Storm Uri in February 2021.

To account for the loss of 431 MW of coal-fired generation with the closure of coal generation facilities, Platte River is modeling different generation portfolios that will accelerate renewable integration with support from highly flexible, dispatchable capacity that is anticipated to include a combination of energy storage, a virtual power plant and aeroderivative technology, capable of dual fuel operation, using natural gas initially and transitioning to green hydrogen in the future.

Based on the rigorous analysis of future portfolios, evaluation of different scenarios, and consultations with outside advisors, Platte River has recommended to its board of directors a resolution of support for dispatchable capacity that enables the acceleration of renewable integration while maintaining reliability and financial sustainability as they continue working toward the Resource Diversification Policy.

Our Climate Future Goals

Adopted by Council in April 2021, Our Climate Future (OCF) is an integrated update of the Climate Action Plan, Energy Policy, and Road to Zero Waste that articulates the community's vision for a sustainable future. OCF reinforces Fort Collins' deep commitment to mitigating and adapting to climate change and meeting energy and waste goals with a people-first systems approach. This means community members' voices and priorities are at the center of solutions, summed up in 13 visionary outcomes known as Big Moves. OCF is now a framework for accomplishing community and Council environmental priorities using a data-informed, systems-based approach.

The OCF primary carbon and electricity goals are to achieve:

- Carbon emissions
 - 50% below 2005 by 2026
 - 80% below 2005 by 2030
 - Carbon neutral by 2050
- 100% renewable electricity by 2030

Renewable electricity is a critical factor for achieving community carbon goals by directly reducing emissions from electricity use and enabling additional carbon emissions reductions from electrification of buildings and vehicles.

There are three frameworks which help to describe the structure between Fort Collins and Platte River goals and guiding principles. Together, they represent the interrelated objectives, metrics and reporting as well as the evolving relationships between the organizations and customers.

1. Fort Collins Our Climate Future Goals – City as consumer
2. Platte River Resource Diversification Policy – City as member owner of generation agency
3. Electric system and Market – City as part of Platte River planning and operations

Related to Platte River’s resource planning update, staff highlights the following points:

- Fort Collins is committed to achieving the community goals from Our Climate Future (OCF) of 80% community-wide carbon reduction and 100% renewable electricity by 2030.
- Fort Collins recognizes that additional dispatchable resources will be needed to ensure reliability after the closure of all coal-fired power plants at the end of 2029.
- Fort Collins is committed to facilitating more local generation and resources that reduce the carbon emissions and overall need for purchased electricity.
- PRPA’s proposed portfolio is still consistent with Fort Collins achieving its 2030 Our Climate Future goals.
- In addition to this new modern gas power plant, PRPA has a confirmed project to add 150 MW of solar by early 2025. Beyond 2025, planning continues to add another 150 MW of solar in early 2026, 200 MW of wind in 2027 and ongoing deployments of battery storage and virtual power plant capacity. This overall expansion of PRPA’s renewable energy portfolio will assist Fort Collins in achieving our OCF goals.
- This development of PRPA’s energy portfolio is in line with Fort Collins Utilities’ rate increase projections and overall philosophy of smooth, predictable rate increases.

NEXT STEPS

Platte River recommended a resolution of support during their September 28, 2023, board meeting for additional dispatchable capacity. Utilities Executive Director Kendall Minor and Mayor Jeni Arndt serve on the board of Platte River. Platte River is expected to bring a formal resolution of support to their board at their October 26, 2023, meeting.

ATTACHMENTS

1. Presentation - Fort Collins Our Climate Future Goals Introduction
2. Presentation - Platte River Power Authority Resource Planning Update

Item 1.



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Platte River Power Authority Resource Planning Update and Our Climate Future Goals

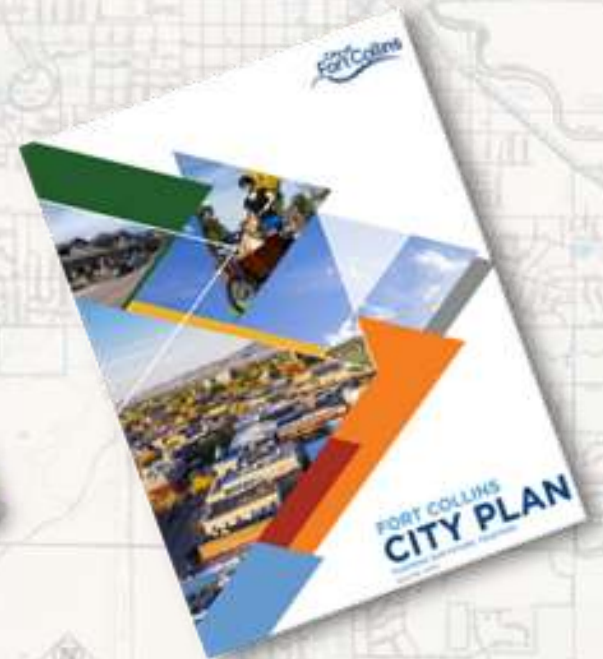
Presented by:

Kendall Minor, Utilities Executive Director
John Phelan, Energy Services Manager

Fort Collins City Council
October 10, 2023

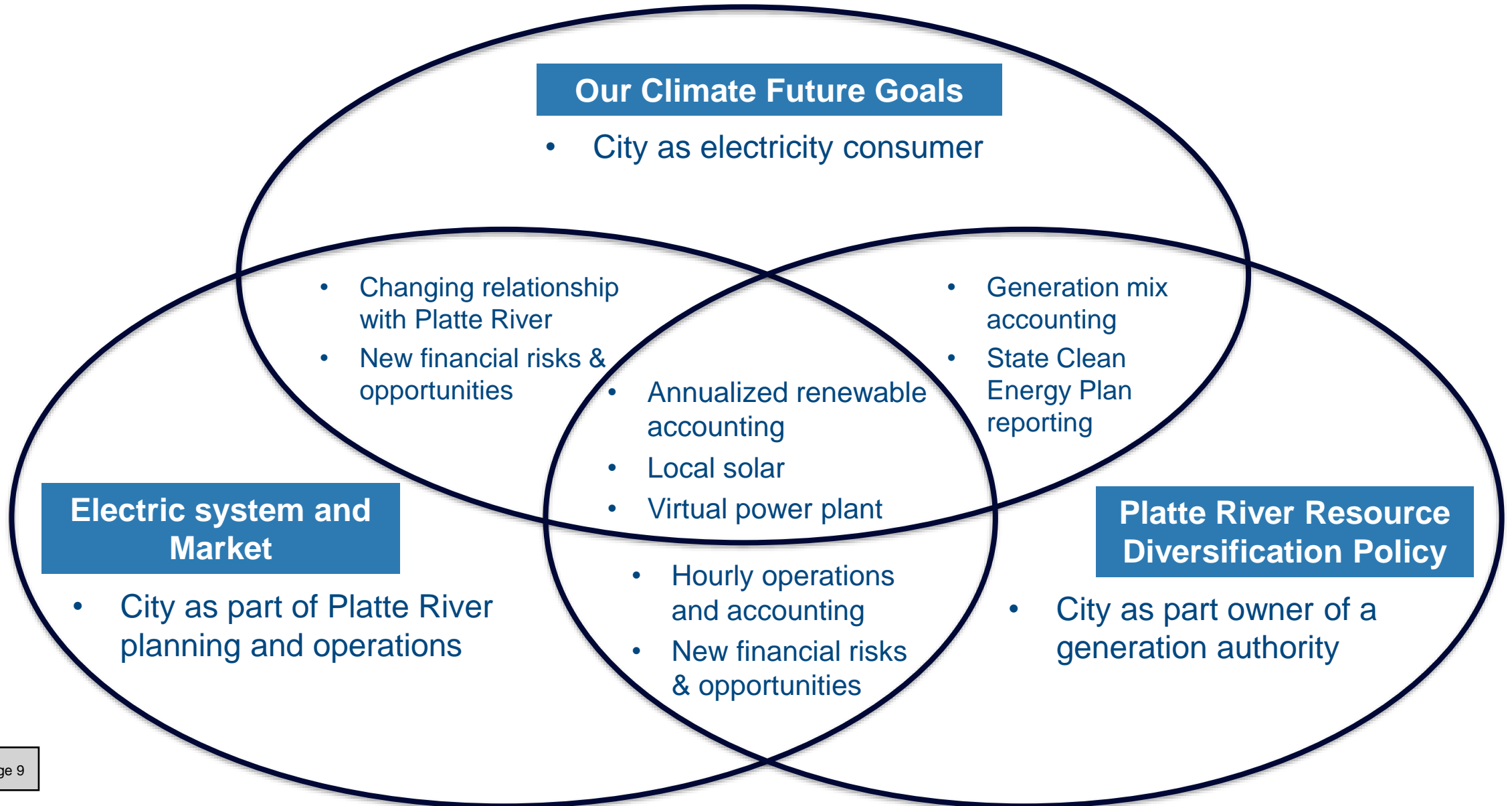


Strategic Objective 4.1: Intensify efforts to meet 2030 climate, energy and 100% renewable electricity goals that are centered in equity and improve community resilience



- Carbon emissions
 - 50% below 2005 by 2026
 - 80% below 2005 by 2030
 - Carbon neutral by 2050
- 100% renewable electricity by 2030







Resource planning update

Oct. 10, 2023





Resource planning update

Oct. 10, 2023

Agenda

- Introduction | **Kendall Minor**
- About Platte River Power Authority | **Jason Frisbie**
- 2024 Integrated Resource Plan | **Raj Singam Setti**



About Platte River

Jason Frisbie, general manager and CEO





About Platte River Power Authority

Platte River Power Authority is a not-for-profit, community-owned public power utility that generates and delivers safe, reliable, environmentally responsible and financially sustainable energy and services to Estes Park, Fort Collins, Longmont and Loveland, Colorado, for delivery to their utility customers.

At a glance



Headquarters
Fort Collins, Colorado



Peak demand
707 MW on July 28, 2021



General manager/CEO
Jason Frisbie



2023 projected deliveries of energy
5,174,234 MWh



Began operations
1973



2023 projected deliveries of energy to owner communities
3,301,376 MWh (~33% renewable)



Employees
297



Transmission system
Equipment in 27 substations, 263 miles of wholly owned and operated high-voltage lines and 522 miles of high-voltage lines jointly owned with other utilities.

Resource Diversification Policy

Passed by Platte River's Board of Directors in 2018

Purpose

To provide guidance for resource planning, portfolio diversification and carbon reduction.

Goal

To support owner community clean energy goals, we will proactively work towards a 100% noncarbon resource mix by 2030 while maintaining our foundational pillars of providing reliable, environmentally responsible and financially sustainable energy and services.

Accomplished

- An organized regional market must exist with Platte River as an active participant

In progress

- Transmission and distribution infrastructure investment must be increased
- Transmission and distribution delivery systems must be more fully integrated
- Improved distributed generation resource performance
- Technology and capabilities of grid management systems must advance and improve
- Advanced capabilities and use of active end user management systems
- Generation, transmission and distribution rate structures must facilitate systems integration

Awaiting technology

- Battery storage performance must mature and the costs must decline
- Utilization of storage solutions to include thermal, heat, water and end user available storage

Foundational pillars

Platte River is committed to decarbonizing our resource portfolio without compromising our three pillars:

- Reliability
- Environmental responsibility
- Financial sustainability

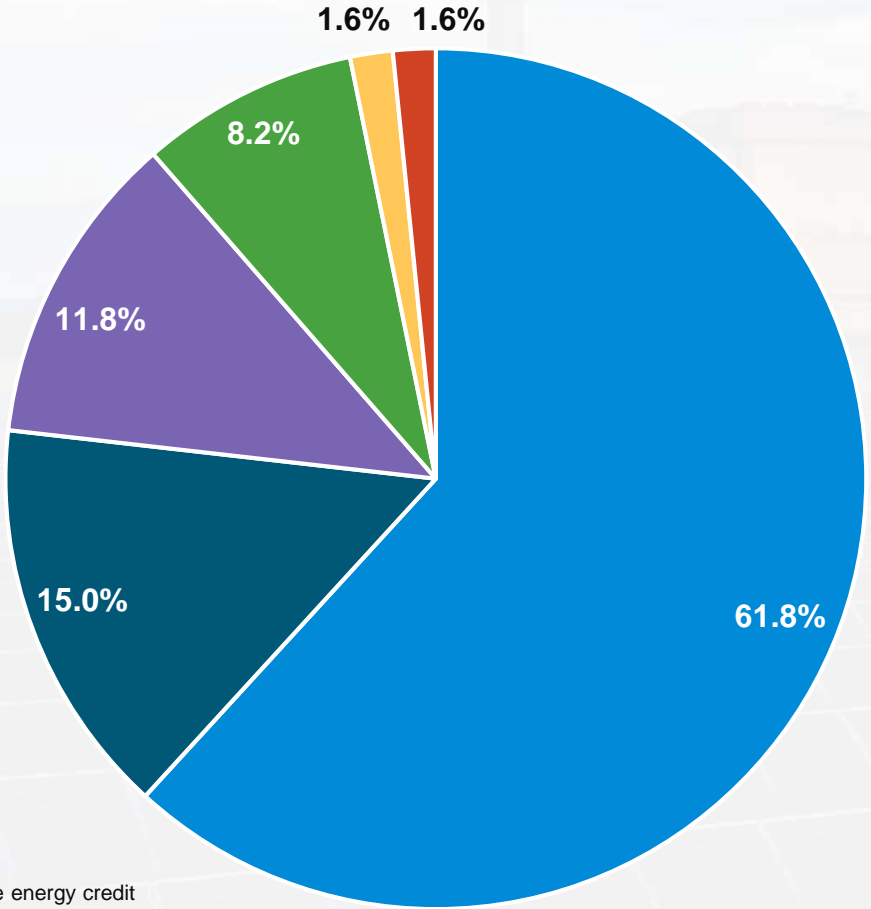
Progress since 2018

The 2024 IRP builds on the 2020 IRP and resource planning and modeling that occurred in 2021 and 2022

- 225 MW of Roundhouse wind
- Announcement to decommission coal resources
- Developed a distributed energy resources strategy
- Filed 2020 IRP
- 22 MW Rawhide Prairie Solar with 2 MWh battery
- 150 MW Black Hollow Solar power purchase agreement
- Additional solar and energy storage RFPs
- Filed Clean Energy Plan with the state of Colorado, which requires all electric utilities to achieve 80% carbon reduction by 2030
- Entry into Southwest Power Pool Western Energy Imbalance Service market

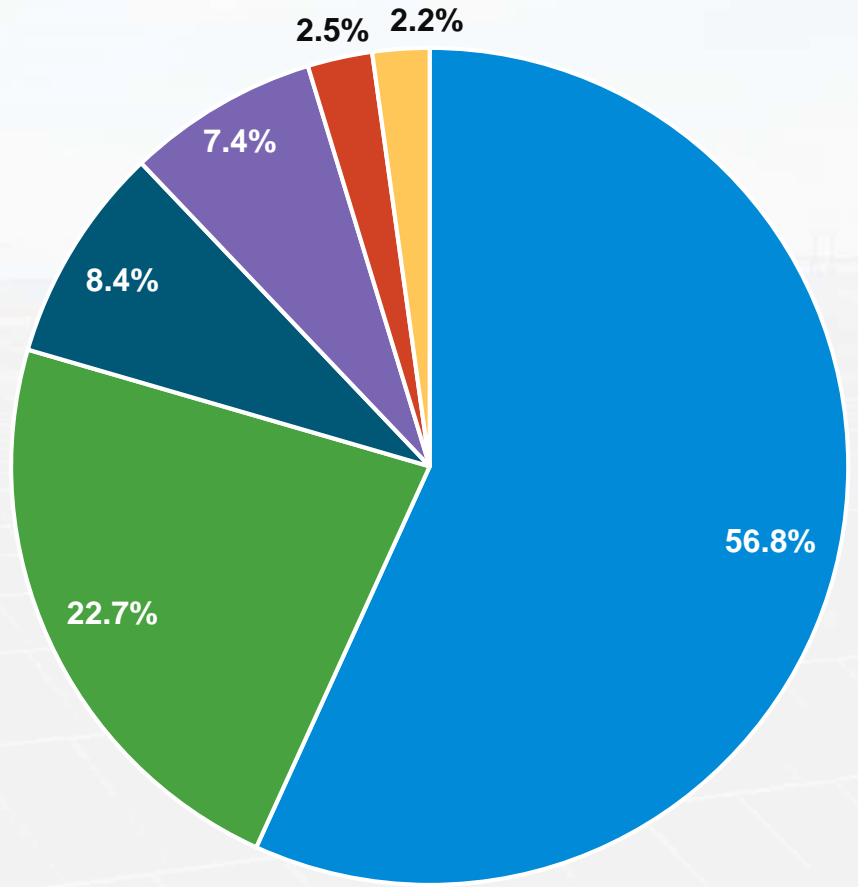
2018 system total

24.8% noncarbon resources



2023 budget system total

33.3% noncarbon resources

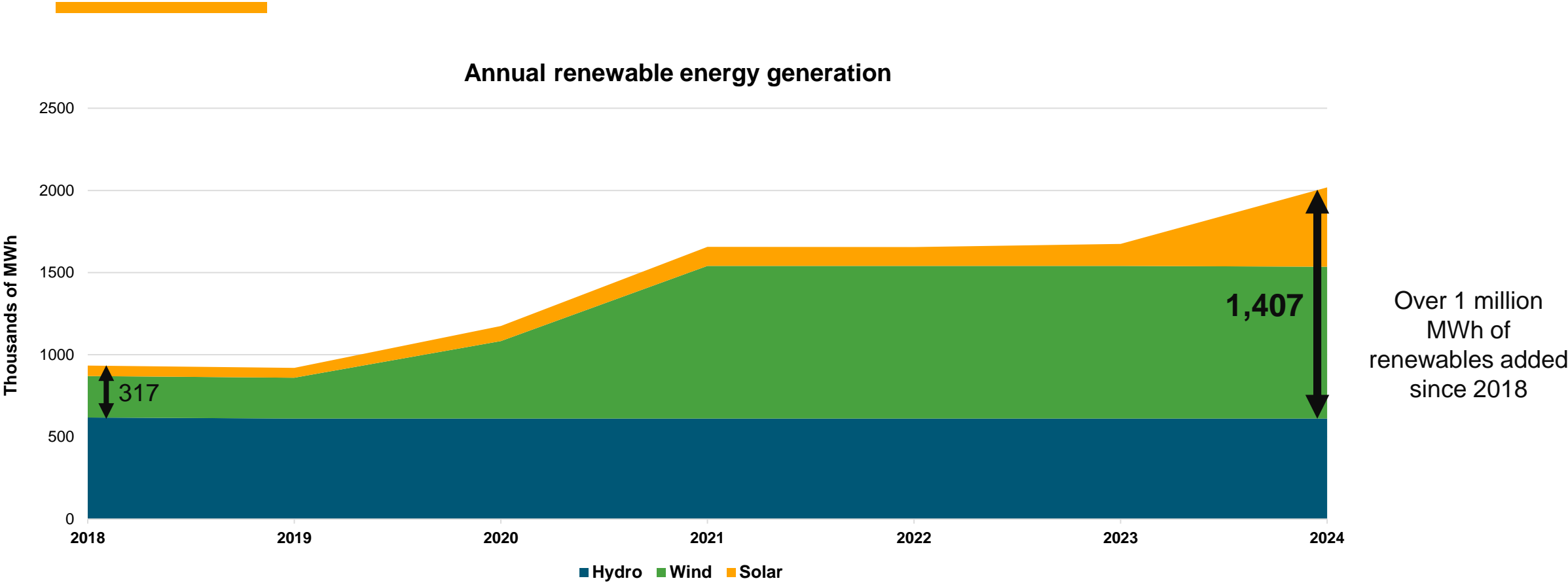


Includes renewable energy credit allocations to carbon resources

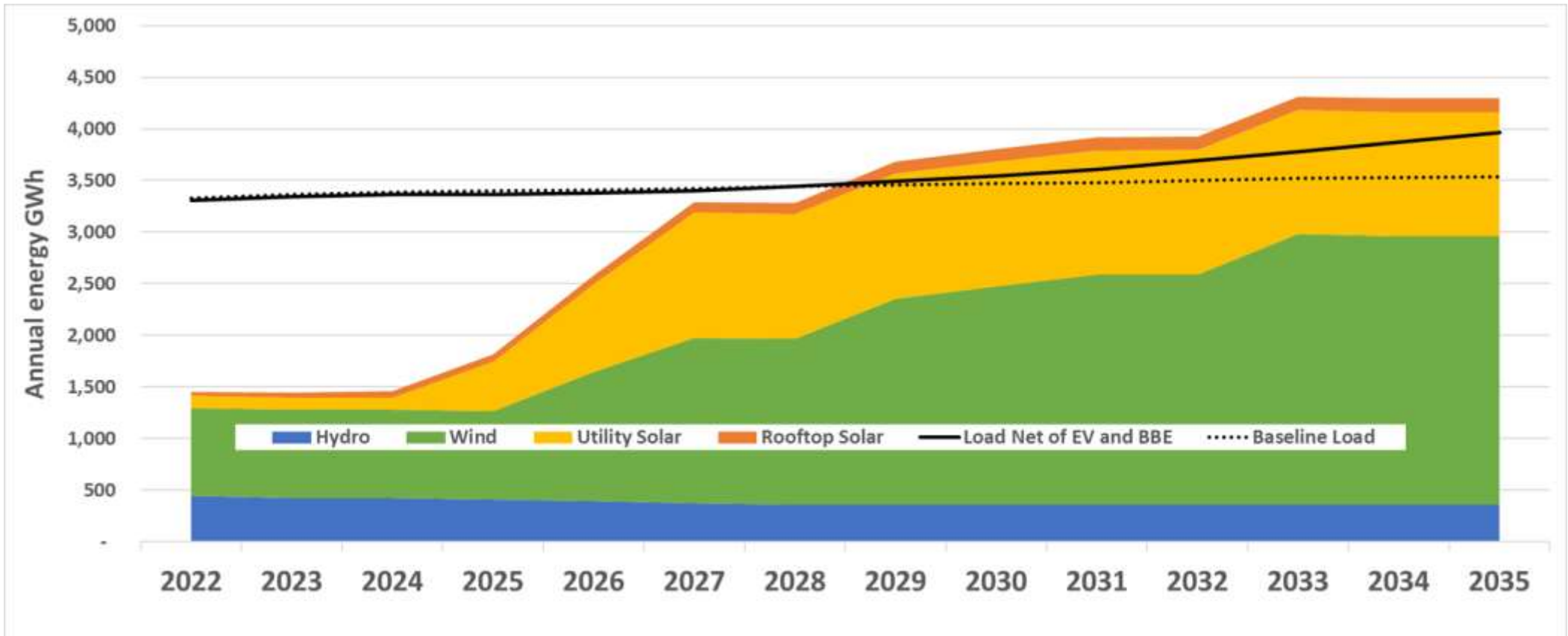
Due to drought conditions, not all hydropower may be considered

■ Coal ■ Wind ■ Hydropower ■ Solar ■ Other purchases ■ Natural gas

Progress on adding renewable generation

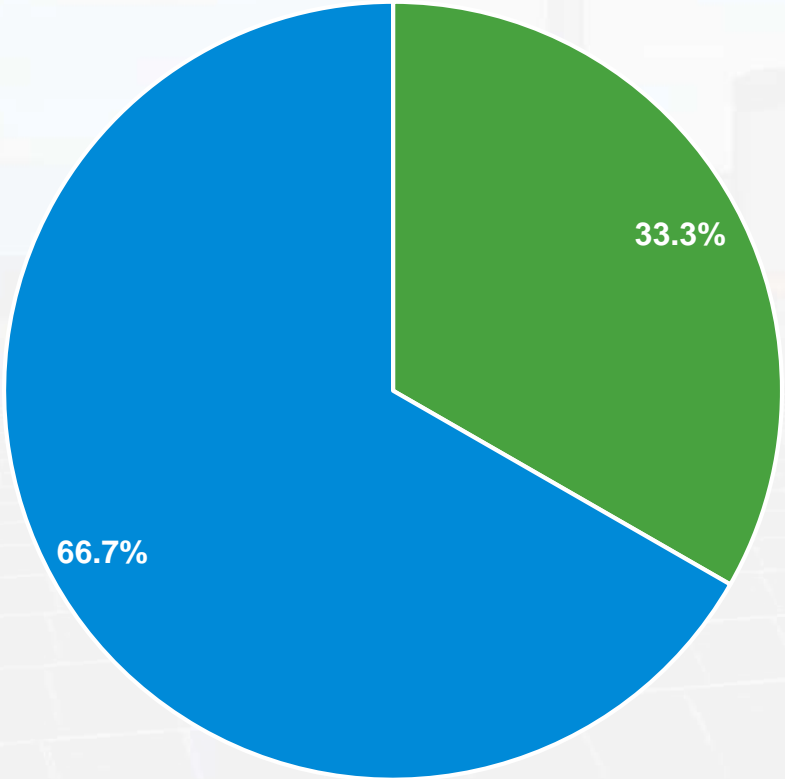


Currently planned renewable supplies



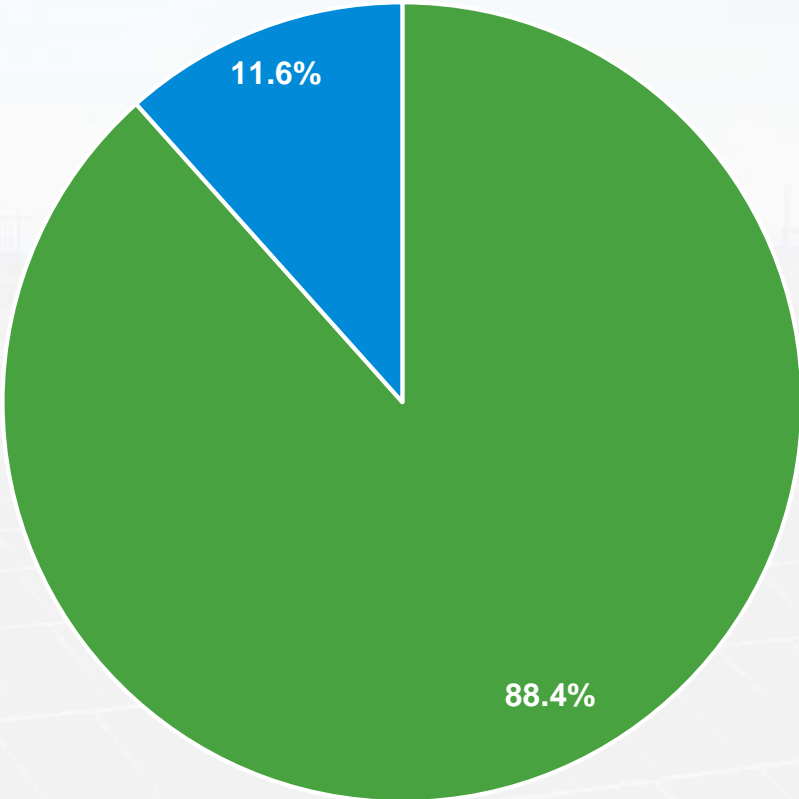
2023 budget system total

33.3% noncarbon resources



2030 projected system total

88.4% noncarbon resources



Includes renewable energy credit allocations to carbon resources

Due to drought conditions, not all hydropower may be considered

■ Renewable resources ■ Dispatchable resources (includes purchases)

Our shared energy transition and future

2030 projected system total

88.4% noncarbon energy

- More wind
- More solar
- Hydro
- 4-hr battery storage

11.6 % dispatchable capacity

- Virtual power plant
- Long-duration storage
- Dispatchable thermal capacity

2024 Integrated Resource Plan

Raj Singam Setti, chief transition and integration officer



What is an IRP

- An IRP is a planning process which integrates customer demand and distributed energy resources (DERs) with utility resources to provide reliable, economical and environmentally desirable electricity to customers
- Typically developed for the next 10-20 years and updated every few years
- IRP assists with preparing for industry changes including:
 - Technological progress
 - Consumer preferences
 - Regulatory mandates
- Required by Western Area Power Administration (WAPA) every five years
- WAPA requires a short-term action plan and an annual follow up on plan execution
 - Last IRP was submitted in 2020

IRP modeling process

Input assumptions

- Load forecast
- DER potential
- Power price forecast
- Resource cost forecast
- Extreme weather models
- Renewable profiles

Portfolio development

- Resource mix
 - Renewable
 - New technology
- Least cost
- Carbon reduction
- Reserve margins

Reliability testing

- Portfolio testing with
 - Dark calms (low supply)
 - Extreme weather (high demand)
 - Different wind/solar profiles

Plexos model

Summary

Study	Advisor	Status
Extreme weather event and dark calm analysis	ACES	Completed
Planning reserve margin requirements and effective load carrying capability	Astrape consulting	Completed
Building electrification forecast	Apex Analytics	Completed
DER potential study	Dunsky	Draft report
Price volatility, congestion, and curtailment	ACES	Completed
Emerging technologies review. Assess state of the art and future cost/availability of dispatchable technologies, hydrogen, ammonia, energy storage and carbon capture	B&V consulting	Expected by Q3
Dispatchable technology selection. Techno-economic assessment of available options and recommendation of the best fit	B&V consulting	Expected by Q3

Extreme weather events and dark calms



Extreme weather events summary

- 4-8 heat and cold waves lasting about a week experienced every year
- Noticeable increase in frequency, duration and intensity of heat waves
- Noticeable decrease in frequency, duration and intensity of cold waves

Heat waves:

Heat Wave Summary – West Region						
	48 Hours	72 Hours	96 hours	120 hours	144 hours	168 hours
Events per year	0.47	0.02	0.09	0.04	0.021	0.043

Cold waves:

Cold Wave Summary – West Region													
Number of Hours	48	72	96	120	144	168	192	216	240	264	288	312	336
Events per year	4.9	1.7	0.9	0.4	0.17	0.08	0	0	0	0	0	0	0

Cold Wave Summary – Colorado Region										
Number of Hours	48	72	96	120	144	168	192	216	240	264
Events per year	2.36	0.9	0.3	0.17	0.02	0.04	0	0	0	0

Dark calm events summary

- Meeting reliability requirements for a 3-day event (72 hours)
 - Ensuring uninterrupted power supply for the full duration
- Managing renewable output
 - Addressing losses of Up to 15% in renewable output

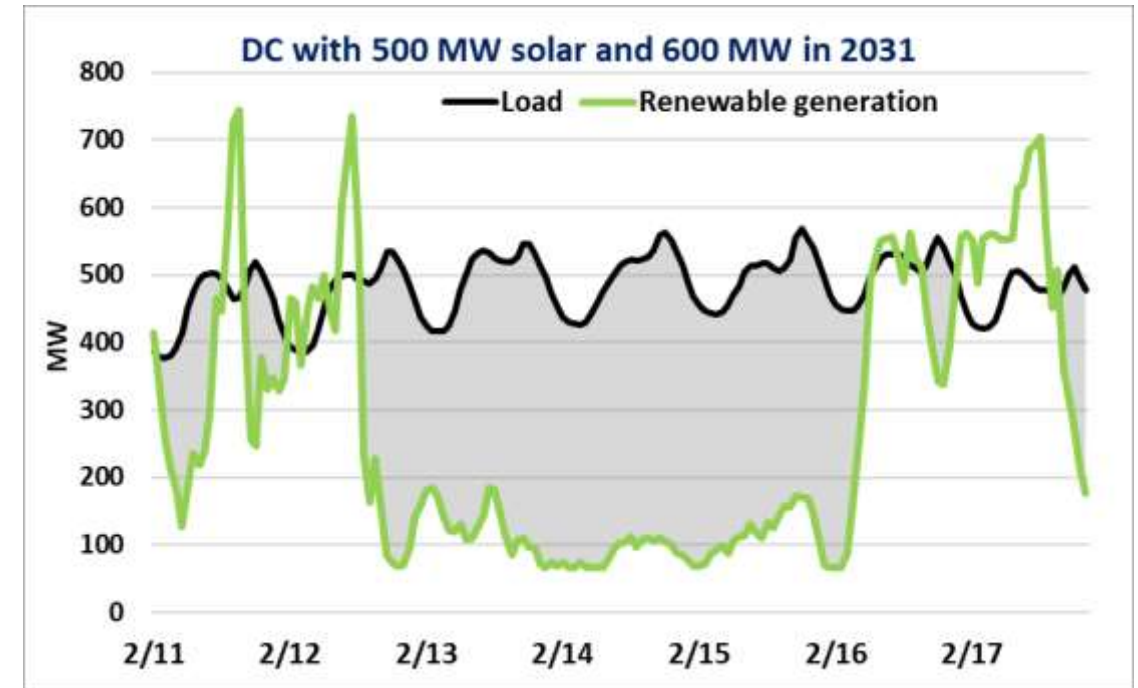
Dark Calm Events by Location

Breakdown of Events/Year by Renewable Output & Duration

% of Full Output	48 hrs	72 hrs	96 hrs	120 hrs
MISO Central				
5%	3.00	1.25	0.50	0.25
10%	11.20	5.60	2.40	2.00
15%	6.20	11.40	3.80	4.80
MISO North				
5%	1.00	1.00	0.67	0.00
10%	5.00	1.75	0.50	1.00
15%	2.20	3.00	1.20	2.00
Northwest ERCOT				
10%	3.80	1.00	0.20	0.20
15%	3.20	3.40	3.00	1.20

Reliability during dark calms (DC) and extreme weather events (EWE)

- This is DC experienced during winter storm Uri in 2021. We scaled up the load and generation to 2031.
- The only way to supply noncarbon energy during DC is to rely:
 - Long duration energy storage (LDES), that once charged will last many days
 - Traditional generation burning noncarbon fuel like hydrogen
- Currently available 4-hour Li Ion battery will not be sufficient. Even if we build 3000 MW (cost \$4.5 billion), that will not be sufficient.
- Based on our analysis, we will need about 13,000 MW of 4-hour storage – which is not practical
- Can the market help? Maybe, but we cannot plan on it.
 - Usually severe weather patterns cover large areas. Most likely, all the neighboring utilities will be having similar shortages as we saw during Uri
 - Even if we can find power, it will be very expensive. Our quick analysis showed it will cost almost 40% of our annual power supply cost. This was observed for many small utilities after Uri.
- During winter severe weather, there are challenges of getting fuel as well, which means on-site storage will be required



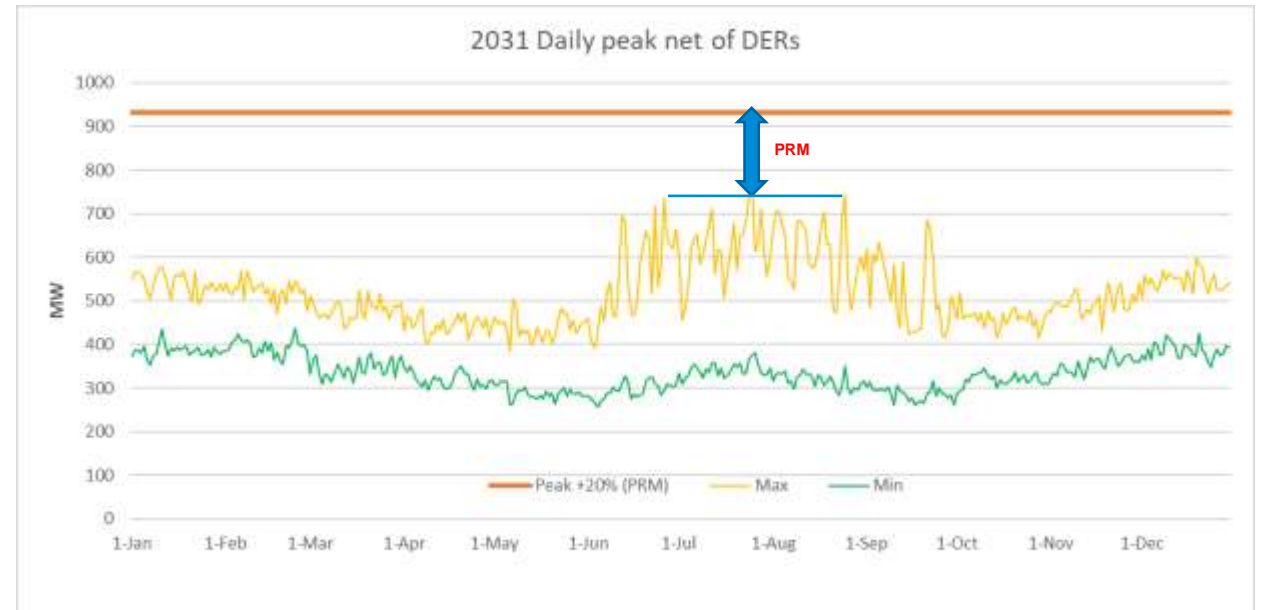
A 3 GW battery will last a day. 10 GW battery will cover this DC but we would need 13 GW to cover an expected DC lasting up to 5 days.

Planning reserve margin (PRM) and effective load carrying capability (ELCC) study



Planning reserve margin (PRM) requirement

- Each utility must carry a spare capacity. Market can help in emergencies but does not guarantee
- Historically, PRM was 15% but with the addition of intermittent renewables it is going up
- Independent assessment from external advisors suggested we will need 20-25%
- WECC study recommends 22-25% for our area
- Texas increased the requirement from 13% to 18%



Renewable generation, DERs and 4-hour battery storage can provide PRM but, their ELCC drops significantly as you add more resources, due to intermittency and energy limitations. Long duration energy storage (when developed) or traditional thermal generation are better suited to provide PRM. A 100 MW wind or solar can only 5-10 MW of PRM, while 100 MW of LDES or thermal generation can provide 90 MW of firm capacity.

Modeling basis

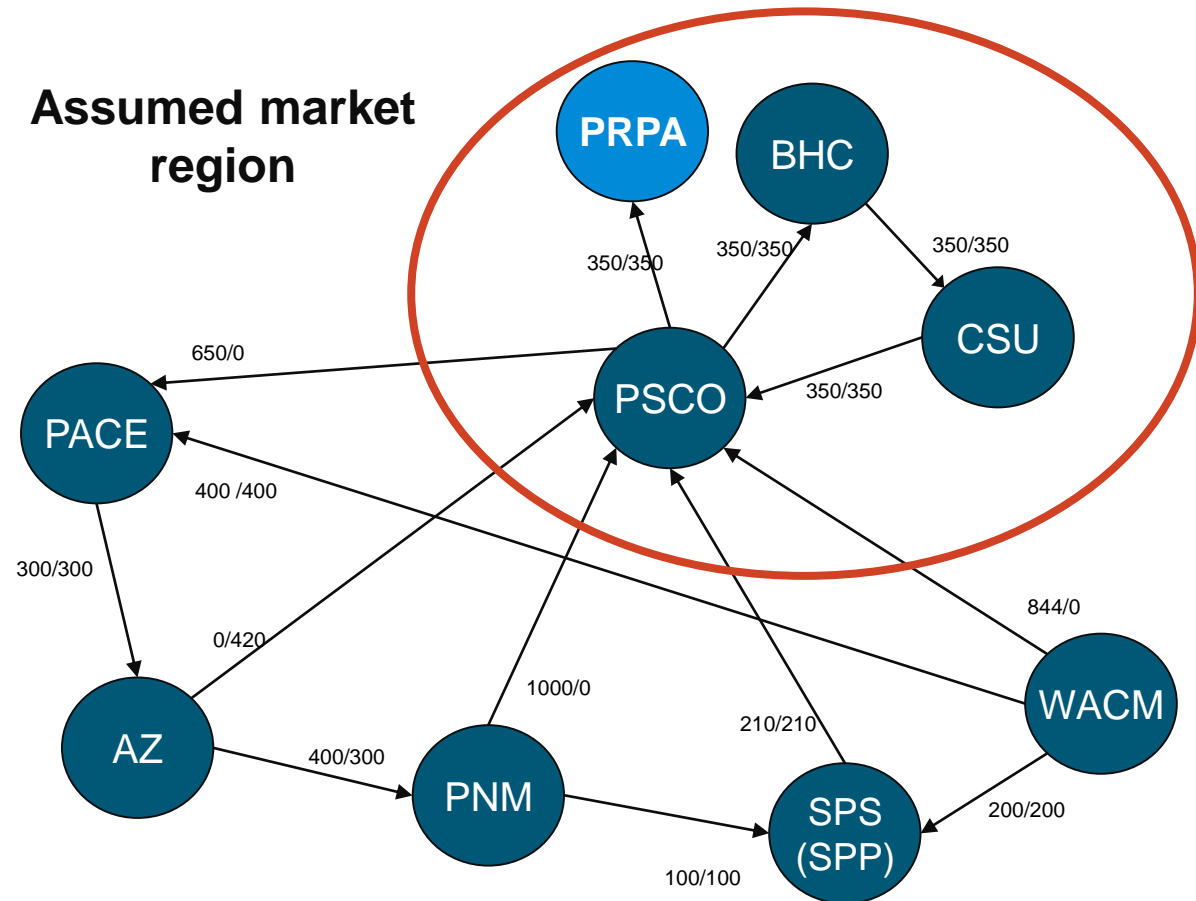
Modeling year 2030. Assumed a regional market to realize diversity benefits.

2030 resource mix

Conventional resources ~8,900 MW Storage and renewable resources	
Battery storage	867
Distributed solar	1,820
DR	670
PSH	301
Solar	3,880
Wind	6,280

- Assessed regional PRM for one outage in 10 years or annual Loss of Load Expectation (LOLE) of .1
- Ran 63,000 simulations (42 years of historical weather X five load forecast errors X 300 outage patterns)

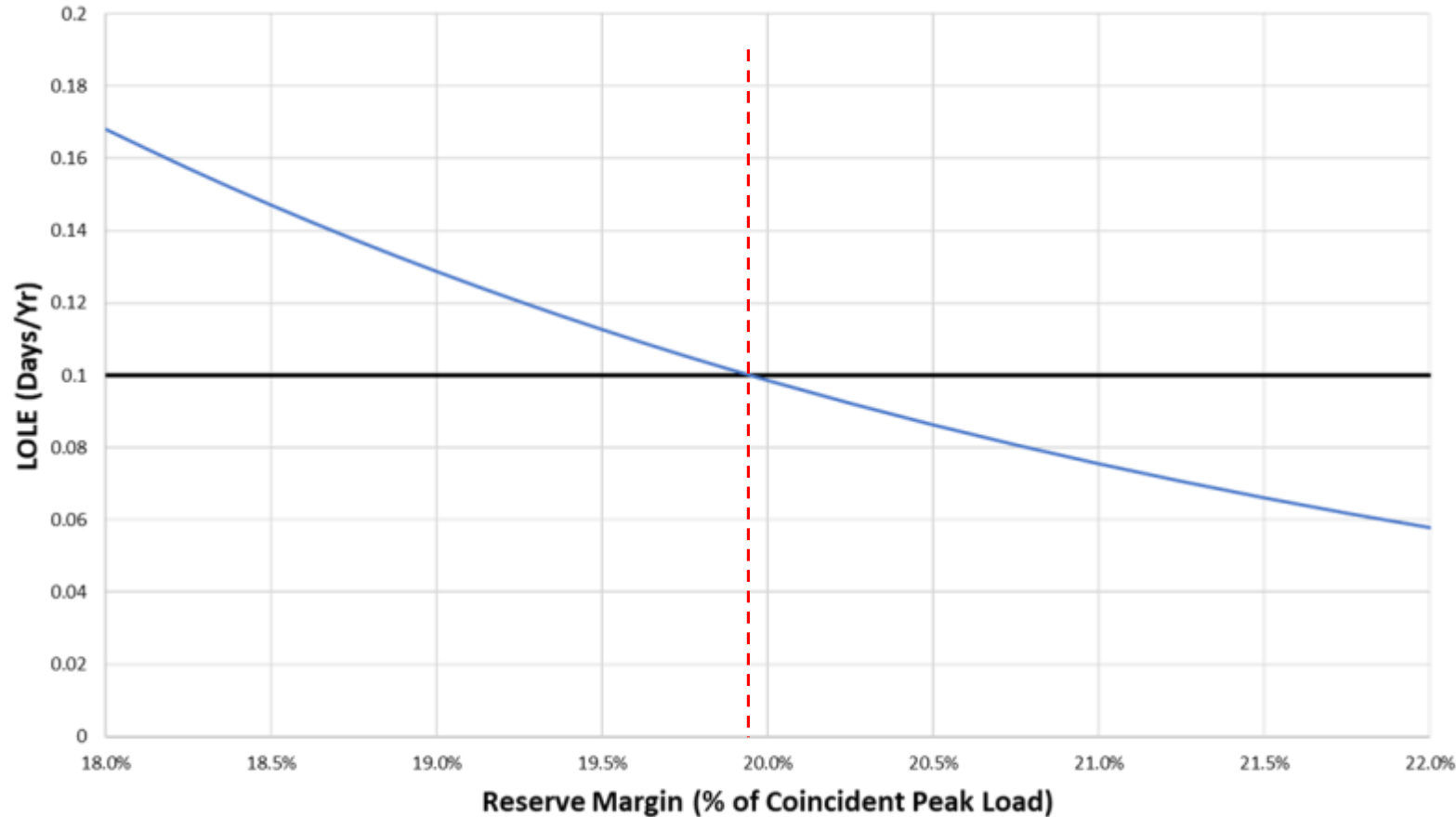
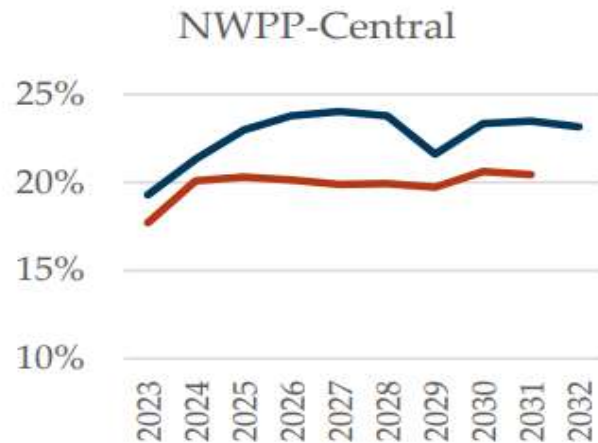
Assumed market region



2030 PRM curve

Study recommends a PRM of 19.9% which includes a diversity benefit of 2.2%

Results are somewhat in line with proposed PRM requirements for our region.



Building electrification



Key findings

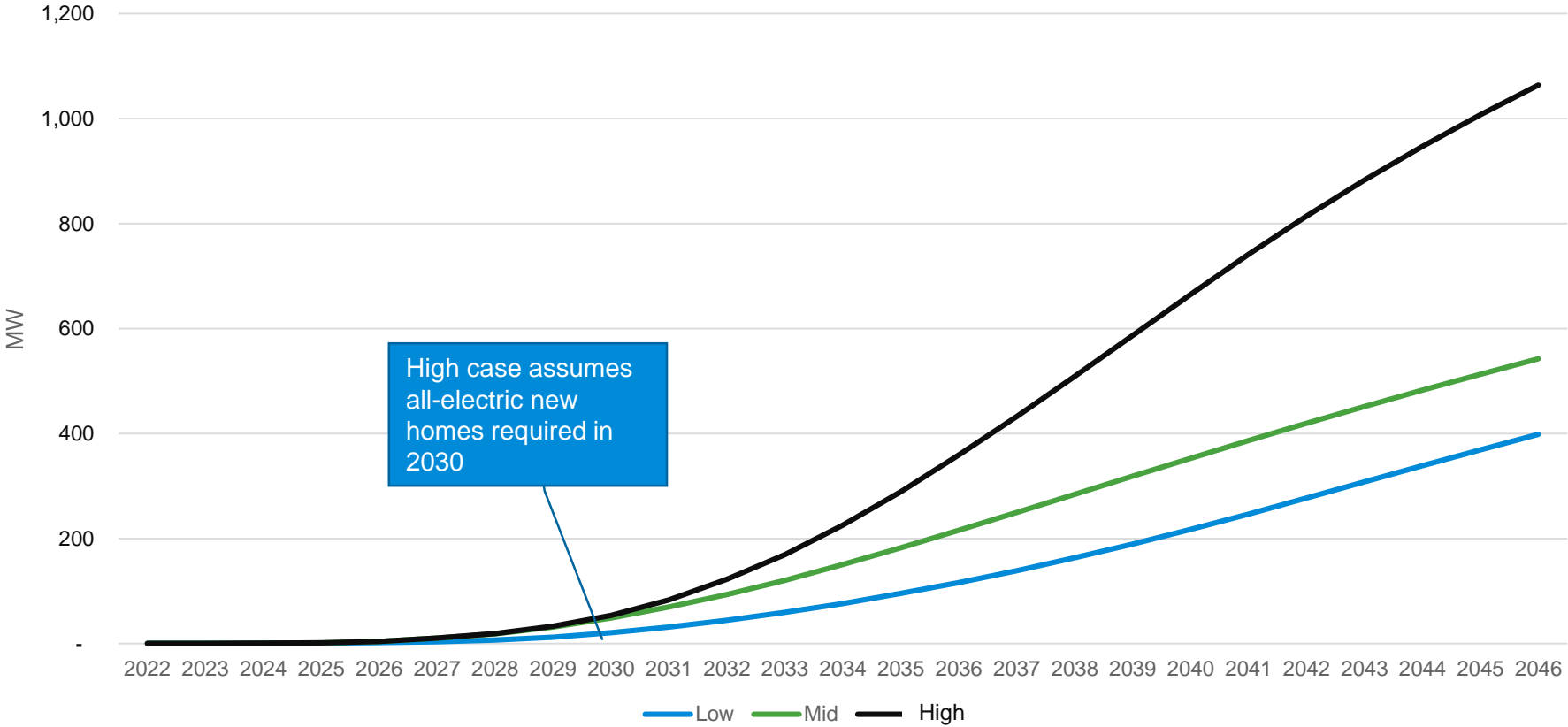
- Space heating has the biggest impact, especially after 2030
- Partial electrification of heat with gas back up improves load factor
- Full electrification causes significant impact on winter peak

Components of electrification load

Sector	End use	Percent of 2040 fossil fuel GHG emissions	Included in PRPA forecast
Residential	Space heating	51.8%	Yes
Residential	Water heating	12.5%	Yes
Residential	Cooking	1.7%	Yes
Residential	Lawn and garden	0.9%	No
Residential	Clothes Dryer	0.5%	No
Commercial	Space Heating	23.6%	Yes
Commercial	Cooking	4.7%	Yes
Commercial	Water Heating	2.9%	Yes
Commercial	Fork Lifts	0.8%	No
Commercial	Lawn and Garden	0.6%	No

Building electrification winter peak projection

- Platte River may become winter peaking sometime after 2040
- Winter peaking starts roughly 5-7 years after all electric new building code goes into effect



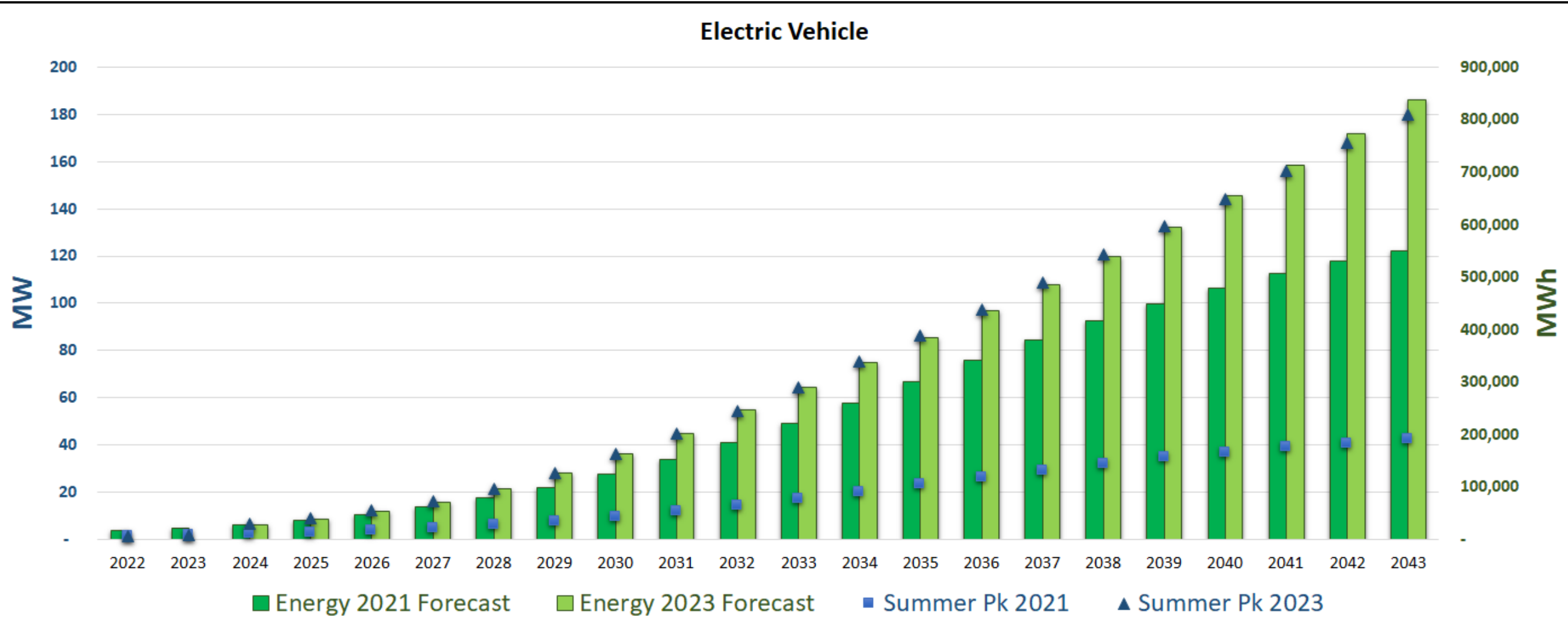
DER potential study



DER potential study scope

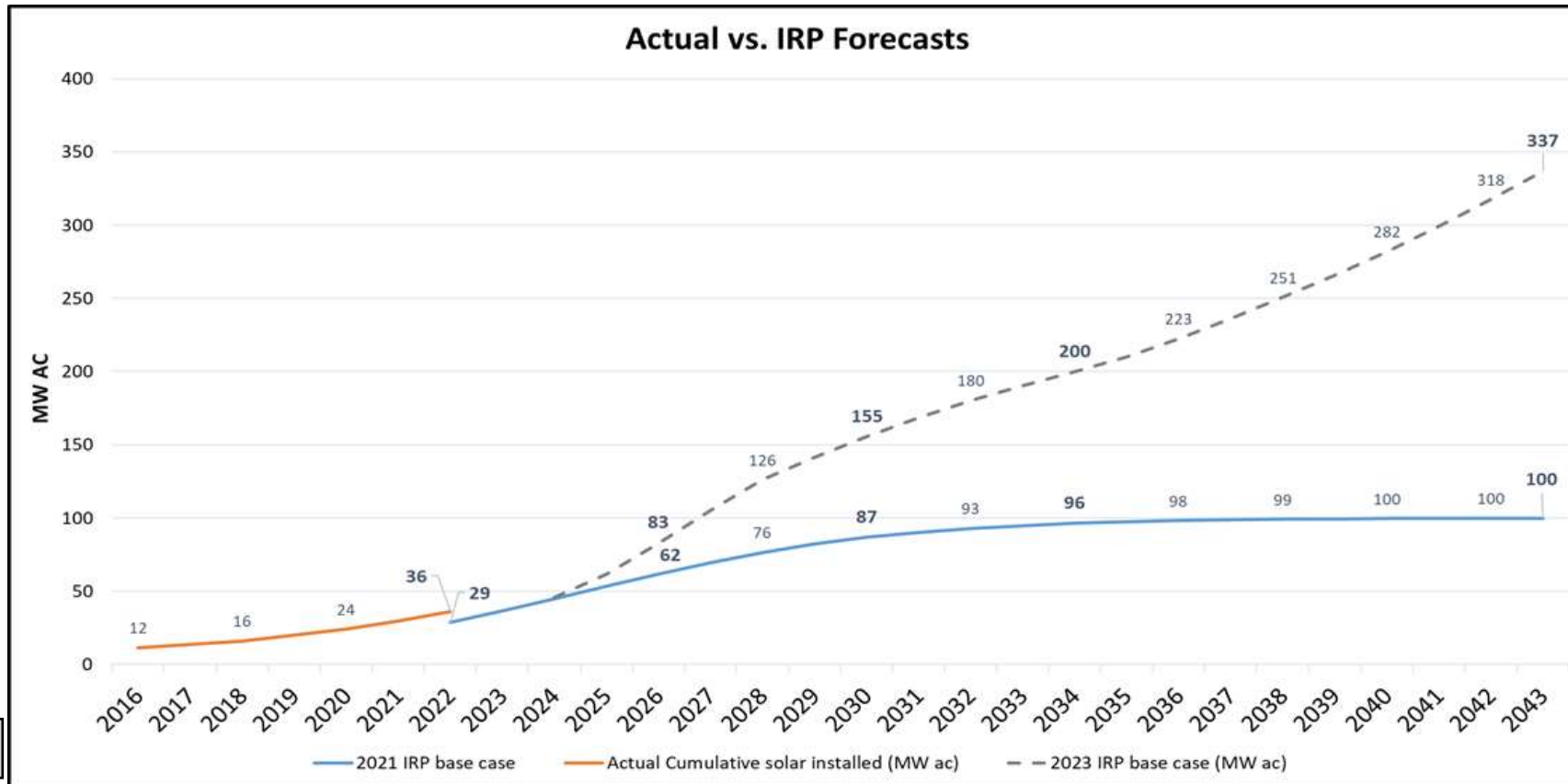
- **Technologies:** transportation electrification, distributed generation + storage and demand response
- **Scenarios:** three market potential scenarios that consider market/technology factors and program/utility levers (incentives, rates, policy, etc.)
- **Sectors:** residential single family, residential multi-family, small commercial, large commercial
- **Outputs:** technology adoption (number of units), annual energy impacts (MWh), hourly demand impacts (MW), program metrics (budgets)

Item 1. **Transportation electrification *unmitigated* energy and demand summer medium growth**



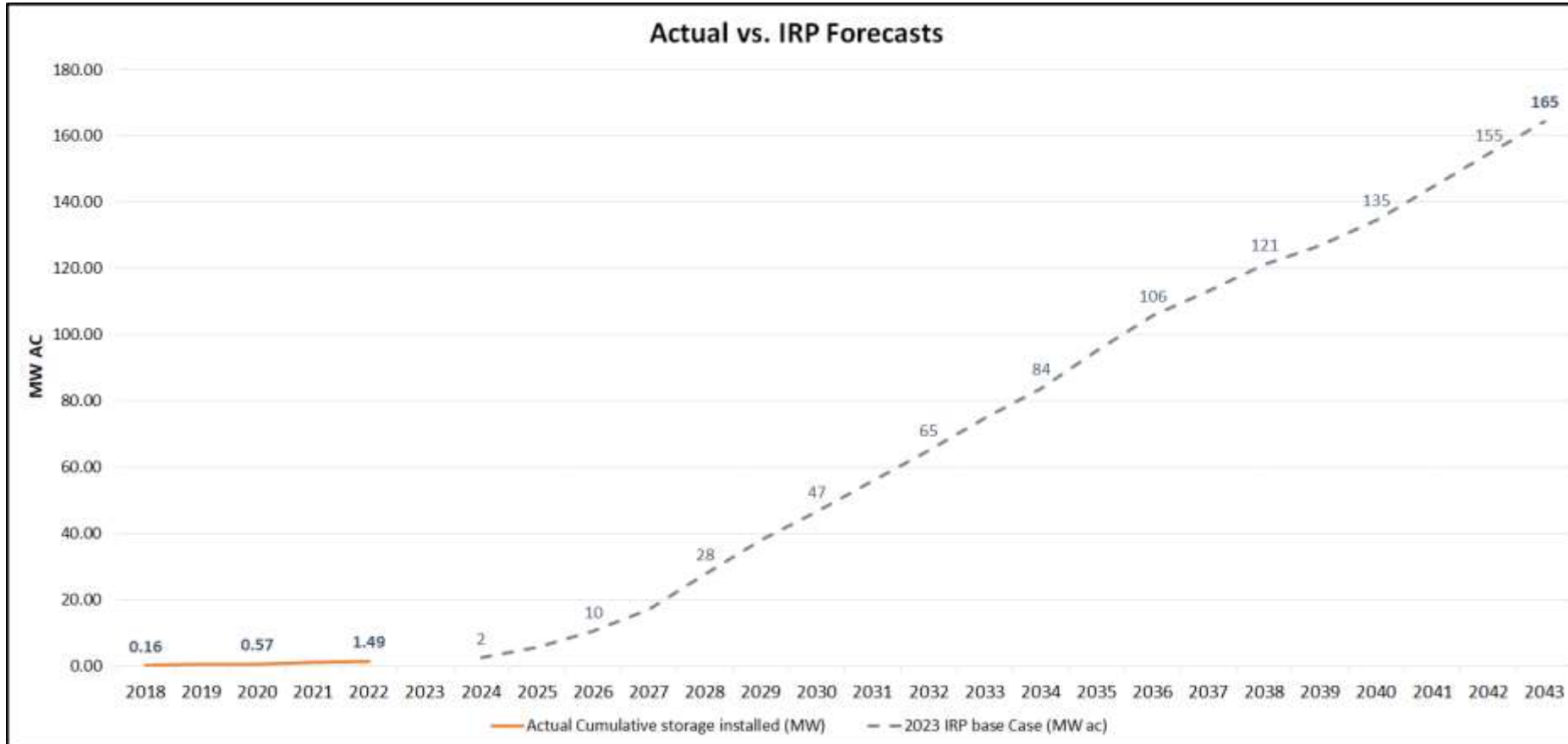
Behind the meter solar potential

Medium + medium Net Energy Metering blended



Behind the meter storage potential

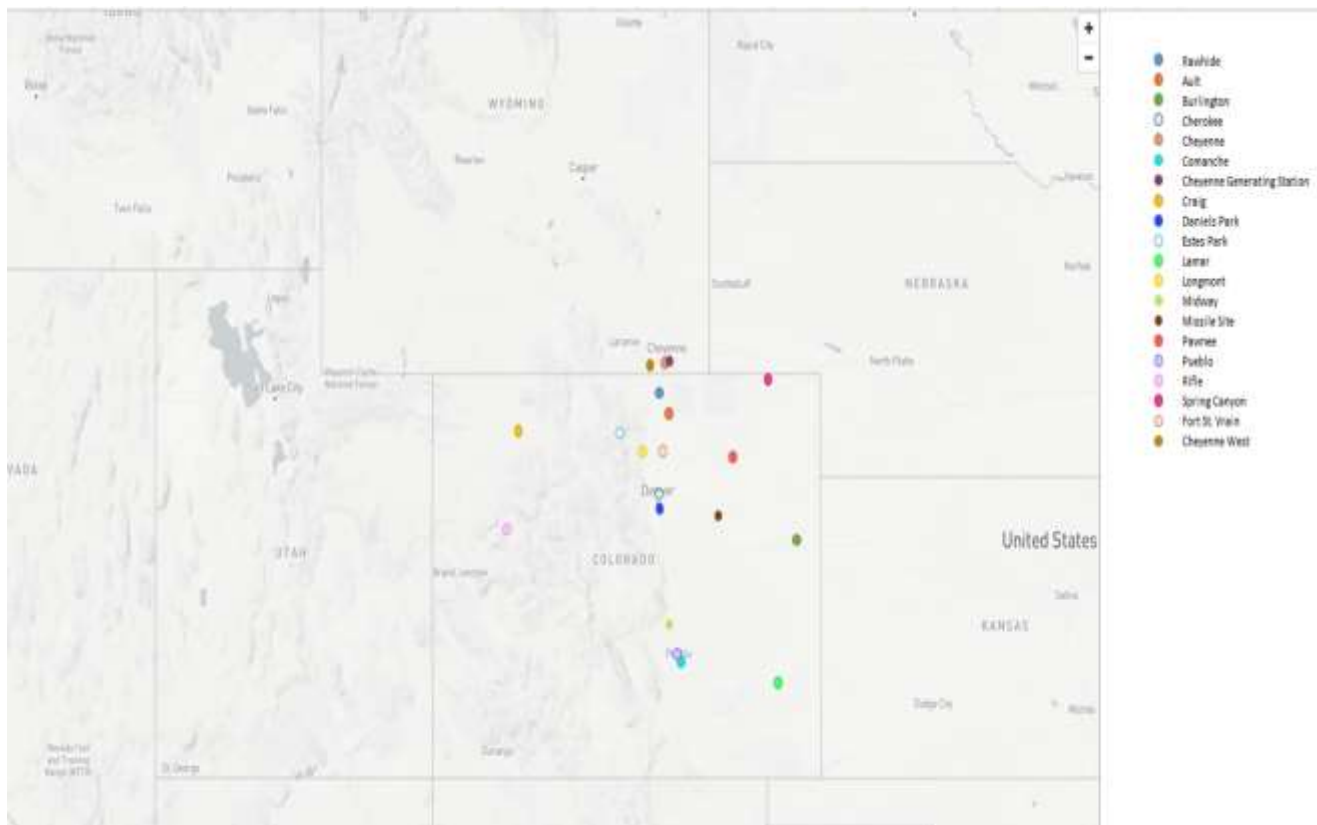
Medium + medium Net Energy Metering blended



Market price volatility



Locational marginal price (LMP) forecast



030 Base case assumptions (20 locations)

500 MW wind at Rail Tie site in WY

1800 MW of Wind connecting to Gateway South in Western WY

3000 MW of Wind connecting to Colorado Power Pathway

500 MW of wind near Casper WY

500 MW of solar near Craig CO

2000 MW of Utility Scale Solar in the Denver-Pueblo Area

1000 MW of distributed solar in Denver-Pueblo Area

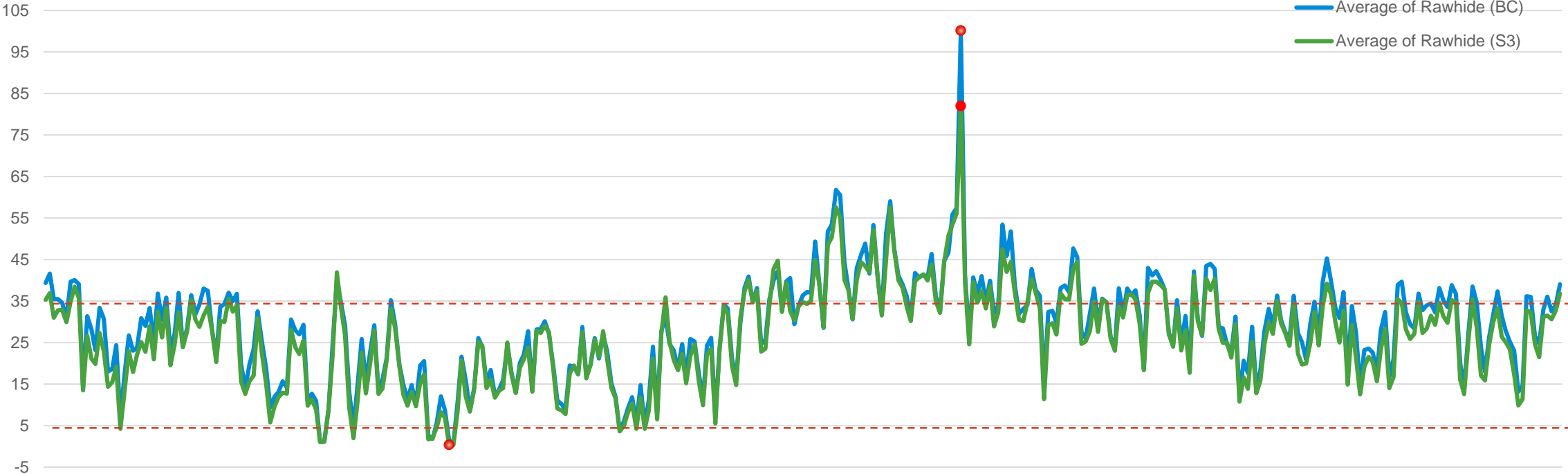
200 MW of peaking generation at Cheyenne Energy Station

1300 MW of peaking generation in Denver area

500 MW of batteries in Denver area

Retirement of all coal Units in CO

LMP forecast - 2030



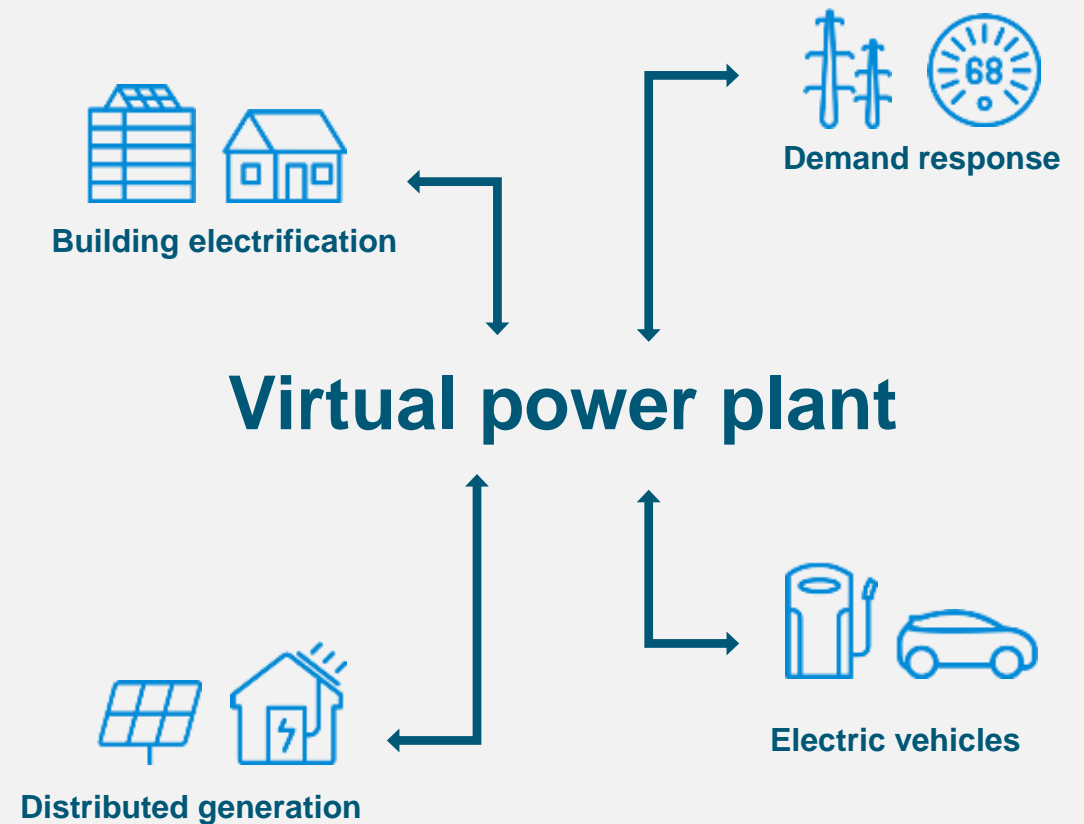
New dispatchable capacity



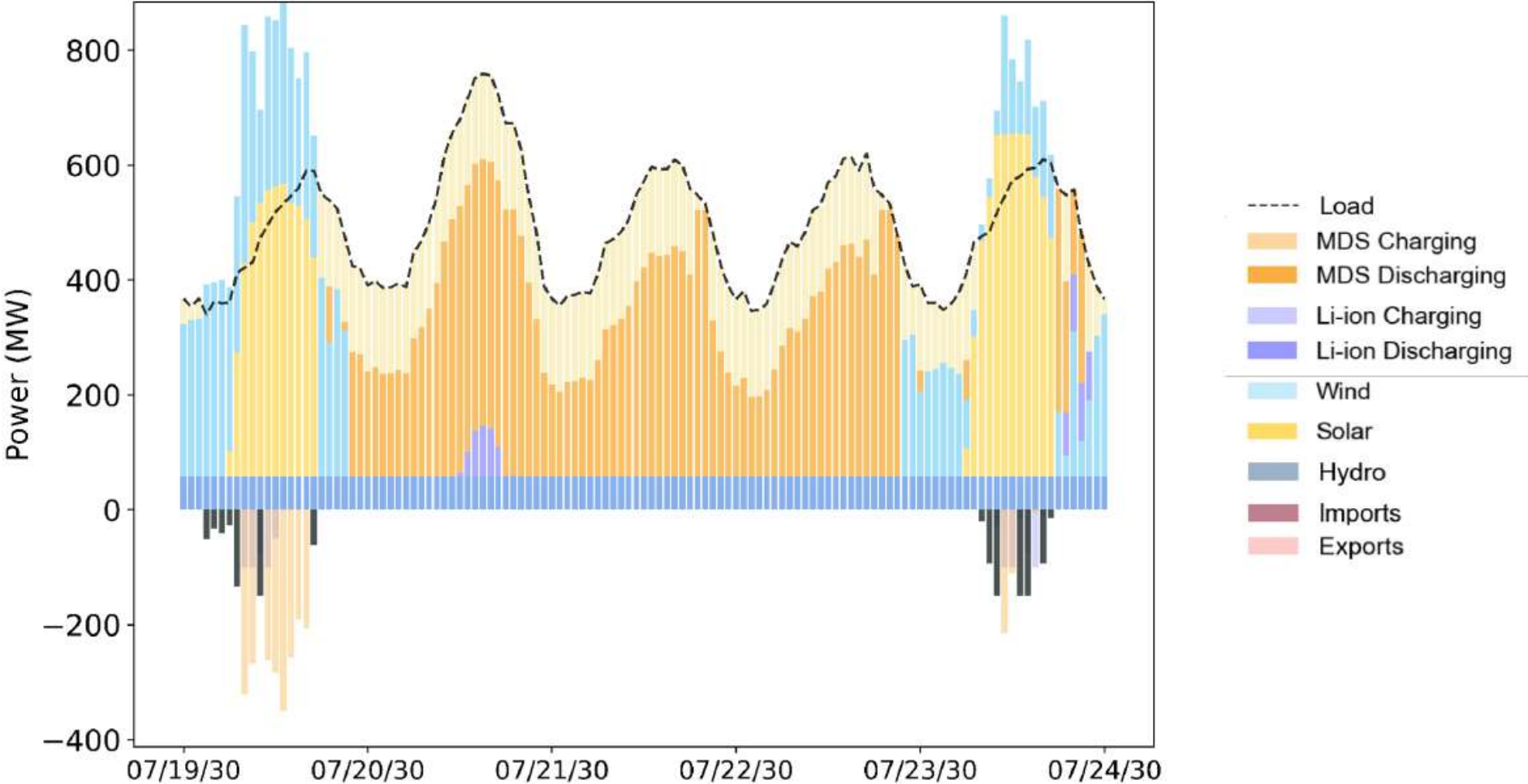
Virtual power plant – integration

Information needed from the owner communities

- Data is fuel for VPP
- Meter Data - AMI
- Distributed generation and DER availability/capability/derates
- Demand response status by program
- EV/devices aggregated status



Long duration storage



Dispatchable thermal capacity

Recommend the most suitable dispatchable technology to provide 170-240 MW by 2028 to complement renewable generation after coal retirement

Followed a multi-track process

Internal team	Vendor engagement	Site visits	B&V process	Decision matrix
<ul style="list-style-type: none"> Resource planning Portfolio strategy Operation Engineering Transmission Environmental <ul style="list-style-type: none"> Permitting 	<ul style="list-style-type: none"> GE Mitsubishi Mitsubishi Aero Siemens Wartsila Pro Energy 	<ul style="list-style-type: none"> Cheyenne Drake Pueblo Meetings with utilities 	<ul style="list-style-type: none"> Screening Operational characteristics LCOE Operational flexibility Reliability Fuel versatility Emissions Constructability Market performance 	<ul style="list-style-type: none"> More weights to the attributes related to three pillars Multiple sub-categories Qualitative and quantitative attributes evaluated

Dispatchable thermal capacity

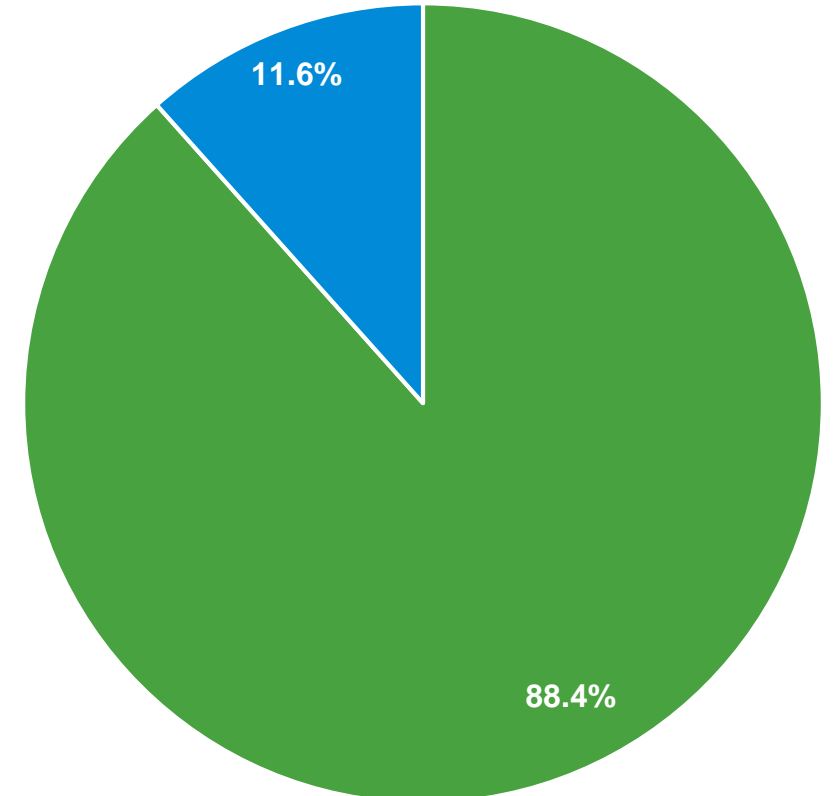
Decision matrix

Qualification	Weighting
Reliability	0.30
Emissions	0.25
Costs	0.20
Operational Flexibility	0.10
Fuel Versatility	0.05
Constructability	0.05
Market Performance	0.05
Total weighted score	1.0

Key takeaways

2030 projected 11.6% dispatchable capacity

- Long duration storage
 - Emerging technologies are promising
 - In discussions with two potential suppliers
- Virtual power plan integration
 - DER team established across owner communities working to accelerate the integration of DERs
- Dispatchable thermal capacity
 - Enables deeper level of renewable penetration
 - Supports the integrity of the grid
 - Ensures reliability through dark calms
 - Hydrogen capable



Stay informed

Stay informed

- Join us for the Nov. 2 community engagement meeting
- Visit prpa.org/2024IRP

Submit additional questions and request community presentations

- 2024IRP@prpa.org

Questions



October 10, 2023

WORK SESSION AGENDA ITEM SUMMARY

City Council



STAFF

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SUBJECT FOR DISCUSSION

Council Priorities for Landscape Standard Improvements Including Xeriscape, Soil Amendments, and Trees.

EXECUTIVE SUMMARY

The purpose of this item is to seek council feedback on the staff work attributed to three council priorities related to landscaping:

1. Council Priority 14. Effective soil amendment policies and compliance (water usage)
2. Council Priority 19. Xeriscape – Increase rebates and education, less green lawns with new development.
3. Council Priority 28. Improving Tree Policies

This discussion is in preparation for the first reading of ordinances related to this work scheduled for November 21, 2023, and January 2024.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What feedback or questions does Council have on applying landscape and irrigation standards to single-unit dwelling front yards?
2. On daytime watering restrictions, what feedback or questions does Council have regarding:
 - a. Application to all water districts within City limits?
 - b. Staff continuing conversations with raw water users and providers?
3. What feedback or questions does Council have on the proposed path forward?

BACKGROUND / DISCUSSION

In addition to visual appeal, landscapes serve several environmental and human health benefits that include improved air quality, passive stormwater management, heatsinking and cooling, wildlife habitat and outdoor

recreation opportunities. When landscapes are made more resilient and paired with community education and outreach, the community and community's landscapes are better prepared for challenges such as increasing water costs, a warming climate, and water restrictions resulting from declared water shortages.

The scope of this project intends to promote healthy, resilient landscaping practices in Municipal and Land Use Codes and program enhancements. The codes are proposed to apply to new development and significant redevelopment, such as scrape and rebuild, within City limits. Some of these updates will impact existing properties through programs and processes, such as the Xeriscape Incentive Program (XIP), or Parkway Amendments.

An overview of recommendations is listed under each of the three Council Priorities.

Council Priority 14. Effective Soil Amendment Policies and Compliance (Water Usage):

Soil preparation is the first and critical step for growing healthy resilient vegetation. The benefits of soil loosening include better water infiltration and strong root growth. Soil quality includes the physical and chemical conditions of the soil and is considered when evaluating existing soil conditions, plant species needs, and appropriate soil amendment. The following are key updates recommended for **Municipal Code Chapter 12**:

- Define standards for soil compaction and soil quality.
- Remove barriers for implementing soil standards in a way that is most beneficial and sustainable, allowing consideration of existing soil and/or plant type for optimum establishment and growth.
- Clearly define thresholds for applicability to include essentially everything except single-unit dwelling landscape renovations.
 - Residential seeking Certificate of Occupancy and > 1,000 square feet (sf) where plant materials will be installed.
 - Non-residential requiring development review and > 1,000 square feet (sf) where plant materials will be installed.

Soil loosening and amendments are fundamental to healthy and resilient landscapes. If not done properly to begin with, it is a significant effort to fix after the fact. To complement and enforce soil codes, staff proposes to implement a comprehensive field inspection program for all sites.

Council Priority 19. Xeriscape – Increase Rebates and Education, Less Green Lawns with New Development

- Continue to promote water efficiency in existing landscapes with incentive and rebate programs and greater Citywide outreach and education.
- Update **Land Use Code 3.2.1**
 - As it pertains to Landscape Standards:
 - For the purpose of reducing heat-island effect, require 50% living plant coverage on the surface of all landscaped areas
 - For the purposes of reducing heat-island effect, waste stream and pollution, restrict the use of artificial turf with limited exceptions, as approved by the Planning Director

- For the purpose of building landscapes that are resilient from the start, implement a limitation of high-water use turf grass such as Kentucky bluegrass
- For non-single-unit dwelling properties: high-water use grass may cover up to 30% of the total landscaped area but no greater than 10,000 square feet (sf)
- For single-unit dwelling properties: high-water use grass may cover up to 30% of the total landscaped area of a front yard but no greater than 1,000 sf.
 - As it pertains to Irrigation Standards:
 - For the purpose of protecting trees during times of water shortage, require dedicated irrigation to all new and existing trees for properties in development review
 - Irrigation equipment and efficient design standards for single-unit dwelling front yards
- **Update Municipal Code 12-123** to limit overhead irrigation of landscaping and turf between 10 a.m. and 6 p.m., May through September of every year.

Council Priority 28. Improving Tree Policies

Trees are an important part of the community infrastructure and provide many essential social, environmental, and economic benefits to everyone who live, work, and play in Fort Collins. It is important to note that tree-related policies have been strong in Fort Collins for several decades and have created the urban tree canopy that exists today. The **Land Use Code 3.2.1** policies have helped development preserve the character of Fort Collins and have also helped increase canopy as the community grows, including adding an average of 1,500 to 2,000 new street trees annually. With the continued demands of development, redevelopment, and additional pressures on the canopy, the proposed policy updates create a stronger focus around tree preservation and protection. The goal is to save more trees, to adequately replace canopy loss due to development, and create a more resilient urban forest related to, but not limited to, the pressures of the built environment, water shortages, a changing climate, and the introduction of future invasive pests. The following tree policy areas of focus are:

- Improved mitigation standards incentivizing tree preservation.
 - All trees 2-inches and greater will be mitigated for, sans current exception species.
 - Trees 13-inches and greater will be valued and mitigated at the full tree appraised value.
- Creation of separate street tree escrow to increase tree survivability.
 - 25% of the cost of all street trees to be planted within the LOD shall be posted before issuance of the Development Construction Permit.
- Strengthened penalties for tree damage violations or premature healthy tree removal to preserve trees longer.
 - Up to the full appraised value of the tree.
- Improved tree diversity requirements creating a more resilient canopy.
- Improved tree protection during construction.

DISCUSSION

Landscape and Irrigation Standards for Single-Unit Dwelling Front Yards

Landscape or irrigation standards do not currently apply to single-unit dwelling residential properties. Extending landscape and irrigation standards to single-unit front yards is one way the City can increase landscape resiliency in this type of development and reduce water use. Landscapes built smart from the start require less resources down the road to retrofit. A new front yard in Fort Collins consists of anywhere from 0-70% turfgrass with average size of total front yard landscape area in the range of 1,000-2,000 square feet.

Applying landscape standards to single-unit dwelling residential properties will require a new design review process, permitting process, and one or more inspections per site. Additional programs and processes to support review and inspection of landscape and irrigation standards on single-unit front yards require additional staffing equivalent to one full-time employee.

Initial estimates suggest a residential water savings of 79 million gallons per year assuming a 30% turf maximum in front yards. This is equivalent to the annual average water use of 985 homes and nearly half of the water savings reported by Water Conservation's 16 plus programs in 2022. As evidenced by participants' water use data collected through the Xeriscape Incentive Program, education and outreach that supports implementation and maintenance of these standards on single-unit and all other properties in the community is a critical component of realized water savings for water-wise landscapes. It is recommended that one full-time education position (see table 2 below – "Landscape Education Programming") support proposed landscape standards, as well as existing landscape standards throughout the community (Citywide).

Detailed in the "Cost Impacts" section is the cost comparison of installing a water-wise landscape versus typical grass landscape on a single-unit front yard. The cost impact illustrates little financial incentive to install water-wise landscaping but it can be assumed that the cost of installing a majority-turf landscape only to retrofit years later is far more wasteful and expensive.

Daytime Watering Restriction

Due to elevated evaporation and plant water loss by transpiration ("evapotranspiration"), watering during warmer daylight hours in the summer months is an inefficient use of water. Limiting the volume of water applied to landscapes by above-surface irrigation methods would reduce the volume of water lost to evapotranspiration. Uses such as agriculture, research, or nursery operations would not be subject to these restrictions. Exceptions for drip irrigation and activities such as sprinkler maintenance and seed/sod establishment for up to six weeks are proposed.

Depending on the level of enforcement, Citywide enforcement of a daytime watering restriction is estimated to require up to one half-time employee.

Daytime Watering Restriction in City Limits

Staff are recommending daytime watering limitations for all treated water within City limits, regardless of water provider. East Larimer County and Fort Collins Loveland water districts are aware of this proposal and are indifferent, with an understanding that staff are responsible for any enforcement measures.

Daytime Watering Restriction for Raw Water Users in City Limits

Expanding the daytime watering restriction to raw water users in City limits would extend the use of all water resources – treated or raw – for maximum benefit. Conversations are ongoing with several raw water users and providers (e.g., ditch and reservoir companies) to determine the impact, and support or opposition for the restriction on irrigation with raw water. The daily operational impacts seem to be minimal for most users, who state they do not currently irrigate during the day. However, to date, we have heard from two raw water users who stated that their system requires daytime watering for proper functionality. In addition, we have heard some concerns regarding whether this is an overreach by the City.

Cost Impacts

Impacts to Development

New standards will have a varying level of cost impact at time of development and beyond.

There is currently very little incentive to preserve trees during development. With the proposed tree mitigation standard, the new mitigation value could triple the cost. However, if a development decides to design around and preserve more existing trees, this will incentivize tree preservation, reduce the overall mitigation cost responsibility, and potentially reduce the cost impact. If the trees are still removed, then the new mitigation standards would adequately replace canopy back into the community via payment in lieu, and the Forestry Division would organize the tree replacements on public right-of-way. Regarding penalties around tree damage (above and below the ground) as well as premature healthy tree removal post development, violators could be responsible for up to the full appraised value of the trees damaged or removed.

The design and installation cost of landscapes is highly variable and dependent on materials selected. For all property types, landscapes with a lower water requirement will ultimately result in lower water bills if the landscape is managed appropriately. The cost difference to install and irrigate the typical grass landscape versus 30% maximum grass landscape has more of an impact on single-unit properties than on commercial properties. Initial installation costs and costs to irrigate over 20 years are both detailed in Table 1.

In some water districts, a significant incentive for commercial developments is reflected in water requirement development fees. New commercial projects in the water districts that base raw water or water supply requirement (WSR) costs on the landscape's water requirement¹ will pay lower water development fees when the landscape has a lower water requirement. This same water conservation incentive does not exist for single-unit homes, but could be developed in Fort Collins Utilities. If we assume the example below reduced the front yard water use by 50%, the reduction in the front yard WSR would be \$940, much less than the commercial example due to a smaller landscaped area. We would need to consider whether an allotment would then be applied to the property, like commercial properties, to ensure an ongoing reduction in water use. Utilities staff cannot ensure that the other water districts would also develop something similar.

¹ Fort Collins Utilities Water District and East Larimer County Water District use landscape types to determine Water Supply Requirement/Raw Water Requirement costs.

Table 1. Xeriscape Standards – Cost Comparison

Property, Landscape Type	Total Landscape Area (% high-water grass)	Design & Install. cost	Estimated Water Supply Req.*	20-year cost to irrigate**	Total	Water-wise cost difference over 20 years
Commercial, typical	26,000 (80%)	\$110,000	\$82,530	\$68,067	\$260,597	- \$15,536
Commercial, water-wise	26,000 (30%)	\$140,000	\$51,975	\$53,086	\$245,061	
Res. front yard, typical	900 (70%)	\$6,500	\$21,168	\$5,287	\$23,633	+ \$4,936
Res. front yard, water-wise	900 (30%)	\$12,000	\$21,168	\$4,723	\$28,569	

* Fort Collins Utilities 2023 Rates. Residential estimates based on 4-bedroom house on 7,300 sf lot with 5,200 sf outdoor area. Commercial assumes irrigation-only tap.

** Based on Fort Collins Utilities 10-year rates forecast. Residential water bill estimate is for front yard only with ¾" tap. Indoor and remaining outdoor water use estimates are not included in 20-year cost to irrigate. Commercial water bill estimate is based on 1-1/2" irrigation-only tap.

Resource and Staffing Needs

The full list of improvements will create an increased workload that cannot be absorbed into existing operations. However, the three priority areas are at different stages of preparation and implementation.

During the 2023/2024 Budgeting for Outcomes process, three full-time landscape inspectors were requested, and two were funded to support inspections for new development. One inspector was hired in 2023 to support Forestry and the second, which was funded for 2024, will be hired next year to support Environmental Planning. Additional staffing is not being requested at this time; however ongoing needs will continue to be evaluated.

Soil standards code requirements have been in place since 2003, but the program does not include a standardized field inspection program. The current program is largely administrative and given the current workload, is not able to incorporate field inspections with existing resources. The added work to perform field inspections for all applicable sites is estimated to be one full-time employee (FTE). This additional FTE is similar to xeriscape and irrigation inspectors and is included in the evaluation, shown in Table 2.

Xeriscape and irrigation have new requirements that need additional resources. Two FTEs are estimated for plan review and field inspections. The workload to enforce the watering window restrictions is estimated to be 0.5 FTE. With significant changes to the code and requirements, it is vital to dedicate efforts to education and outreach and one FTE is estimated to implement a holistic program. Landscape Education Programming is a proposal to support landscape efforts Citywide. The employee in this position will coordinate with forestry, soil, xeriscape and other landscape expertise through the City organization and community to provide dedicated and comprehensive water-wise and climate resilient landscape education for those with an interest in existing and/or new landscapes. This position will provide education and resources to the public across all water service areas in Fort Collins to advance sound landscape principles.

Table 2 reflects the full-time in-house employee request based on the core updates recommended by staff, including xeriscape, irrigation and soil inspections. However, various funding and staffing sources were explored and are detailed in the subsection titled “Scalability and Other Alternatives.” Pending final policy direction from Council at this work session, the proposed staffing request will be adjusted accordingly.

Proposal	# FTE	Description of Role	Ongoing Cost	One-time Cost
Soil Inspection Program	1	Review plans and perform site inspections for sites required to meet soil standards.	\$93,300	\$3,000
Daytime Watering Restriction	0.5	Enforcement	\$53,760	\$3,000
Landscape Standards, non-single-unit residential	1	Review landscape and irrigation plans and perform inspections.	\$98,960	\$1,500
Landscape Standards, single-unit residential	1	Review landscape and irrigation plans and perform inspections.	\$87,334	\$38,000
Landscape Education Programming	1	Develop landscape resources; education and outreach	\$105,871	\$1,500
Total	4.5		\$439,225	\$47,000

100% General Fund assuming applicability throughout city limits and fully implemented inspections.

Funding is requested from the General Fund to implement these codes Citywide. Should any of these codes be recommended by Council to only apply to Fort Collins Utilities’ water service area, those expenses associated with water service area may only be funded by the Water Fund.

Scalability and Other Alternatives

- Plan reviewers and inspectors could be contracted instead of hired as staff. In looking at three FTEs for xeriscape, irrigation, and soils, hiring a third-party to complete landscape and irrigation design review and inspection tasks would eliminate an estimated ongoing cost of \$279,594 and one-time costs of \$42,500, but would come at a greater cost of approximately \$375,000 annually.
- The expense of funding three FTEs for xeriscape, irrigation, and soils could be recovered in permit fees. Requiring 100% of the ongoing expenses to be paid by development applicants with a permit fee would increase permits on average \$600 each - \$200 of which can be attributed to soil inspections - with a lesser amount likely being applied to residential vs. commercial development. Alternatively, a portion of the total amount could be paid for by permit fees and the remainder could be covered by the General Fund.
- The work and associated FTEs related to site inspections, enforcement, and education for xeriscape, irrigation, and soils could be scaled pending final direction from Council. Level of inspection and enforcement is most likely to be impacted by a reduction in recommended staffing.

- Eliminating the 0.5 FTE for enforcement of daytime watering restrictions could be achieved by only applying the daytime watering restriction to Fort Collins Utilities water service area. The level of enforcement would be reduced to monitoring by water meter data use patterns and incidents reported to the City's Save Water hotline and would likely result in little to no follow up, following a compliance notification.
- An expansion of the Xeriscape Incentive Program to serve customers in other water districts could incentivize new construction to install water-wise landscapes voluntarily. To rebate 100 single-unit new development projects throughout City limits (about 25% of Citywide average annual permits) would require an additional budget of \$100,000 for rebates and \$100,460 for 1 FTE. The cost burden to the General Fund would be greater compared to single-unit landscape regulations. Conversely, the cost burden to the owner/developer would be less.

Public Engagement

Public input and engagement are critical components for a successful outcome. A variety of engagement tools have been used including utilization of the OurCity platform, surveys, social media posts, focus groups, virtual meetings, workshops, in-person meetings, presentations, and direct communication with community members. Here are a few highlights from the engagement efforts:

- 929 responses and 5,878 comments on public survey
- 37 comments on boosted social media posts
- 166 hits on OurCity webpage
- 14 virtual opportunities for input (September 2022 – April 2023)
 - 56 attendees
 - 22 internal
 - 34 external
- 298 emails sent to 167 contacts
- 6 Boards and Commission meetings completed, 2 more scheduled

Over the past two years of engagement, we have seen varying levels of representation from groups including:

- Developers
- Landscape professionals
- Landscape architects and designers
- Realtors
- Property managers
- Nurseries and wholesalers
- Sod growers
- Special interest groups
 - Planning and Zoning Commission
 - Water Commission

- Natural Resource Advisory Board
- Parks and Recreation Board
- Downtown Development Authority staff
- Internal City of Fort Collins staff

General themes from engagement are listed below and broken up into areas of support and areas of concern.

Areas of Support:

- General support for improvement of landscape standards
- Applicability Citywide
- Importance of simple, predictable processes for implementation
- Tree protection
- Education and Outreach is needed and should cover wide ranging topics such as:
 - Pesticide impact to pollinators
 - Fertilizer and nutrient impact to waterways
 - Source water quality, including raw water or groundwater
 - Landscape contractor training

Areas of Concern:

- Cumulative development costs including impact to housing affordability
- Regulations on single-unit dwelling landscapes
- Funding sources for additional staff and processes
- Desire for streetscape standard changes to also limit turf
- Consideration of unique public sites such as parks, downtown core
- Artificial turf – what is the alternative?
- Watering window too narrow
- City overreach if applying daytime watering limitations to raw water use

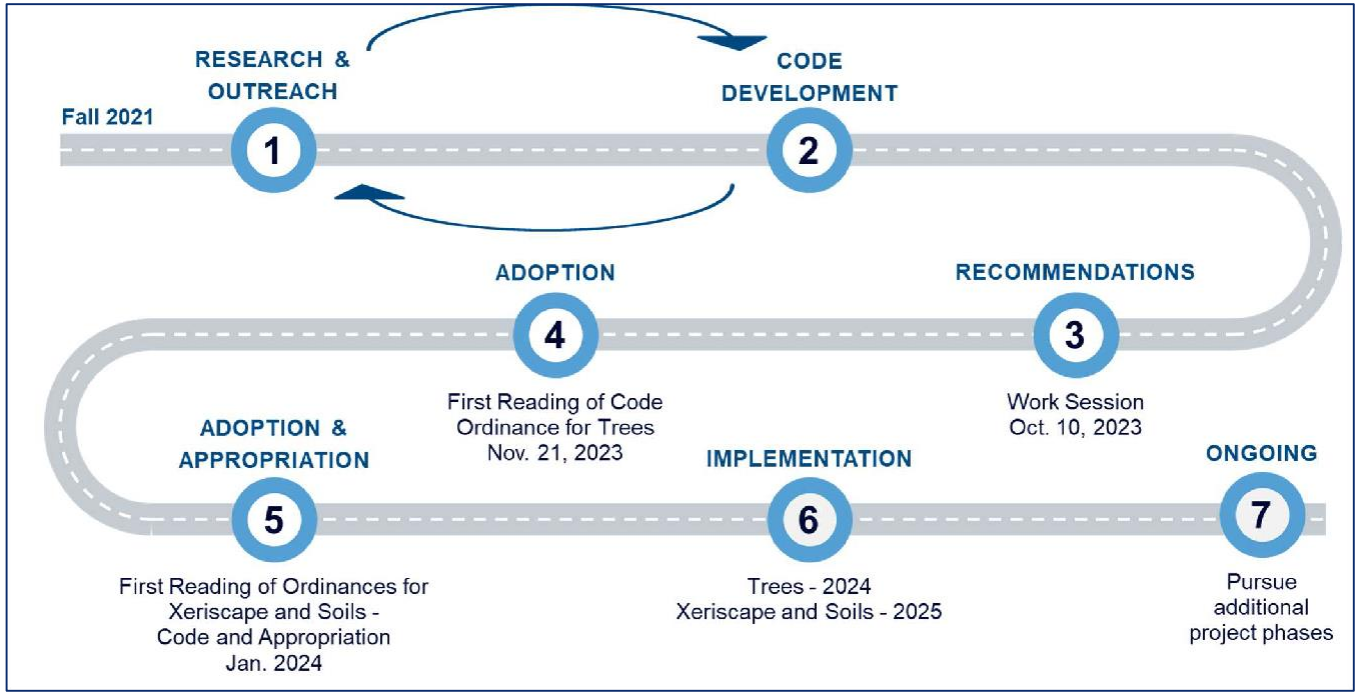
Timeline

Implementation Schedule

Forestry is prepared to begin implementation of new tree standards in early 2024.

Enforcement of xeriscape, irrigation and soil code updates are proposed to begin in 2025 to allow time to hire and onboard new staff in 2024, as well as fully develop new review and inspection processes and programs, including software updates and education and outreach materials.

Project Milestones



The proposed timing of adoption of ordinances for xeriscape, irrigation and soils has been adjusted to coincide with the associated appropriation request. Staff have been advised that any appropriation of funding for the hiring of new staff in 2024 would occur in 2024. At the first regular Council meeting in 2024, staff intends to bring the proposed code along with an appropriation ordinance to Council that is right-sized to Council-provided direction of the proposed code changes.

Table 3. Detailed Timeline	
COMPLETED	
Summer 2021	2021 – 2023 Council Priorities Adopted
May 2022	Clarion Associates: Targeted Best Practices Report (attached)
Summer 2022	Initial Internal/External Engagement including Water Commission and Natural Resources Advisory Board
1/10/2023	Council Work Sessions: Soil, Xeriscape
1/24/2023	Council Work Session: Trees
May 2023	Clarion Associates: Land Use Code Audit (attached)
April 2023	Identification of code changes
Apr. – Sept. 2023	Internal/External Engagement
July 2023	Begin code drafting
8/11/23	Planning and Zoning Commission Work Session
8/16/23	Natural Resources Advisory Board
8/17/23	Water Commission

Table 3. Detailed Timeline

8/23/23	Parks and Recreation Board
8/30/23	Downtown Development Authority Staff
Aug. – Sept. 2023	Additional feedback received
Sept. 2023	Legal Review of Codes
Sept. 2023	Initial raw water discussions
UPCOMING	
10/10/23	Council Work Session
11/9/23	Planning and Zoning Commission Work Session
11/16/23	Planning and Zoning Commission Hearing
11/16/23	Water Commission
11/21/23	Council First Reading of Ordinance for trees
12/5/23	Council Second Reading of Ordinance for trees
1/1/24	Tree standards go into effect
Jan. 2024	Council First Reading of Ordinances for xeriscape and soil Council First Reading of appropriation of funding for staffing
1/1/2025	Soil program and additional landscape/irrigation standards go into effect

Future Phases and Exploration

As part of continual improvement, any implemented improvements will be monitored to understand how well they are working, what adjustments are needed, and what additional focus areas are needed. In addition to this ongoing evaluation, there are some projects that are currently planned, and topics for future exploration. All of these will cumulatively inform the next phases of landscape improvements and future efforts.

- The Assessment of Compliance with Local Environmental Policy will evaluate how the City can improve the current distributed approach to enforcing our environmental policies. This project will provide recommendations on how to better align related efforts such as permitting, inspection and enforcement and where additional resources, including FTEs, would provide the most benefit. Results of the assessment are anticipated in the first quarter of 2024. The increased workload associated with the proposed landscape improvements cannot be absorbed into existing programs. The hiring of any new FTE in 2024 will be informed by the recommendations of the assessment.
- The Urban Forest Strategic Plan will refine tree canopy goals and prioritize strategies to preserve, maintain, and expand our tree canopy. This project will consider a voluntary heritage tree program to encourage long-term commitment of tree preservation. It will also evaluate tree preservation and protection for single-unit dwellings. Both of these topics are currently a part of the strategic plan engagement process.
- The Water Efficiency Plan update continues the City's commitment to ensuring efficient use of our natural resources. This project will redefine existing goals, build on existing programs, and identify effective strategies for future water conservation and efficiency.
- During this current landscape improvement effort for the three council priorities, topics were identified for consideration of future phases of this work.

- Evaluate streetscape standards to reduce irrigated turf in parkways. While this is an area that has significant room for improvement, there are numerous unique considerations and challenges for these areas that made it difficult to include within the timeline for this project.
- There are unique public areas - such as parks, and the downtown core - that might benefit from more detail specific to each unique situation, layout, and use.
- Expanding the daytime watering restriction to raw water users in City limits would extend the use of all water resources – treated or raw – for maximum benefit. Staff will continue to pursue conversations with users and providers pending Council direction.
- An evaluation by Fort Collins Utilities to scale residential single-unit property water supply requirements to match the estimated demand of that property.

NEXT STEPS

1. Provide recommendations/motions to Council, following Planning & Zoning Commission Hearing and Water Commission meeting in November.
2. November 21, 2023, City Council Regular Meeting: First reading of code ordinances for trees.
3. January 2024, City Council Regular Meeting: First reading of code ordinances for xeriscape, irrigation, and soils. First reading of appropriation ordinances for funding the code changes.

ATTACHMENTS

1. Clarion Associates: Additional Targeted Best Practices Report May 2022
2. Clarion Associates: Additional Land Use Code Audit May 2023
3. Xeriscape and Soil Work Session Summary, January 10, 2023
4. Urban Forest Strategy and Policy Work Session Summary, January 24, 2023
5. Soil Amendments and Artificial Turf Memo, June 27, 2023
6. Presentation

FORT COLLINS ADDITIONAL TARGETED BEST PRACTICES REPORT

Revised Draft
May 2022



Soils, Xeriscape, Tree
Protection, Tree Canopy

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Fort Collins: Nature in the City

Additional Targeted Best Practices Report May 2022

Background

Since 2020, Clarion Associates has been assisting the City of Fort Collins to implement its Nature in the City (NIC) initiative. To date, that support has included:

- Preparation of a Land Development Code Audit to identify barriers to implementing different components of the initiative;
- Finalizing definitions of several key terms that are often used loosely, but which need to be defined objectively in order to be used in regulatory documents like the Land Development Code; and
- Preparation of draft text amendments to the Land Development Code to implement the following aspects of the NIC initiative:
 - Requirements for inclusion of common open space;
 - Limits on impervious surfaces in new development; and
 - Requirements that certain types of development earn at least a minimum number of points in a new Nature in the City Score system, which provides numerous flexible options related to site and building design.

Before the proposed regulatory changes were included in the Land Development Code, however, the City asked that Clarion Associates prepare additional research on Best Practices to promote the NIC goals in four discrete areas:

1. Soil amendments to ensure that new vegetation survives, thrives, and provides maximum environmental and experiential benefits;
2. Xeriscape practices to reduce outdoor water consumption without compromising the public experience of being in nature or the environmental benefits that healthy vegetation provides;
3. Tree protection during site work and construction phases and during the creation of landscaping and planting plans for the proposed development and redevelopment; and
4. Tree canopy enhancement in order to increase public perception of nature, increase shading, and reduce the impacts of urban heat islands over time.

To identify these best practices, Clarion Associates agreed with the City staff to:

- Focus on regulations or incentives suitable for inclusion in a Land Development Code or related regulations – rather than advisory policy statements or plans that do not have regulatory effect;
- Identify up to 20 communities across the United States for detailed web-based research on these four topics;
- Focus the research on soil amendment and xeriscape on communities in the Rocky Mountain west, because of the unique dry climate and soil conditions in this region;
- Make initial contact with each community to confirm the accuracy of published regulations and incentives, as well as the continued enforcement and effectiveness of those regulations.
- Refine the list of research communities to eliminate those where initial contacts suggest that further research would not be fruitful, and if possible, replace them with other communities where regulation and incentives appear to be more effective.

After this additional research program was initiated in late 2021, initial contacts revealed that several communities have integrated or overlapping regulations for tree protection and tree canopy protection. In order to reflect these Best Practices accurately, we combined these two topics into a single inquiry and agreed to research a larger number of target communities in that combined category.

After contacting, eliminating, and substituting communities as described above, our initial research and interviews focused our Best Practices research on the following communities:

- **Soil Amendments:** Denver, CO; Thornton, CO; Castle Rock, CO; Brighton, CO; and Greeley, CO.
- **Xeriscape:** Aurora, CO; Castle Rock, CO; Las Vegas, NV; San Antonio, TX; and Tucson, AZ.
- **Tree Protection and Canopy Enhancement:** Boulder, CO; Bloomington, IN; Fort Wayne, IN; Lake Forest Park, WA; Madison, WI; Portland, OR; Reno, NV; San Antonio, TX; and Seattle, WA.

This document includes Clarion Associates’ recommended Best Practices in each of these areas, subject to internal discussion with the City as to which of the recommended practices would best “fit” with the City’s goals and administrative systems. “Best Practices” is, of course, a subjective term, and professionals often differ about what is “best” and why. For this report, we focused on the following factors to identify those regulations that we think are worthy of additional consideration by Fort Collins:

- The clarity and understandability of the regulations to both staff and citizens;
- The administrability of the regulation—i.e., whether the regulation can be efficiently implemented, monitored, and enforced with reasonable levels of effort by City staff; and

- The host community’s comments on the effectiveness of the regulation in achieving its purpose.

Within each topic area, we single out a few communities with regulations that we think best meet these criteria. We also identify additional cities whose regulations or incentives include a provision, incentive, or approach that is worthy of additional consideration. We have termed the first group “Best Practices” and the second group “Additional Valuable Practices.” In several cases, even those communities that meet these criteria stated that their regulations, procedures, and enforcement mechanisms were imperfect and provided suggestions for improvements that would make them more effective.

Soil Amendments

This section summarizes information from communities that require soil amendments to be added to new landscaping to ensure the proper growth and survival of vegetation. Soil amendments also help conserve water, because newly installed landscaping typically needs to be irrigated more than established landscaping. By increasing the probability that newly planted material survives, the use of soil amendments can help reduce long-term water demand.

Best Practices

Thornton, CO

Thornton’s development code (Chapter 18 of its City Code) establishes basic soil amendment requirements. All landscape areas, except for side yards not visible from public areas and rear yards of single-family dwellings, are required to be amended with at least four cubic yards of organic amendment per 1,000 square feet of ground, and the amendments must be tilled at least six inches into the soil. [Sec. 19-538\(a\)\(4\)](#).

The code references [Section 800, Landscape Improvements](#), of the Thornton Standards and Specifications document, which imposes additional obligations on developers. Prior to the addition of soil amendments, applicants are required to remove all construction debris from the soil, including large rocks, concrete, asphalt, and soil clods; all building materials such as boards, insulation, shingles, rebar, wire, and grading stakes. Applicants must then rip the soil to a minimum depth of 12 inches if it has been compacted by heavy machinery or by working it while wet, in rows no greater than 18 inches apart. Ripping operations must be timed to commence when soil moisture is adequate enough to allow penetration but is not wet or muddy.

The soil amendments are required to be incorporated throughout the landscape areas, not just around areas where trees and shrubs are planted. At least four cubic yards must be distributed across the soil surface in a uniform 1½ inch depth and incorporated into the top eight inches of

soil with a rototiller capable of tilling to eight inches in depth.¹ Additional soil amendments are required for City-maintained landscapes and metropolitan district parks (six cubic yards per 1,000 square feet, distributed to two-inch depth) and for landscaped medians (27 cubic yards, distributed to a 36 inch depth).

Compliance with the regulations is assessed at three inspections performed during the landscape installation process:

- The first inspection takes place prior to soil amendment and tilling and looks for the presence of weeds, especially noxious weeds.
- The second inspection involves a review of the soil amendment before it is tilled into the soil.
- Finally, after tilling and fine grading, the third inspection reviews the prepared soil to ensure it was tilled to the required eight inches, and for overall quality and absence of construction debris.

In addition, the developer/applicant may be required to provide City staff soil amendment load tickets and affidavits that confirm soil amendments have been installed for a set of dwellings before the construction of the next phase of dwellings is authorized.

Primary Contacts

Grant Penland, Planning Director, gpenland@ci.thornton.co.us; Warren Campbell, Current Planning Manager, wcampbell@ci.thornton.co.us.

Denver Water

Soil Amendment Program

The requirements of Denver Water's Soil Amendment Program are clearly identified on its [website](#).

- The reasons for amending soil are explained in plain language understandable by the public and contractors.
- Areas larger than 300 square feet must incorporate soil amendments before landscaping is installed.
- The standards encourage (but do not require) that organic compost meeting at least Class II standards be installed, lists Class II compost suppliers, and includes a table listing the chemical requirements for Class I and Class II compost (shown below):

¹ While the City's development code requires tilling down to six inches, the Standards and Specification document, which is incorporated into the code by reference, states that tilling is required down to eight inches.

Minimum Stability Indicator	CLASS I Stable – Very Stable	CLASS II Stable
pH	6.0 – 8.0	6.0 – 8.2
Ag Index (Nutrients/Na+Cl)	Must report	Must report
Soluble Salts	Maximum 5 mmhos/cm	Maximum 10 mmhos/cm
Carbon/Nitrogen Ratio	< 12	< 18
Ammonia-N/Nitrate-N	< 4	< 6
Bulk Density (lbs/CY)	Must report	Must report
Primary, Secondary, Trace Elements	Must report	Must report
Organic Matter; Moisture Content (% / CY)	Must report	Must report

- Four cubic yards of compost per 1,000 square feet of permeable areas (including tree lawns and permeable portions of rights-of-way adjacent to the property, which are often owned by the City rather than individual property owners) roto-tilled to a depth of four to six inches, except in the following situations:
 - Two cubic yards of compost per 1,000 square feet of permeable area are required for native grass areas (subject to Denver Water confirmation of seed mix); and
 - Twelve cubic yards per 1,000 square feet are required for amended topsoil.
- The contractor must supply an invoice or load ticket showing that a specific soil amendment product was being delivered to the subject property address, as well as a map showing the square footages of areas required to be amended, and if native grasses are to be installed, a sample of the seed mix. Denver Water can then confirm that the amount of soil amendment was adequate for the area required to be amended and can provide phone or e-mail confirmation that the requirement had been met.
- Water service to the property can be withheld until Denver Water has confirmed that adequate amendment product had been delivered to the property.
- Site inspections are not required, but contractors are warned that spot inspections might occur.
- Although the requirements are publicized as a cost-saving measure for property owners, who would experience higher rates of plant survival, its primary interest is the associated water savings through more effective water absorption and reduced runoff.

As a regional water utility, Denver Water has regulatory authority to enforce the requirements against property owners only when water service is being installed, and even then its capability to do so is limited. The various jurisdictions served by Denver Water have a broad range of landscaping requirements, and many of the governments’ land use and other regulations incorporate only limited water conservation controls and few if any soil amendment requirements. Denver Water works with local governments to encourage landscape regulations

similar to those included in the agency’s soil amendment program, and staff is hopeful more consistent regulations will be adopted by local governments over the next several years.

To the (limited) extent that they are enforced, Denver Water’s actions to enforce the soil amendment requirements are taken against the landscape contractors who install the landscaping materials. This is similar to the approach used by many cities to enforce sign regulations (i.e., require licensing of sign contractors and make them responsible for compliance with the regulation with the knowledge that violating the regulation could result in suspension or revocation of their license to install signs).

Although the soil amendment program indicates that spot site inspections may take place, Denver Water staff reported that inspections generally have not occurred for the past six years. Previously, when spot inspections did take place, inspectors found that around 95 percent of contractors complied with the requirements. Compliance with the requirement to provide receipts is generally high, although new development projects are more likely to comply than redevelopment projects, and compliance is higher from large developers than from smaller contractors who redevelop individual single-family properties. Overall, the resources devoted to administration of the soil amendment program occupy about 0.5 FTE of staff time.

In an effort to encourage compliance, Denver Water does not charge fees for participation in its soil amendment program.

Primary Contact

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Other Valuable Practices

Castle Rock, CO

The Town of Castle Rock landscaping and irrigation standards are contained in its [Landscape and Irrigation Criteria Manual](#), which is adopted by reference into the [Municipal Code](#). Sec. 1.13 of the Manual defines Soil Amendment as “Organic material added to the soil to improve texture, moisture holding capacity, nutrient capacity, water and air infiltration.” Sections 4.4.1 through 4.4.3 of the Manual includes specific provisions for how to amend soil that are mandatory for all new developments and changes to landscaping. The provisions require that:

- A soil analysis to be conducted by professional soil scientist to evaluate texture, exchange capacity, conductivity, organic matter, and acidity along with nitrogen, potassium, phosphorus, zinc, iron, copper, manganese, and lime content in the soil.
- Stripping and stockpiling of indigenous topsoil during construction for successful plant material establishment
- At least four cubic meters of amended soil added per 1,000 square feet planting areas for turf, trees, shrubs, perennials, and annuals.

- Soil amendments material to be compost, which is defined as a “fully finished, stabilized, and mature product, derived from organic materials such as leaves, grass clippings, wood chips, and other yard wastes. Finished compost is dark and crumbly, does not resemble the original contents, and has an earthy smell. Acceptable compost will not contain any human or animal waste.” Staff emphasized that the inclusion of any amount of “hot compost” (compost that has not fully broken down) is prohibited, and that on occasion they have required contractors to remove inappropriate soil amendment from the surface and install replacement amendments that meet Town standards.
- As an exception to the requirement of compost as defined above, soil amendments for native seed areas to be consistent with detail #17 in the Castle Rock [Temporary Erosion and Sediment Control Manual](#). The Town may require written documentation of the types and amounts of soil amendments installed.
- Where soil amendments are required, soil that is roto-tilled to a minimum depth of six inches, and rocks, debris, and clods greater than ¾-inch diameter must be removed (except that dry land seed areas may include clods up to two inch diameter).

Castle Rock pairs these requirements with a robust inspection regime. Single-family detached and attached, duplex, triplex, and fourplex residential properties) are inspected once, after the soil amendment has been added, the soil tilled, and the site graded. Multifamily and nonresidential properties are inspected twice. The first inspection takes place after the soil amendment has been added to ensure that an adequate amount has been used. The second inspection takes place after tilling and grading.

Staff believes compliance with the requirement for adding soil amendment is high, particularly for nonresidential buildings, since the compost is relatively inexpensive and providing the required amount (or even a little more) is less expensive than pausing construction while fixing the work and awaiting reinspection. The high compliance rate is also attributed to Castle Rock’s consistent inspection process and withholding certificates of occupancy until inspections have been completed.

The Town’s water conservation programs are managed by a four-person team, including the water efficiency supervisor, a technician who handles the rebate programs and inspections, an inspector, and an office assistant who manages administration, scheduling, and customer contact. Currently, the site inspections are conducted by an inspector who is a seasonal employee who works four days per week (0.8 FTE), generally from May through October or November. Three other members manage the administration of the programs, including potential updates to the regulations to address any necessary changes. This staff has been managing about 1,000 residential inspections and 50-60 permits per year.

Residential projects pay a \$45 inspection fee. For each required reinspection, the fee doubles, which discourages landscape contractors from scheduling inspections before they are ready.

For commercial projects, compliance with the soil amendment regulations is confirmed through the irrigation permit inspection process. The permit inspection fee is \$610, with a reinspection fee of \$110 if necessary.

Primary Contact

Rick Schultz, Water Efficiency Supervisor, 720-733-6027

Greeley, CO

[Section 24-804, Plant Specifications](#), of the Greeley Development Code includes non-regulatory Xeric Guidelines and offers a reduction in raw water requirements for applicants whose landscaping plans include these elements.

- Guideline (d)4 states: “Incorporate soil amendments and use of organic mulches that reduce water loss and limit erosion. All plant areas should receive soil amendments of at least 3 cubic yards per 1,000 square feet.”
- Guideline 5(e) provides that: “Prior to the installation of turf-grass and/or other plant materials in areas that have been compacted or disturbed by construction activity, such areas shall follow soil amendment procedures pursuant to Title 20 and the Water and Sewer lawn installation specifications.”

[Section 14, Vegetation and Irrigation](#), of the City’s Construction Standards for water detention areas provides detailed standards that could be applied to mandatory soil amendment ordinances.

- Compost is defined as: 100% humus rich organic matter. The compost shall be a well decomposed, stable, weed free organic matter derived from agricultural, food, or industrial residuals; biosolids (treated sewage sludge); yard trimmings, or source-separated or mixed solid waste.
 - Product must be certified as fully composted at a permitted solid waste processing facility.
 - Product must be registered with the Colorado Department of Agriculture and approved for use on Colorado Certified Organic Farms by the Division of Plant Industry of the State of Colorado.
 - Product shall contain no solid particle greater than one-half inch in length or diameter and be free from un-composted or non-stabilized wood bulking agents.
 - Product shall contain no substances toxic to plants and shall be reasonably free (<1% by dry weight) of man-made foreign matter.
 - The compost shall possess no objectionable odors and shall not resemble the raw material from which it was derived.

- In addition, the applicant shall provide the City a signed statement that the compost has been tested and meets the following standards:
 - Organic Matter Content: 30 - 70% (dry basis)
 - Soluble Salt Concentration (EC paste test): 5 dS (mmhols/cm) or less (as received)
 - PH range: 5.5 to 8.0 (as received)
 - Final carbon to nitrogen ratio: 20:1 or less.
 - Nutrient Content (dry weight basis): N 1% or above, P 1% or above, K 0.5% or above.
 - Bulk Density: 800 - 1,000 pounds/cubic yard
 - Moisture Content: 35% - 55%

Primary Contact

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Brighton, CO

[Article 8, Landscape and Site Design](#), of Brighton’s Land Use and Development Code establishes requirements for water-conserving landscaping:

- All landscape plans are required to incorporate soil amendments and use organic mulches that reduce water loss and limit erosion.
- Plant areas are encouraged to receive soil amendments of at least three cubic yards per 1,000 square feet.

City staff reported that though these soil amendment provisions are included in the city’s development regulations and apply to all development projects, they are typically not enforced. There are no provisions in the code requiring an applicant to demonstrate that soil amendments have been acquired or installed. Most site inspections take place after the soil has been prepared and sod and other landscaping materials installed, and evaluations for compliance are limited to whether the landscaping is consistent with the regulatory requirements, not the specifics of soil amendment installation.

Primary Contact

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Other Communities

In addition to the programs listed above, we reviewed development codes, landscaping and engineering criteria, and related manuals and regulations for Westminster and Greenwood Village but did not identify regulatory approaches or standards of sufficient detail or difference from those described above to justify inclusion in this report. While a number of Front Range communities' land development codes, engineering standards, or park and recreation manuals refer to requirements for including soil amendments in the design and construction of detention areas, we view these as public works standards rather than regulations intended to apply to general landscaping.

Xeriscaping

Best Practices

This section identifies three communities that incorporate low-water-use landscaping requirements in their land use regulations and that offer robust turf rebate programs to reduce the number of water-intensive grasses and plants used in residential yards and commercial spaces the City will want to consider. Five other valuable practices are included for further consideration.

Castle Rock, CO

Background

The Town of Castle Rock has taken aggressive steps to promote and require water conservation. Its landscaping regulations limit the types of turf that can be incorporated in new development, and also operates two key programs that offer financial rebates to existing residential and commercial property owners who implement specific low-water-use landscaping techniques.

Landscaping Regulations

Castle Rock's [landscaping regulations](#) limit the amount of high-water-use landscaping material that may be installed. High-water-use grasses such as Kentucky bluegrass and similar turf are prohibited, and other types of turf are also restricted. Single-family and two-family lots that are 7,000 square feet or less in area are allowed to have turf over no more than 30 percent of the lot. Lots larger than 7,000 square feet in area up to 17,000 square feet may have turf over no more than 20 percent of the lot. Lots larger than 17,000 square feet in area may have turf over no more than 20 percent of the lot, up to a maximum of 5,000 square feet of turf.

Staff reports that they are developing updated regulations for new development that would prohibit turf in front yards and limit the turf area in the back yard to a maximum of 500 square feet. These proposed changes are part of the Town's continuing efforts to reduce its water consumption from an average gallons per capita per day (GPCD) of 118 today to 100.

Coloradoscape Renovation Program

Castle Rock's [Coloradoscape Renovation](#) water-wise landscaping program is an effort to encourage property owners to convert water-intensive landscaping into water-wise landscapes. It provides incentives to current landowners to redesign their landscaping to be more water-efficient in ways that are similar to the Town's regulations for new development. The program uses a variety of tools to encourage participation, including rebates, educational classes, and the opportunity to water landscaping on days that would otherwise not be permitted. The details of this program include:

- A rebate of \$1.20 per square foot of turf removed on any existing development (not new construction) that use Castle Rock water services. The City's water service area extends beyond City limits in some cases, so some unincorporated properties are also able to participate.
- For residential customers, a minimum of 400 square feet (or the entire area of the yard, if smaller) must be removed to qualify for a rebate. The City sets a maximum rebate payment of \$1,800, which translates to an eligible turf area of 1,500 square feet.
- Nonresidential customers are also limited to a maximum rebate amount of \$1,800 for removal of 1,500 square feet of turf.
- The replacement landscaping may be zero-water use or require a small amount of water, consistent with the multiple landscaping options available through the *Coloradoscape* program.
- To qualify for the rebate, nonresidential properties are required to have at least 50 percent of the landscaped area be made up of healthy, irrigated turf. Areas with dead or unhealthy turf are deducted from the eligible square footage. The purpose of this provision is to ensure the program is effective in reducing water usage, and not for beautifying unirrigated landscaping.
- In addition to the rebate incentives, applicants are required to participate in a Water-Wiser workshop to learn how to maintain a low-water yard effectively. Those who complete the workshop are exempt from complying with the City's regulations that restrict watering to once every three days.
- Following the final inspection, compliance with the xeriscape standards is maintained by adjustments to the property's water irrigation budget. Like many communities, Castle Rock Water uses a tiered structure, Tier 1 is the lowest fee schedule, Tier 3 the highest, and Castle Rock Water imposes a surcharge for water use in excess of the Tier 3 cap. Tier 1 rates are charged for indoor uses, and Tier 2 rates are charged for irrigation. The water budget for Tier 2 is established by reference to the monthly water needs of the irrigated plant material on the site. Typically, when a turf lawn is replaced with xeriscape, the water needed for landscaping declines substantially, and the Tier 2 water budget is reduced accordingly. If water is used for irrigation in excess of the water budget, the higher Tier 3 rates or surcharge fees are imposed.

In 2021, the City noted that participation was modest. There were 48 residential properties that participated in *Coloradoscape*; 38 additional properties received an initial inspection but did not qualify for the program or did not complete the sod replacement process. Four nonresidential properties participated in *Coloradoscape*, with four additional properties not qualifying for or completing the process.

City staff also noted that the *Coloradoscape* program is labor-intensive because it requires two site visits by City staff in order to complete the rebate process. One visit occurs before turf removal to demonstrate compliance with the terms of qualification. The second visit occurs after turf removal and new landscaping installation in order to ensure the final result meets City standards. Staff noted that accommodating property owner schedules and providing enough Water-Wiser workshop sessions has been a challenge. In addition, some applicants who are not eligible for the program (generally because they do not have existing high-water-use landscaping) apply anyway, increasing administrative burden required to inspect the property and confirm that the non-eligibility. The program also has a modest budget and available funds can be quickly exhausted.

The residential application can be found [here](#); the nonresidential application be found [here](#).

Smart Irrigation Controller System

Castle Rock's second incentive program is a rebate program for updating irrigation system controllers to Smart Evapotranspiration (ET) irrigation controllers. Smart controllers automate watering by adjusting the watering schedule based on the current moisture content of the soil and local weather. This results in reduced run off and creates money-saving water efficiency benefits to landowners.

Residential and nonresidential development are eligible to receive a rebate for installing Smart ET irrigation controllers through the voluntary [Smart Irrigation Controller Rebate](#) program. Participation in a Water-Wiser workshop is required to be eligible for these rebates.

Residential property owners can receive a rebate to cover 50 percent of the price of a Smart controller, up to \$200, while nonresidential property owners qualify for rebates to cover 50 percent of the cost of up to five controllers.

Primary Contact

Rick Schultz, Town of Castle Rock Water Efficiency Supervisor, 720-733-6027

Aurora, CO

Aurora has decided that lush, green lawns of Kentucky bluegrass require levels of that the City cannot continue to serve over the long run. Aurora has adopted regulations and financial incentive programs that act as “carrots and sticks” to encourage implementation of xeriscape principles and the use of other water-conservation techniques on landscaping throughout the community.

Landscaping Regulations

Aurora’s Unified Development Ordinance (UDO) includes extensive water-conservation measures, a fact that is emphasized by the title of a key chapter of the UDO, “Landscape, Water Conservation, Storm Water Management.”

Section 4.7.3, General Landscaping Standards, integrates water-conservation measures throughout all required site landscaping. All shrubs, perennials, groundcovers, and ornamental grasses, and 75 percent of all annuals and trees, are required to be selected from the city’s Water-wise Plant List, a xeriscaping fact sheet maintained by the Colorado State University Cooperative Extension, or other Water-wise or xeriscape plant material references. The list of eligible materials is currently being updated. Except for playfields and golf courses, cool-season grass sod and seed is limited to 33 percent of a site’s landscaped area, and all cool-season grasses must generally be contiguous. Separate irrigation hydrasone areas are required for water-conserving areas versus non-water-conserving areas.

Section 4.7.4 prohibits private covenants that purport to invalidate the xeriscaping provisions in the UDO.

Section 4.7.5 incorporates additional specific landscaping requirements relating to water conservation. Single-family detached and duplex dwellings on lots 4,500 square feet or larger may install no turf at all, or may install between 400 and the lesser of 40 percent or 1,000 square feet of turf, provided that the turf areas are continuous. Homeowners can choose to follow Water-wise options that allow additional landscaping flexibility. Rock or inorganic mulches may be used in the front yard if a Water-wise option is chosen, and permeable pavers such as brick and natural stone can be used on up to 40 percent of the landscape area if a xeric or no-turf option is used. In all cases, rear yards on single-family and duplex lots with no public view may include no more than 45 percent turf. If the rear yards are visible to the public (for example, in a through lot), the front-yard standards apply.

An image from the UDO of a suggested front-yard landscaping configuration is included below.



Compliance with the landscaping regulations is verified during zoning inspections. Irrigation systems are also inspected and are required to comply with regulations in the Aurora Engineering Standards Manual.

Staff is proposing amendments to the UDO to further limit the use of high-water grasses. This summer, the City Council is anticipated to consider a proposal to prohibit the use of cool-season turf in the front yards of all new houses, as well as in tree lawns or curbside landscaped areas.

Water-Wise Landscaping Program

To incentivize residents to retrofit their properties to avoid water-intensive landscaping, Aurora Water created the [Water-Wise Landscaping Rebate Program](#), which includes detailed manuals on compliance for both residential and commercial properties. The program pays residents to eliminate water-intensive varieties of turf such as Kentucky bluegrass and fescue and promotes the exclusive use of xeric landscaping for all plants included in the landscape design.

Aurora offers a rebate up to \$3,000 for residential lawns from which at least 500 square feet of water-intensive grass is removed. The proposal for removal must include at least 60 percent of the water-intensive grass located in a front or side yard and visible to the public. The rebate is calculated using pre-tax material (not labor) costs, verified by inspection of receipts for materials purchased, as well as the amount by which the water bill is reduced after one growing season. Unlike other communities that determine rebate amounts based on the square footage of converted landscaping, Aurora's program reimburses property owners for documented money spent on the plants and materials purchased to be installed in their place.

Sixty-five percent of the rebate is paid after final installation, and the remaining 35 percent is paid following one growing season if the property owner demonstrates that actual water use is less than 110 percent of the recommended xeric water use amount.

As part of the program, applicants are required to enroll in the “Know Your Flow” program which educates about the appropriate levels of indoor and outdoor water use.

The landowner establishes eligibility for the rebate by providing photographs of the existing healthy turf, which also must be visible to the public, and by submitting a proposed alternative landscape design. Previously, the City also reviewed the landowner’s existing water use to ensure the project would result in a reduction of water use, but it stopped doing so because the water use could reflect underwatering of areas of landscape other than the turf.

The program provides [free design services](#) for property owners and offers optional virtual and in-person Water-wise landscaping classes on how to tend to low-water landscaping and how to save water and money. Staff noted that Aurora would be moving to a new program in which applicants take a design class and work with instructors to develop a design for their own site, with the goal of making the design process a little more efficient.

A separate rebate program is offered for large and commercial properties. The commercial rebate covers all documented material (not labor) costs for the approved project, based on a schedule of item-by-item rebate amounts, up to a maximum of \$15,000. Half of the rebate is paid upon final installation and approval of the system, and the remaining half in two equal installments after each of the next two growing seasons documenting water use less than 110 percent of the xeric recommended water use amounts. All approved participants are required to participate in the Large Property Variance Program, which provides monthly emails that evaluate the site’s actual water usage based on recommended water consumption. This information is designed to help participants monitor their water efficiency and may identify any scheduling adjustments required to ensure receipt of the remaining rebate payments.

Previously, under both the residential and commercial programs, two inspections were required. The first inspection took place after plants and irrigation had been installed to confirm everything had been installed according to plans. The second and final inspection was performed after issues identified in the initial inspection are addressed and the mulch is installed. However, the City recently eliminated the second inspection, as being generally not necessary or helpful to ensure compliance with the program.

The City reports that the program has been successful with commercial properties. By contrast, it has underperformed in residential neighborhoods, with fewer than 25 rebates issued to single-family residences in the last year, a low level of participation even on a per-capita basis. Staff suggested that the low participation rate is a function of the complexity of the program, the high cost of re-landscaping even with the Water-Wise rebate, and the fact that the rebate covers only material costs (and not labor costs).

Xeric Landscaping Credit Program

To incentivize the implementation of xeric landscaping, Aurora also created a Xeric Landscaping Credit program. The program is designed to encourage the use of xeric landscaping that does

not require irrigation in so-called “[z-zones](#).” Implementation of zero-water landscaping includes the installation of an irrigation meter that is used only while the native xeric plants are acclimating to their new environment. After the plants have matured and no longer require watering, the irrigation meter is removed from the z-zone. Other portions of the landscaping may continue to be irrigated and permanent irrigation meters remain in place for those areas. This allows savings in initial landscaping installation costs for developers and encourages them to install native, low-water landscapes in common areas watered by irrigation meters. This program is only available to new irrigation-only connections. Existing residential and commercial meters that measure indoor and outdoor use are not eligible. Irrigation meters can be installed in both new residential and commercial properties, and the cost of the connection charges varies based on the type of landscape on the property:

- Irrigation systems for non-water conserving landscapes can be connected at a rate of \$3.05/sq. ft. (or \$30,500 for 10,000 square feet of landscaped area).
- Irrigation systems for water-conserving landscapes can be connected at a rate of \$1.63/sq. ft. (or, \$16,300 for 10,000 square feet of landscaped area).
- In a z-zone, the irrigation system can be connected for no cost, subject to a \$20,000 deposit that is refunded after the three-year establishment period has run and the irrigation system is removed.

The following conditions must be met to establish a z-zone and qualify for the irrigation refund:

- The developer must express interest early on in the building process.
- The developer must submit a hydrozone map as part of the landscaping plan that delineates no-water, low-water, and high-water areas. If there are multiple irrigation meters, each must be clearly indicated on this map.
- The hydrozone map is paired with a [water budget](#) that applies during the xeric plants’ three year establishment period. The budget allows for a maximum amount of water that should be used to establish the xeric landscaping. It also employs a reduced assessment for the gallons of water used. However, if the number of gallons used surpasses the maximum allowed amount of water, the assessment rate will be higher.
- After three years, Aurora Water will use the irrigation meter readings to determine whether the xeric landscaping was watered according to the water budget.
- If successful in complying with the water budget and establishing xeric landscaping, the irrigation meter is removed and the \$20,000 deposit refunded.

If landscape development is occurring in phases, the responsible parties must contact Water Conservation and submit a phasing map.

Staff stated that the program was paired with significant increases in the City’s tap fee for outdoor-only use and that it has been highly successful, with a significant reduction in high-water-use grasses on new development and an increase in native grasses.

Administrative Support

Overall, water conservation staff—part of the City’s Water Department, which is funded separate from the City’s general fund—consists of nine full-time employees and up to 15 seasonal employees. One person is responsible for managing the City’s rebate programs. Several staff perform inspections, in addition to other duties.

Primary Contact

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Albuquerque, NM

Landscaping Regulations

The City’s water conservation measures relating to landscaping are not located in its Integrated Development Ordinance, but in [City Code Sec. 6-1-1, Water Conservation Landscaping and Water Waste](#). These regulations limit the amount of landscaping that can use high-water-use turf. Non-city owned properties other than golf courses and single-family residences may cover only 20 percent of the landscaped area with high-water-use turf and other restricted plants, with a minimum of 300 square feet and a maximum of 3,000 square feet allowed. In addition, the ordinance voids homeowners’ association restrictions or covenants that restrict the use of xeriscape.

According to staff, while existing single-family dwellings are excluded from the landscaping regulations, new single-family home developments must comply, so a developer who is preparing a 60-lot single-family subdivision is subject to the high-water-use turf restrictions. Staff also reports that existing single-family dwellings have made great strides in reducing overall water usage, measured by both external irrigation use and internal water use, so updating the turf regulations to include existing single-family development has not been a priority.

Rebate Administration

The Albuquerque Bernalillo County Water Utility Authority (“Water Authority”) has a variety of incentive programs. These programs are operated by a staff including six full-time employees and four seasonal employees. Staff includes an administrator who processes applications, answers customer calls, and answers questions; a xeriscape inspector whose full-time job is to inspect sites applying for xeriscape rebates (about three to four inspections per day), and conservation specialists who focus on overall water conservation measures with homeowners’ associations and multifamily developments. The Water Authority also uses a contractor who provides leak audits, inspections, and water management tools to their large users.

Xeriscape Rebate Program

The Water Authority has a [Xeriscape Rebate program](#) that provides a rebate on a water utility bill if the customer replaces traditional landscaping with low-water use xeriscaping. The program has existed for almost 20 years and has resulted in the conversion of 4,700 single-family residential and 600 commercial properties to low-water landscaping. In total, 10 million square feet of turf have been replaced with xeric landscaping. Currently, about 400,000 square feet of landscaping is converted to xeriscaping each year, and staff hopes a recent increase in payments from \$1 to \$2 per square foot of high-water-use turf removed and replaced will increase participation to 1,000,000 square feet per year.

There is no minimum removal requirement, as the goal to replace as much aging, water-intensive landscaping with xeric landscaping as possible. While applicants sometimes do not understand that they are required to have healthy living turf to qualify for the rebate, staff try to interpret the requirement leniently to encourage removal of turf and implementation of higher-quality xeric landscaping. In addition, large turf removal projects may be done in phases.

Eligibility for the rebate is confirmed through two inspections:

- The first inspection can occur before an application is filed and involves a site visit from a Water Authority staff member who measures the area, provides landscaping tips, and estimates a potential rebate amount. Alternatively, the first inspection can occur after the application is submitted, with staff visiting the site to ensure that the current landscaping proposed to be removed consists of healthy, spray-irrigated turf.
- The second inspection occurs after the xeric landscaping is installed. During this inspection, staff verifies that the plants included in the landscaping plan are installed on the property. The required number of plants is determined by reference to a point system that assigns a certain number of points to each plant, and the final landscaping must meet a certain number of points. (For example, to convert 1,000 sf of turf, the applicant must install 500 points of plants, and a low-water-use tree might be worth 50 points). The inspector also confirms that at least 50 percent of the area for which a grass removal rebate is awarded is covered with xeric plants, and that only drip irrigation (if any) is installed.

Water Authority staff noted that the approved xeric plant list is flexible and that it is easy to satisfy the plant requirements because the plant list includes 270 plants that are native to New Mexico. In addition, Water Authority staff contact participants one year following the final inspection to offer a consultation by an irrigation specialist. Participants who later are suspected of overwatering may be contacted, but no other enforcement actions are taken following final approval.

This program is notable for its relatively high reimbursement rate compared to other systems and its successful track record. Staff said they expect that the recent increase in reimbursement rates will incentivize more participation in the program.

Tree-Bate Program

The Water Authority also offers a Tree-Bate Program that offers customers 25 percent off the cost of professional tree care services or for the purchase of a new low- or medium-water use tree from the [Water Authority Xeriscape Plant/Tree List Guide](#). The maximum rebate for residential customers is \$100 per year while nonresidential customers are eligible for up to \$500 per year in rebates.

Rainwater Harvesting Rebate

Under this program, the Water Authority provides rebates to property owners that acquire barrels and cisterns to capture rainwater for use in irrigation or other purposes. The rebate amount increases with the capacity of the barrel or cistern:

- \$25 for 50–149 gallons in rain barrel or cistern capacity
- \$50 for 150–299 gallons
- \$75 for 300–499 gallons
- \$100 for 500–999 gallons
- \$125 for 1000–1499 gallons
- \$150 for more than 1500 gallons

Efficient Irrigation Rebate Programs

The Water Authority offers five [Efficient Irrigation Rebates](#) for the installation of water-saving irrigation controllers, sensors, pressure regulators, and sprinkler bodies and nozzles. These rebate programs were just instituted in 2020, and represent a change from the Water Authority's prior focus on incentivizing indoor efficiency. About 150 households take advantage of the program each year.

- The WaterSense Smart Irrigation Controller Rebate offers 25 percent of the cost of irrigation controllers (up to \$100 for residential and \$500 for nonresidential customers)
- The Smart Flow Sensors Rebate offers 25 percent of the cost of smart flow sensors (up to \$100 for residential and \$500 for nonresidential customers). These sensors communicate the flow rate of water to the WaterSense irrigation controller to help with leak detection.
- The Smart Pressure Regulators Rebate offers 25 percent of the cost of smart pressure regulators (up to \$100 for residential and \$500 for nonresidential customers). Smart Pressure Regulators (from a specific list of qualified products) are important for optimizing delivery of water via sprinkler or drip irrigation to landscaping. This allows for consistent water distribution throughout the irrigated area.

- The WaterSense Pressure Spray Sprinkler Bodies Rebate offers a \$4.00 rebate per sprinkler body with no annual limit. These WaterSense sprinkler bodies reduce water waste by optimizing the rate of water expenditure to efficiently cover the landscape.
- The Smart High Efficiency Rotating Sprinkler Nozzle Rebate offers a \$2.00 rebate per nozzle with no annual limit. These smart nozzles apply the water stream at a lower rate which allows the water and nutrients to better penetrate the soil.

Water Smart CPR Program

The Water Authority also offers a [Water Smart Customized Performance Rebate \(CPR\) Program](#) to commercial customers. This program incentivizes landowners to update and improve existing irrigation systems with smart irrigation systems that can save as much as 100,000 gallons of water per year. This rebate program is performance-based to incentivize greater water savings. A customer qualifies for \$10 in rebates for every 748 gallons of water saved per year. The maximum rebate is \$50,000 or 50 percent of project costs, whichever is lower, and may include costs such as materials, hardware, and software.

Landowners who apply for the program and whose applications are approved are assigned a “CPR concierge” to guide them through the process of acquiring and installation the irrigation system. The smart irrigation system must be installed within six months after the application is approved, and the applicant must submit receipts for the cost of implementing the upgrades. Within 30 days of completion, the property owner must schedule the post-installation inspection where project cost estimates are revised based on inspection findings. The final rebate amount is determined after 12 billing cycles (one year) after project completion, and the rebate is then applied to the water bill. The property owner must commit to sustaining the project for five years or until the property title is transferred, whichever occurs first. About 150 landowners participate in the program annually.

Customer Outreach

To target areas where significant water savings may be possible, the Water Authority does targeted outreach to the top five percent of water users within each ZIP code. This outreach includes offers for a free consultation to determine ways to save water, such as changes to the landscaping, changes to the irrigation schedule (over-watering is a common problem), and simple changes to the irrigation system such as replacing spray bodies. Of the approximately 5,000 landowners contacted each year, about 100 reach out to the Water Authority for water-saving advice, while others reduce water usage on their own. About 100,000 email addresses are subscribed to the Water Authority’s newsletter, called “505 Outside,” and the Water Authority does other advertising such as outdoor billboards and television ads.

Primary Contact

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Other Valuable Practices

Tucson, AZ

Due to its location in the Sonoran Desert, the City of Tucson has implemented a host of water conservation measures, including several relating to landscaping. The City's Unified Development Code (UDC) includes restrictions on the types of plants that may be used in landscaping ([Section 7.6.4, Landscape Standards](#)), and those regulations have been effective in replacing existing water-intensive vegetation with more drought-tolerant varieties.

In general, all plants must be chosen from the Arizona Department of Water Resources' low [water use/drought tolerant plant list](#), which includes only those plants that can survive in the Sonoran Desert without using significant water resources. Areas that have been graded and seeded must use Native Seed List approved species listed in the City's [technical standards](#). The landscaped area must also be designed to take advantage of storm-water runoff and/or include a water-conserving irrigation system.

Other plants may be installed only in defined "oasis areas" that will return maximum benefit in terms of cooling, aesthetic pleasure, and exposure to people, or for special uses such as public parks and botanical gardens. In multifamily residential developments, only five percent of the site, 100 square feet per dwelling unit, or eight percent of the open space (whichever is greater) may be a designated oasis area. For all other uses, no more than 2.5 percent of the site may be an oasis area. Oasis areas are encouraged to be located near main buildings, active use areas, pedestrian areas, and outdoor seating and gathering areas.

Although the City's restrictions limiting the use of turf to oasis areas and other water-conservation landscaping requirements do not apply to single-family dwellings, staff reports that the conservation ethos in Tucson is strong and that turf is rarely found in the front yards of single-family homes.

City staff noted that this program requires fairly intensive administration due to the need for regular inspection and enforcement. When applicants have trouble complying with the detailed specifications of the code, staff work to ensure that the landscaping meets the intent and purpose of the ordinance. Tucson Water has spearheaded public outreach to educate property owners on the requirements. Staffing continues to be a challenge both for public outreach and enforcement of the regulations. There is only one staff member who reviews landscape plans for compliance with regulations (although the City plans to hire more) and only three inspectors. The final constructed landscaping and trees are not always installed or maintained consistent with the approved plans, and the City is not aggressive about enforcing compliance.

A [Green Storm Water Infrastructure](#) fee of \$0.13/100 cubic feet (748 gallons) of water, first assessed in 2020, raises about \$3 million per year to help divert and harvest storm drainage from public streets and parking lots to vegetated water harvesting areas. The City has also

recently instituted a requirement that captured rainwater supply 50 percent of landscaping irrigation needs.

Staff reports that the overall program has been successful and that Tucson ranks high in water conservation among Arizona municipalities.

Primary Contact

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Scottsdale, AZ

Land Use Regulations

[Section 49-245](#) of the Scottsdale Code of Ordinances sets forth limitations on water intensive landscaping and turf areas for new schools, churches, resorts, hotels, motels, and cemeteries, and [Section 49-246](#) does the same for new multi-family residential, commercial/industrial, and nonresidential uses.

- Section 49-245 requires that all new facilities limit water intensive landscaping and turf areas, with the majority of landscaping required to be from the [Arizona Department of Water Resources' Low Water Use Plant List](#). Churches and schools are required to limit water-intensive landscaping to 15 percent of the total lot area, while resorts (including hotels and motels) are limited to between five and 10 percent of the total lot area.
- Sec. 49-246 requires that all new commercial and industrial sites limit the use water intensive landscaping and turf areas to 10 percent of the lot area for sites 9,000 square feet or less. For larger sites, the first 9,000 square feet are limited to 10 percent water-intensive plants and the remainder of the site is limited to five percent water-intensive plants. For these uses, all plants installed must comply with the Low-Water Use Plant List.

Notwithstanding the lack of regulations prohibiting turf use on single-family residential property, staff generally does not see excessive turf installed on new single-family residential development. In addition, the northern part of the City (which is where much recent development has occurred) includes land designated as Natural Area Open Space which cannot be developed or irrigated. Most turf is found in South Scottsdale, which has long been developed and where the incentive programs are the approach used to encourage a transition to more water-conserving landscaping.

Rebate Programs

The City also offers a variety of rebate programs that are codified in [Section 49-243](#) of the City's ordinances. A single-family residential property can receive \$1 per square foot of turf removed, with a maximum rebate of \$5,000 and a minimum turf removal requirement of 500 square feet.

The turf must be replaced with City approved low-water-use plants and other compatible landscaping material, and the City's Water Conservation Staff are required to verify eligibility before turf is removed. Rebates are not paid until the replacement landscaping is installed. The current rules require that the first 1,000 square feet of replacement landscaping is the homeowner's choice, but the second 1,000 square feet has to be a xeriscape landscape with 25 percent mature plant coverage. Existing plants, including high-water plants but excluding turf, can be used to meet the plant coverage standard. While the program terms and conditions state that the landscaping may be inspected in the future for continued compliance, in practice those have not occurred.

New rules scheduled to be implemented July 1, 2022, will change some of the rebate program rules. The 500 square foot minimum will be eliminated and the rebate amount will increase to \$2 per square foot, although the maximum rebate will remain \$5,000. The revised rules may include a requirement that sprinkler heads be decommissioned for the second 1,000 square feet of landscaping as well.

Three staff members have been performing inspections, and the City has recently hired two additional inspectors. At times, the pre-inspection is performed using photography provided by the applicant, but other times an inspector visits the site. There is at least one in-person inspection for each rebate.

Staff reports that about one-third of those who enter the program are awarded a rebate. Some enter the process but never complete it or do not comply with the program terms (e.g., they want to install more artificial turf than the program allows). About 150 are awarded rebates each year, although staff is hopeful the increase in rebate and the removal of the minimum turf requirement will increase participation.

Multi-family residential and commercial properties can receive rebates for a minimum of 2,000 square feet of turf removal. Properties with up to 10,000 square feet are eligible for up to \$10,000 in rebates (limit one per year and two per lifetime), and properties with more than 20,000 square feet of turf are eligible for up to \$20,000 in rebates and one per lifetime. Staff reported that fewer than 10 landowners participated in the program in 2021. However, with an increase in water bills scheduled to take place in November, staff expects increased interest in the program. While only six homeowners' associations reached out to participate in water-saving programs in fiscal 2021, in the first six months of the current fiscal year 40 homeowners' associations have contacted the City.

Incentives are also offered for removal of pool and spas. While not often used, staff reports that it is often cost-effective for homeowners with aging pools who would have to pay as much or more to repair or remodel the old pool. The City offers \$200 plus \$1 per square foot of pool removed.

Rebates for installation of a WaterSense irrigation controller are also offered. For single-family residential properties, the maximum is \$250 per controller or the cost of the controller, if less; multi-family and commercial properties, as well as nonresidential common areas, are eligible for rebates for up to 50 irrigation controllers, at a maximum rebate of \$400 per controller.

Primary Contact

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San Antonio, TX

The City of San Antonio uses a combination of techniques to preserve water in landscaping. In 2021, the City's Gallons per Capita per Day (GPCD) water consumption rate was 111 gallons, which was lower than average due in part to a wet summer. San Antonio's goal is to reduce the GPCD to less than 100 gallons.

Landscaping Regulations

The City requires all plants in the city to be chosen from a list of drought-resistant plants in [Appendix E](#) of the City's Unified Development Code. The recommended plant list is specifically tailored to xeriscape planting methods, and all are water-friendly. City staff noted that this plant list is limited and could include additional drought-tolerant species. However, applicants are permitted to propose the use of other shrubs or plants, provided they are native or near-native and the applicant can demonstrate they can survive in the area with limited or no irrigation. The City enforces compliance with the regulations through site visits performed by a team of five inspectors.

Drought Ordinance

Water conservation is also emphasized through the City's [drought ordinance](#), enacted in 2014, which is tied to existing conditions in the Edwards Aquifer that provides much of the water for the city. Once aquifer levels fall below 665 feet (measured as elevation above mean sea level), the City begins preparation for drought restrictions. These restrictions are "staged" in four levels based on the level of the aquifer and are enforced by the City. During all stages, irrigation of commercial and residential properties is staggered based on the property's address.

- In Stage I, which is implemented when the aquifer has dropped to 660 feet, irrigation with a soaker hose, hose-end sprinkler, or in-ground irrigation system is only permitted between 7:00 p.m. and 11:00 a.m. on weekdays specified by address.
- In Stage II, which is triggered when the aquifer has dropped to 650 feet, the irrigation methods allowed in Stage I may only take place from 7:00 a.m. to 11:00 a.m. and 7:00 p.m. to 11:00 p.m. Irrigation with a drip irrigation system or five-gallon bucket is allowed during Stage II at any hour of the day, as is irrigation with a handheld hose.
- In Stage III, which is triggered once the aquifer has dropped to 640 feet, irrigation is only allowed every other week on the designated days beginning on the second Monday

after Stage III has been declared, between 7:00 a.m. and 11:00 a.m. and between 7:00 p.m. and 11:00 p.m. Irrigation with a drip irrigation system or five-gallon bucket is allowed on every Monday, Wednesday and Friday, and irrigation with a handheld hose is allowed at any time on any day.

- In Stage IV, which is triggered at the City Manager’s discretion following a 30-day monitoring period once Stage III has been declared, the Stage III irrigation requirements remain in effect, but a surcharge is assessed on nonresidential San Antonio Water Service accounts whose consumption exceeds 5,236 gallons per month and residential accounts whose consumption exceeds 12,717 gallons in a billing cycle.

Rebate Programs

The City also offers a variety of rebate programs through its wholly owned public utility, the [San Antonio Water System \(SAWS\)](#). For residential clients, SAWS offers [landscaping coupons](#) that provide \$100 coupons for landowners planning to remove grass. A landowner can receive one \$100 coupon for each 200 square feet of grass and sprinklers proposed to be removed, and can redeem coupons at participating plant vendors. Once the plants are installed, the landowner is required to send a photograph back to SAWS and, if approved, the landowner can participate in additional SAWS rebate programs.

Water conservation staff reported that the coupon program was implemented in 2014 and replaced an earlier program that involved pre-rebate and post-rebate inspections and more extensive requirements to update landscaping. SAWS has found that the rebate program is more popular, and in particular was used much more by lower-income households who were less likely to engage in more holistic landscape makeovers. While staff noted that the biggest water savings come from instituting xeriscaping on higher-income households, which generally have larger landscapes and are willing to spend more on water, they believe it is important to reach the entire community. However, staff also noted that a separate “Outdoor Living” program will be implemented on June 1, 2022, which will be an inspection-based program that encourages households to revise their landscaping to contain no more than 1/3 turf, 1/3 planting area, and 1/3 pervious living area such as pavers.

An [irrigation rebate program](#) allows residential homeowners to earn up to \$5,000 for removing their irrigation system or making it more efficient. The largest rewards are offered for removal of active irrigation systems, and smaller rewards are offered for removal of non-functional irrigation system, removal of an irrigation zone, conversion from spray to drip irrigation, and other conservation-friendly efforts. SAWS also offers a [separate irrigation consultation program](#) at no cost to homeowners that provides recommendations for revising an irrigation schedule. These efforts, according to staff, are generally effective in reducing water usage.² Staff has

² Staff reported that it can be tricky to evaluate the effectiveness of individual programs due the variability of weather and other extrinsic factors that may affect water usage. For some projects they try to do a randomized

found that many households over-irrigate their landscapes, and that by providing a consultation that involves modifications to the irrigation schedule, along with less wasteful irrigation equipment, these households use significantly less water.

For commercial water users, SAWS has implemented a [custom rebate program](#) that offers payments for the implementation of a variety of water-conservation techniques. The amount of the rebate depends on the amount of water saved, and eligible options can include installation of smart irrigation systems, upgrades to irrigation systems to include water-saving technology, replacement of irrigated landscaping with xeriscape landscape, and other actions. SAWS also offers a commercial irrigation rebate program similar to the program offered to residential homeowners. Savings are based on the acre-feet of water use that the modifications are projected to eliminate, based on estimates that staff has developed over time. However, it is a complex program, and staff is investigating whether more straightforward, menu-based options would increase participation.

Rewards Program

SAWS also encourages water-conserving landscaping through a points-based WaterSavers Rewards program. Participants can earn points by attending [events relating to water-efficient landscaping](#). These events are sponsored by third-party organizations (some of which are under contract with SAWS) and approved by SAWS. With the points earned, participants receive coupons at local retailers that can be used towards water-conserving materials such as plants, mulch, compost, and rain barrels. Staff reports the program attracts between 100,000 and 200,000 attendees at events each year and has attracted a committed following.

Customer Outreach

The centerpiece of SAWS' public outreach efforts is the [Garden Style San Antonio](#) website, which provides water-conservation advice, as well as evapotranspiration-based accurate watering advice and information about any current watering restrictions due to drought. More than 20,000 people subscribe to the Garden Style newsletter, which provides watering advice and information about other programs offered by SAWS.

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control trial by matching the participants in a rebate program with non-participants with similar household income and pre-intervention water usage, but that it is complicated and difficult to implement.

Tree Protection and Tree Canopy Enhancement

Best Practices

Lake Forest Park, WA

Background

The City of Lake Forest Park, Washington is a small suburb of Seattle with a population approaching 14,000 across approximately four square miles. The City has had one part-time arborist since 2018, which was the first year the City hired an in-house employee dedicated to forestry. The City previously relied on a resident that was an arborist and expensive consulting services follow the retirement of the resident arborist to implement its tree protection and canopy enhancement program.

Tree Protection

[Chapter 16.14](#) of the Lake Forest Park Municipal Code is focused on tree canopy preservation and enhancement.

- The City uses a two-tiered permit structure that prioritizes protection of “significant” trees, trees in environmentally critical areas or buffers, and native tree species. A Minor Tree Permit, which can be obtained without City Arborist review, generally requires replacement of any trees removed from a development site (at a one tree to one tree ratio as long as canopy coverage is equal to or greater than before). If 1:1 replacement will not result in equal or greater tree canopy coverage, a Major Tree Permit based on arborist review will be required.
- Any application for a Major Tree Permit requires approval of a tree replacement plan that maintains canopy coverage or meets the canopy coverage goal for the property (depending on the project type).
- The City offers a Proactive Forest Management Permits for property owners as a method of expediting projects in exchange for increased collaboration with the City on tree maintenance and management and following an arborist plan to maintain canopy coverage. A similar Utility Forest Management Permit offers utility providers an opportunity to work with the City on a plan to balance the needs of utility providers and community goals for canopy coverage.
- Tree removal is generally not permitted in areas that the City has identified as Environmentally Critical Areas and Buffers—regulated by [Chapter 16.16](#)—which includes floodplain, stream buffers, wetlands, steep slopes, landslide hazard areas, erosion hazard areas, and seismic hazard areas. However, trees that present a risk (based on defined standards), are causing damage to buildings and infrastructure, or are invasive species, may be removed.

- The City Arborist notes that standards for protection of trees during construction are vital but not something addressed in the Code. Current uncodified practice is to require that the critical root zone be protect to a distance equal to one foot of radial distance from the tree trunk for every one inch in tree Diameter at Breast Height (DBH). The City often negotiates for an even wider protection area.
- Historically, the City has required chain link fencing on pier blocks to protect the critical root zone, but the City Arborist has found that pier blocks tend to be shifted around, so the City is starting to require that fencing be attached to posts driven into the ground.

Lake Forest Park highlighted the following successes and challenges with enforcement of tree protection regulations:

- The City is generally unable to do proactive code enforcement due to limited staff. Because it is a small city, Lake Forest Park relies on a small number of highly active residents that will report tree removal when they see it. Sometimes reports are made related to removal of trees for which valid Tree Permits have been issued, but false alarms are better than not knowing about the illegal removals for which permits have not been issued.
- The City has a Tree Account for payment of fees and fines for tree removal, which is an effective way to ensure a direct link between funds and tree programs. The process for determining a fine is generally as follows:
 - The City addresses violations of the Code by hiring an appraiser to determine the value of the removed tree(s) and notifying the property owner (and sometimes tree removal company) of the value to be paid. Local tree removal companies have become well aware of the costs of removing a tree without a Tree Permit, which has reduced the number of violations.
 - The City Arborist highlighted the ability of a resident to provide the City with information on the circumstances of the tree removal and to outline financial hardship before paying the fine.
 - Sometimes the City Attorney and an attorney for the Code violators meet to agree on the final fee amount.
 - In practice, the City Arborist noted that although the process of appraisal, fine, appeal, and reaching agreement on the fine amount is generally effective, it is also time consuming. To reduce this time commitment, the City has been assessing a fine for unpermitted tree removals that is essentially double the cost of the Tree Permit fee that should have been paid before removal, but only in circumstances where the City Arborists agrees that the removed tree was one for which removal would have been approved following the Code process.

Urban Canopy Management

Lake Forest Park has more tree canopy than most surrounding communities and generally prioritizes protecting and expanding tree canopy more than neighboring communities. Existing regulations have been successful in the following ways:

- The City has a clear understanding of parcel-by-parcel tree canopy coverage (see [Canopy Coverage Maps](#)) and clear goals for canopy coverage by zoning district and lot size (see [Community Forest Management Plan](#)). This information is used in determining tree replacement requirements.
- The Code has clear definitions, which make it easier for staff to implement the Code and for community members to understand what is expected. Valuable terms that are defined by Code include:
 - “Canopy coverage” means the area covered by the canopy of trees on the lot. When a tree trunk straddles a property line, 50 percent of the canopy shall be counted towards each property’s canopy coverage. The canopy coverage of the immature trees and newly planted trees is determined using the projected canopy areas in the Lake Forest Park general tree list.
 - “Landmark tree” means a significant tree that is at least 24 inches in diameter (DBH).
 - “Significant tree” means a tree six inches or greater in diameter (DBH) or a required replacement tree of any size. Dead trees shall not be considered significant trees.
 - “Exceptional tree” means a viable tree, which because of its unique combination of size and species, age, location, and health is worthy of long-term retention, as determined by the city’s qualified arborist. To be considered exceptional, a tree must meet the following criteria:
 - The tree must be included in and have a diameter at breast height (DBH) that is equal to or greater than the threshold diameters listed in an adopted table;
 - The tree shall exhibit healthful vigor for its age and species;
 - The tree shall not be considered a significant risk in regard to existing utilities and structures as evaluated per the tree risk assessment defined in LFPMC 16.14.080(A)(1);
 - The tree shall have no visual structural defects that cannot be mitigated by one or more measures outlined in the International Society of Arboriculture Best Management Practices; and
 - If retained under current tree growth conditions, the tree can be expected to remain viable with reasonable and prudent management and care.

- “Viable (tree)” means a significant tree that a qualified arborist has determined to be in good health with a low risk of failure, is relatively windfirm if isolated or exposed, is a species that is suitable for its location, and is therefore worthy of long-term retention
- Although residents often expect that the City is responsible for maintenance of trees in the public right-of-way, the Code makes it clear that the property owner is responsible for those in the tree lawn along property frontages, even if they are located in the public right-of-way.
- The City maintains a detailed [Tree List](#) that include information on the expected canopy area of each species, typical characteristics, drought tolerance, and preferred soil type.

Lake Forest Park has also identified the following improvements that they would like to see in the future:

- The City Arborist would like to see the Code have stronger standards for retaining trees before allowing replacement. Currently, standards allow a tree to be replaced by a tree that will mature into a tree with equal or greater canopy, but replacement trees take years to mature and provide the same benefits as the original, removed tree.
- The City Arborist is concerned about recent changes to the Code that allow accessory dwelling units (ADUs) more broadly and future efforts that could rezone areas to allow for higher density housing, both of which could potentially result in the loss of tree canopy. Historically, the City has not seen much development or redevelopment on its generally large residential lots, so the Code may need to be updated to prevent canopy loss due to more intensive development.
- The City Arborist would like to increase education of new and existing property owners to prevent accidental and unpermitted tree removal.

Primary Contact

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Portland, OR

Tree Permits

Trees on private property and in City of Portland rights-of-way are regulated by [Title 11 of City Code, Trees](#), which is focused on implementation of the City’s [Urban Forest Management Plan](#) (2004) and [Urban Forest Action Plan](#) (2007) and tracking progress on those initiatives. Title 11 establishes the Urban Forestry Program, including appointed supervisory boards and regulations and procedures for tree permits, tree preservation, tree planting, and enforcement of these regulations.

[Chapter 11.30, Tree Permit Procedures](#) outlines a highly nuanced approach to tree protection with permits and standards varying based on ownership and location (private property or public property/street) and the type of activities proposed. Trees that are designated as “Heritage Trees” per [Section 11.20.060](#) (“trees that because of their age, size, type, historical association or horticultural value, are of special importance to the City”) earn the strongest level of protection and regulation, and require approval by the Urban Forestry Commission (UFC) to remove the designation (and subsequent removal of the tree). In other cases, the code requires City Forester approval for any tree removal or maintenance.

[Chapter 11.40, Tree Permit Requirements \(No Associated Development\)](#), details the permit requirements and review criteria when tree removal or maintenance is not associated with development activity. This chapter generally applies to all street trees, City trees three inches or greater in diameter, and private trees 12 or more inches in diameter (among other, more specific situations). Permit standards and review criteria are organized into two categories: City and Street Trees ([Section 10.40.040](#)) and Private Trees ([Section 10.40.050](#)).

City and Street Trees require a Type A tree permit, which requires City Forester review with no public notice period or opportunity for the public to appeal, for the following:

- Tree planting;
- Pruning branches (greater than ½ inch) and roots (greater than ¼ inch);
- Removal of dead, dying, or dangerous trees (with one replacement tree required per removed tree); or
- Removal of up to four healthy trees (per year) that are less than three inches in diameter (with one replacement tree required per removed tree).

City and Street Trees require a Type B permit, which may result in a public notice period and opportunity for public appeal of a pending City Forester decision, for removal of trees that are greater than three inches in diameter if either of the following conditions apply:

- Tree for tree replacement of removed trees is required for trees less than 20 inches in diameter (only if less than four healthy trees are removed per year). If any tree is 20 inches or larger in diameter or more than four healthy trees larger than 12 inches in diameter are removed, trees replacement must be “inch for inch,” which means that trees of an equivalent total diameter are required to be planted.
- Similarly, if any tree is 20 inches or larger in diameter or more than four healthy trees larger than 12 inches in diameter are removed, public notice and opportunity for public appeal of the City Forester approval is required.

Private Trees require a Type A permit for pruning native trees in specified overlay districts, removal of a tree that is dead, dying, dangerous, a nuisance species, located within 10 feet of a building, or no more than four healthy trees smaller than 20 inches in diameter are removed.

Any tree removal under a Type A permit requires tree for tree replacement. Removal of up to four trees that are 20 inches in diameter or larger or removal of more than four trees larger than 12 inches in diameter require a Type B permit, inch for inch replacement, and public notice and opportunity for public appeal.

[Chapter 11.50, *Trees in Development Situations*](#), details the permit requirements and review criteria when tree removal or maintenance proposed as part of a development activity. A Tree Plan is generally required for all development projects, unless:

- There are no private trees 12 inches or larger in diameter;
- There are no city trees six inches or larger in diameter;
- There are no street trees three inches or larger in diameter;
- The site or activity is exempt from on-site tree density standards; and
- The site or activity is exempt from street tree planning standards.

Sites larger than one acre (or where all work is occurring in the public right-of-way) may establish a Development Impact Area that provides some flexibility for tree preservation and planting. It also includes a requirement that one street tree be planted or retained for each full increment of 25 linear feet of street frontage with the option of paying a fee-in-lieu if the required number of trees cannot be provided.

[Section 11.50.040, *Tree Preservation Standards*](#), details the standards for retention of trees and mitigation of trees not preserved, both on-site and in the public right-of-way. Mitigation is based on payment into the Tree Planting and Preservation Fund with the cost depending on the size of tree(s) to be removed.

[Chapter 11.45, *Programmatic Tree Permits*](#), outlines a program to avoid going through individual Tree Permit applications for regular or continuing work by utilities and other public agencies. Although the City Code does not generally apply to State and Federal lands or highways), this permit establishes a method for the City to engage with these agencies to ensure that City regulations are understood and followed while allowing less oversight of day-to-day operations that could result in maintenance or removal of certain trees less than six inches in diameter. Programmatic Tree Permits may be approved by the City Forester for up to five years.

Tree Protection

[Section 11.60.030, *Tree Protection Specifications*](#), offers both prescriptive and performance-based option for protection of both privately- and publicly owned trees. Importantly, the prescriptive path does not require any knowledge of trees or plants and is therefore frequently used by homeowners and small developers. It has been adjusted over time and seems to work well, based on the following standards:

- The root protection zone is one foot for each one inch in tree diameter;
- To provide flexibility for *existing* encroachments, provided the encroachment does not affect more than 25 percent of the root protection zone and does not penetrate the inner half of the zone radius;
- Six-foot chain link protection fencing on eight foot metal posts are required at the edge of the root protection zone; and
- The same standards apply to protection of street trees unless the City Forester requires more or less protection.

The performance path is most often used for larger projects and by larger developers because it allows a professional arborist to create a plan for tree preservation that reflects any unique circumstances of the project or site. The performance plan is reviewed for adequacy by City staff.

Urban Canopy Management

To support the goals of the Urban Forest Action Plan to increase tree canopy coverage to 35-40 percent in residential areas, 15 percent in commercial/industrial areas, 30 percent in parks and open spaces, and 35 percent in rights-of-way, [Section 11.50.050](#) includes on-site tree density standards that specify a minimum required tree area based on the size of the site and the type and size of proposed and existing development. All new development and exterior alteration to existing development above a certain valuation are generally required to comply with these requirements, with a few exceptions. Applicant are provided with two options as follows:

- Option A requires the following minimum tree area:
 - One- and two family residential: 40 percent of site or development impact area;
 - Multi dwelling residential: 20 percent of site or development impact area;
 - Commercial and mixed-use: 15 percent of site or development impact area;
 - Industrial: 10 percent of site or development impact area;
 - Institutional: 25 percent of site or development impact area; and
 - Other: 25 percent of site or development impact area.
- Option B requires that the entire site area, minus existing and proposed building coverage be designated as part of the tree canopy area.

This section also requires that the required tree area be planted with some combination of canopy trees that meets specific standards for number of trees required per size of tree area and the minimum required planting area per tree. The Code provides tree density credits towards any required tree density for trees planted to meet required stormwater or

landscaping requirements, existing healthy trees that are retained on-site, payments in-lieu of planting, and flexibility for small sites where existing trees are retained.

[Section 11.60.030, *Tree Protection Specifications*](#), outlines the minimum size and species diversity for all trees required by this Code. Standards include the following:

- Broadleaf trees must be 1.5 inches in caliper for one- and two-family residential development (on-site or on street) or on-site for all other development types.
- Broadleaf street trees are required to be a minimum of two inches caliper for multi-dwelling residential and 2.5 inches caliper for all other types of development types.
- Coniferous trees are required to be at least five feet in height.
- Native trees are permitted to be ½ inch caliper less than required.
- When more than eight but fewer than 24 trees are required, no more than 40 percent of trees may be of one species. When more than 24 trees are required, no more than 24 percent may be of one species. In some overlay districts all trees provided are required to be native species.

Portland also uses some unique approaches to enforcement of tree planting, maintenance, and removal requirements, including the following:

- Street trees are included in the warranty period for infrastructure (e.g., sidewalks and streets) that require a Public Works permit, which generally lasts two years. This means that any required street trees that are damaged, poorly maintained, or die during the warranty period are required to be replaced by the applicant. Staff noted that this has worked well and does not require a separate process for enforcement.
- Penalties for failure to comply with the Code standard for trees and landscaping is based on an internal document that is informed by the Technical Specifications of Chapter 11.60. The City's current approach is not to make it more expensive to follow the Code, which may disincentivize people from coming into conformance. This approach still allows the City to require planting of three to seven trees when a tree is illegally removed. City staff hopes to eventually establish an administrative manual outside of the Code that clarifies penalties for noncompliance that can be easily updated if those penalties change in the future).
- The City Forester is permitted to require payment (based on an adopted fee schedule) into the Tree Planting and Preservation Fund instead of requiring replacement trees if the Forester finds there is insufficient or unsuitable area to accommodate some or all of the replacement trees within the street planting area or site.

Although not a complete success, City staff mentioned that they recently completed a study showing that compliance with various landscaping standards varied from 50 to 75 percent. The City currently enforces landscaping and tree regulations based on complaints by neighbors and

concerned citizens, which can make it difficult to ensure that required landscaping on private property is provided and maintained with limited resources.

Additional Portland tree-related regulations are documented in [Title 33, Planning and Zoning](#).

Primary Contact

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Other Valuable Practices

San Antonio, TX

The San Antonio Unified Development Code (UDC) was amended in 2010 to include [Section 35-523, Tree Preservation](#). The regulations are based on a required minimum canopy coverage, which is 38 percent for single-family residential properties, 25 percent for multi-family and nonresidential properties, and 15 percent in the [Community Revitalization Action Group \(CRAG\) area](#), which generally encompasses central San Antonio. Based on these final tree canopy coverage requirements, the applicant may use one of two methods for determining tree preservation. The tree survey method establishes a minimum percentage of all diameter inches of significant or heritage trees, or canopy area, which must be preserved or mitigated (e.g., 35 percent of six inch caliper trees are to be preserved on a single-family dwelling lot). The tree stand delineation method requires a minimum percentage of tree canopy coverage (not including floodplains and environmentally sensitive areas) to be preserved (e.g., 35 percent of non-heritage tree canopy for any project that requires any permit after the master development plan stage or 30 percent with a master development plan). San Antonio allows various alternatives when trees that are required for preservation are removed, including a fee-in-lieu payment into the Tree Mitigation Fund and protection and maintenance of natural areas within the surveyed area.

The City also offers tree preservation incentives, which include:

- Reduction of one required parking space for every four diameter inches of trees protected or mitigated on-site, up to a maximum of 15 percent of required parking spaces (or 30 percent with approval of the Planning Director). Preservation of woodlands and significant tree stands may qualify the site for a 50 percent reduction in parking spaces;
- Reduction in sidewalk width or elimination of a sidewalk requirement;
- Additional tree protection credits for preservation of tree clusters;
- Credit for trees provided to meet required landscape buffers and on-site landscaping (see [Sec. 25-511, Landscaping](#));
- Credit for preservation of native understory plants alongside trees;

- Reduction of lot size and setback requirements for exceeding tree protection requirements.
- Exemption from City tree protection requirements for projects certified under the Texas Parks and Wildlife (TPW) Texas Wildscape Program;
- Credit for planting trees on the south and west sides of habitable buildings (to benefit energy conservation);
- Additional credit for preservation of woodlands, significant trees, and heritage trees;
- Reduction of required tree canopy for athletic fields; and
- Additional credit for incorporation of Low Impact Development (LID) to aid in stormwater management.

San Antonio defines the root protection zone as being one linear foot of radial distance for each one inch in tree diameter, which allows construction within five feet on one side of the tree. Alternatively, the City allows applicants for multi-family and nonresidential development to warranty the trees for five years to ensure trees are otherwise protected and maintained.

City staff noted that the codified list of approved plants and trees should be expanded and also highlighted the need for more detailed direction in the Code and clearer definition of terms. The San Antonio tree protection program is complex, but offers a variety of possible methods, alternatives, and incentives for the City of Fort Collins to consider.

Primary Contact

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Bloomington, IN

The City of Bloomington recently adopted an updated Unified Development Ordinance (UDO) that includes a unique approach to preserving urban canopy during land-disturbance activities. [Section 20.04.030\(i\), Tree and Forest Protection](#) establishes a minimum required canopy cover based on how much of the property is currently covered with tree canopy as shown below:

- 80-100 percent baseline canopy cover requires 50 percent of that coverage to be retained;
- 60-79 percent baseline canopy cover requires 60 percent of that coverage to be retained;
- 40-59 percent baseline canopy cover requires 70 percent of that coverage to be retained;
- 20-39 percent baseline canopy cover requires 80 percent of that coverage to be retained; and
- 0-19 percent baseline canopy cover requires 90 percent of that coverage to be retained.

This approach requires that more of the canopy be preserved when there is less canopy available. City staff indicated that this approach is somewhat complicated because it requires calculation and sometimes on-site review, but general found that the approach is fair to developers and seems to work well. [Section 20.04.080, Landscaping, Buffering, and Fences](#), also establishes standards for landscaping on private property (including single-family dwelling development) and in the public right-of-way, which includes regulations for species diversity, minimum tree sizes, and protection of existing trees.

The City notes the following improvements to the UDO that could help with clarity and implementation of the [Bloomington Urban Tree Canopy Assessment Summary Report](#) (2019):

- A clearer definition of “closed canopy,” or an alternative method of determining what constitutes tree canopy.
- A requirement that trees located in boxes include suitable soils.
- A fee-in-lieu option, especially for sites where there are conflicts between existing and potential planting areas and utility infrastructure).
- Coordination of tree-related regulations between [Chapter 12.24, Trees and Flora](#), which applies to street trees in the public right-of-way, and Title 20 of the Unified Development Code, which governs private development.

City staff highlighted several enforcement challenges and potential solutions or alternatives.

The City needs:

- Clearer standards for tree-protective fencing during construction and better enforcement of the required 10 foot setback beyond the dripline, which tends to be encroached upon;
- Clearer direction on who determines when a tree is a “heritage tree,” which is defined as “a tree that is unique and important to the community because of its species, age, size, location, or historic significance;”
- An escrow payment program to ensure street tree maintenance. Currently, the City is responsible for street tree replacement, and poor private maintenance of street trees leads to higher costs to the City for tree replacement.
- Potentially updating UDO standards to require a minimum 10 foot wide tree lawn (where possible) and greater emphasis on planting and protecting native trees.
- A [bond funded program](#) (2022) for tree planting with emphasis on creating a more equitable urban canopy.

Primary Contacts

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Boulder, CO

The City of Boulder Code adopted an [Urban Forest Strategic Plan](#) in 2018 to establish a policy framework for urban canopy management. Today, the City offers limited protection for trees on private property (see [Chapter 9-9, Development Standards](#)). During the development process the applicant is required to identify all trees greater than four inches caliper and have a qualified arborist conduct an inventory of the trees worthy of preservation. The City reviews this inventory and works with the applicant on a tree protection plan, including identifying the trees to be preserved and the fencing and measures required to ensure protection during development of the property (see drawings [3.01, 3.02, 3.03, and 3.04](#)). Trees required to be preserved can be removed with payment of a mitigation fee.

Although the City does not currently have a permit process for removal of street trees, the City Forester noted that the City would like to formalize the process with a permit (see [Chapter 6-6, Protection of Trees and Plants](#)). Currently, the City Forester determines what trees are required to be preserved and the mitigation payment to compensate the City for any removed trees. Boulder uses the [trunk formula method](#), which determines the value of trees to be removed based on the value of similar sized trees in a local nursery, the cost of installation, and other factors. Any tree that is illegally removed during the development process results in a mitigation fee to be paid before other permits are issued. Otherwise, the City documents the illegal tree removal and issues a fine (almost always) or requires replacement (rare because of the large share of development that takes place on infill sites that are too small to accommodate additional trees). Tree mitigation fees and fines go towards Capital Improvement Projects in the Parks and Recreation Budget. The City Forester supports the use of mitigation fees instead of tree replacement because it is easier to administer and because funds can be carried forward from year-to-year so that mitigation fees collected late in the year aren't lost when trees cannot be planted during the winter. Boulder has an [Approved Tree List](#) to guide tree planting in the right-of-way and on other municipal property, including information on tree spacing, hardiness zone, water needs, canopy size, and soil preferences.

The City Forester did note the following challenges and potential improvements to Boulder's current Code and practices:

- Standards for mulching and irrigation of trees are only identified during the permitting process and are otherwise difficult to enforce.
- The City could better educate property owners about when they are responsible for care and maintenance of street trees. The City generally manages street trees adjacent to residential properties and businesses manage those adjacent to their property. Alternatively, the City could explore taking over responsibility for all street trees.

- The City should consider alternative arrangements to ensuring required trees are maintained, including having developers prepay for cost of maintenance when the City is required to provide maintenance. An escrow payment program has been considered before, but it is not always clear which party should pay, or be responsible, or receive any funds required to be rebated if not used within a specific period of time.

Primary Contact

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Madison, WI

The City of Madison requires private development (except for one- and two-family dwellings) to provide trees and landscaping through a menu of options in [Section 28.142, Landscaping and Screening Requirements](#). These regulations establish a point value for distinct types of vegetation, which encourages the installation of higher quality (and larger) trees and requires a greater number of “points” for larger lots. Higher points are also provided for protection of “existing significant specimen trees” (those greater than 2.5 inches caliper) to prioritize preservation of large trees over removal and replacement with smaller trees that take longer to provide similar benefits. This section also requires any development that provides five or more trees to provide a specified diversity of tree species (with greater diversity required when more than 50 trees are provided) and at least three different street tree species per block. Once landscaping is installed, however, the City does not require or enforce tree protection on private property.

Trees in the right-of-way, however, are highly protected, primarily through [Section 10.101, Regulation of Tree Trimming, Pruning and Removal within the Public Right-of-Way of Any Street, Alley or Highway](#)). These standards require permits for tree trimming, pruning, and removal of trees in the public right-of-way, which include requirements for tree inventories and/or street tree report prepared by a certified arborist for any request to remove, prune, or perform most construction activities. The reports are typically triggered by a proposal to do any work that could impact the urban canopy or impact a tree that is six inches or greater in caliper. The City noted that tree protection regulations are relatively cumbersome, but that developers view the street tree report as a way to expedite the process because they can hire a certified arborist to conduct the review.

Madison is unique for codifying detailed standards for how the City and any contractors must protect trees in the right-of-way. [Section 107.13](#) of the City’s Standard Specifications for Public Works projects require that a five-foot area around each tree remain undisturbed, provide information on what City Forester markings indicate, describe methods of root cutting to limit damage to trees, lists best practices for trimming, pruning, and avoiding soil compaction, and establishes penalties for damage to trees. The City Forester noted that current practice has

been to collect a deposit of \$125 per trunk diameter inch (measured 4.5 feet above the ground) prior to any work being done near trees. This ensures that the City is able to collect any damages without hassle.

The City noted that they will be reviewing the City Code in the next year to ensure implementation of the [Urban Forestry Task Force Final Report](#) (2019) and had the following suggestions to improve the effectiveness of current standards.

- Codify standards for soil volumes and require a third-party review and approval for the City to evaluate during the development review process.
- Modify parking lot landscaping requirements to require different parking lot tree arrangements.
- Assess development regulations in urban neighborhoods where the required setbacks are less than five feet, because it can prevent the full, healthy growth of trees if the sidewalk width is also narrow.
- Explore recommendations from the Tree Board for improving maintenance of public and private trees.

Primary Contacts

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Seattle, WA

The City of Seattle’s 2020 [Draft Urban Forest Management Plan](#) has established a goal of increasing tree canopy coverage to 30 percent by 2037. Currently, [Chapter 25.11, Tree Protection](#) focus on preserving “exceptional trees” as opposed to thinking about the overall urban canopy. This reflects an increase in interest in tree protection from citizens and elected officials due to rapid development the past several years. Generally, Seattle has very few standards related to the planting, preservation, or maintenance of trees on private property (no tree removal permits, no tree planning requirements, no standards for tree size, no required species diversity, etc.). Street trees have more protections (removal requires permit approval), but standards for maintenance and replacement are minimal. Although Seattle takes a more hands-off approach to tree preservation, they are in the process of updating some regulations. Fort Collins may consider some of the following existing valuable practices:

- The City has developed an [interactive tree list \(using Tableau\)](#) to allow residents to tailor any new tree plantings to site conditions (sun exposure, width of planting strip for street trees, presence of overhead wires) and desired tree characteristics (drought tolerance, size, native/non-native, and flower and fall colors). Voluntary planning does not require any specific tree type or size to be provided.

- Removal of a street tree without City approval results in a fine that is triple the cost of the permit that should have been obtained prior to tree removal. The City is considering alternative penalty structures (including charging a dollar value per caliper inch of the removed tree), but staff notes that City officials are weary of fines that could disproportionately impact underserved communities.

Primary Contacts

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Fort Wayne, IN

Fort Wayne has struggled with the loss of large trees and clear-cutting of trees on private property prior to or during the development review process, partly because existing regulations are very permissive about tree removal (see [Section 157.408, Landscape Standards](#)). Over the past decade, the City found that they have lost about six percent of existing tree canopy coverage. The City is in the early stages of looking at solutions (and assessing community support) for addressing the issue with new regulations and further implementing the City's [Urban Forest Management Plan](#) (2014), but does have the following regulations and practices that have proven successful or provide lessons learned from current practice:

- To limit conflicts with trees and infrastructure in utility easements, the City recently adopted provisions that allow landscaping to be provided elsewhere without requiring a waiver of standards. This is not yet reflected in the Code.
- Instead of requiring that trees be replaced at one-tree-to-one-tree ratio, the City is considering requiring tree replacement at a ratio of one-inch of tree caliper for every one-inch of tree caliper being removed. The current standard is not resulting in quality replacement trees.
- The City has been actively protecting about 1,000 of the highest value Ash trees (along key corridors, in parks, etc.) with TREE-age Insecticide Treatment and has removed about 10,000 other Ash trees to manage Emerald Ash Borer damage. Any removed tree is replaced with guidance from the Parks Department to ensure species diversity. Otherwise, there is no species diversity requirement for new trees.

Primary Contact

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Reno, NV

The City of Reno is [in the process of updating standards](#) for tree protection, installation, and maintenance. Although this example does not offer an analysis of existing standards, it reflects

related discussion with City staff about what is working well or proving to be challenging, this community does offer an opportunity to see what another Western community is trying based on best practices. The [draft ordinance language](#) (as of 3/28/22) is set for review and recommendation by the Planning Commission, which has already been recommended to City Council for adoption by the Urban Forestry Commission. The draft ordinance focuses on many of the issues identified by the City of Fort Collins, including soil standards, tree protection regulations, enforcement mechanisms, and updated definitions—all with the goal of improving and expanding tree canopy. New standards in [Chapter 8.32, Trees and Shrubs](#), and [Title 18, Land Development Code](#):

- Establish a landmark tree designation for tree protection on private property;
- Establish a process for removal of a public tree by an adjacent property owner;
- Establish a methodology for tree appraisal and financial assurances in public trees are not adequately protected during construction;
- Clarify minimum soil volume and quality standards based on tree size;
- Increase quality standards for street trees and parking lot trees;
- Enhance standards for tree maintenance and replacement if required trees are damaged or removed;
- Establish procedures for landscape permits if required landscaping is removed or negatively impacted; and
- Expand penalties to apply based on number of trees impacted instead of applying the penalty based on a particular property not following regulations.

Primary Contacts

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FORT COLLINS ADDITIONAL LAND USE CODE AUDIT

MAY 2023

A photograph of a group of people sitting at tables under a covered outdoor dining area, surrounded by lush greenery and trees. The scene is captured in a blue-tinted color scheme.

Soils, Xeriscape, Tree
Protection, Tree Canopy

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Part 1: Introduction and Overview

About the Project

Since 2020, Clarion Associates has been assisting the City of Fort Collins to implement its Nature in the City (NIC) initiative. To date, that support has included:

- Collaboration with Fort Collins staff to identify four areas of initial focus:
 - Establishing common terms and definitions for the NIC implementation effort;
 - Clarifying and quantifying NIC standards by type and location;
 - Strengthening “edge” standards where possible; and
 - Encouraging other innovative approaches as opportunities arise.
- Preparation of a first Land Development Code Audit to identify barriers to implementing different components of the initiative in these four areas.
- Preparation of draft text amendments to the Land Development Code (LDC) to implement the following aspects of the NIC initiative:
 - Requirements for inclusion of common open space;
 - Limits on impervious surfaces in new development; and
 - Requirements that certain types of development earn at least a minimum number of points in a new Nature in the City Score system, which provides numerous flexible options related to site and building design.
- Expansion of the NIC effort to research four additional topics related to the goals and visions of Nature in the City, namely:
 - Soil amendments to ensure that new vegetation survives, thrives, and provides maximum environmental and experiential benefits;
 - Xeriscape practices to reduce outdoor water consumption without compromising the public experience of being in nature or the environmental benefits that healthy vegetation provides;
 - Tree protection during site work and construction phases and during the creation of landscaping and planting plans for the proposed development and redevelopment; and
 - Tree canopy enhancement in order to increase public perception of nature, increase shading, and reduce the impacts of urban heat islands over time.
- Preparation of an Additional Best Practices Report summarizing our findings and examples of recommended practices in each of these four additional areas. During the preparation of the

report, to avoid repetition of similar materials, we consolidated our research and recommendations on the tree protection and tree canopy enhancements into a single section, and that three-topic structure is carried forward in this document.

About this Document

This document supplements the first LUC Audit prepared in 2020 to reflect the findings of the Additional Best Practice Report on the three additional topic areas. Like the first Audit, and at staff's request, this document does not recommend specific regulatory language to adopt but indicates what types of regulatory changes will be needed and where in the LUC structure those changes will need to appear. In large part, this approach reflects the fact that another consultant has been retained to update the entire Land Use Code, the specific regulatory language to implement the NIC program needs to be consistent with the structure and terminology developed by the lead code consultants, and that work is still in process. We recommend that the findings of this Additional LUC Audit (as well as the first Audit and our first round of Draft Code Amendments) be provided to the lead code consultant for use in their drafting process.

Part 2: Code Audit Focus Areas

1. Soil Amendments

This section identifies potential changes to the Municipal Code to support compliance and enforcement of existing soil amendments regulations and provide additional flexibility to applicants where possible to reflect site-specific considerations.

Current Standards and Challenges

Unlike most other topics addressed during the NIC process, Fort Collins' soil amendment regulations are found in both the Land Use Code and the Municipal Code. The relevant regulations are shown below:

Land Use Code Section 3-8-21, Soil Amendments

For any development project, prior to installation of any plant materials, including but not limited to grass, seed, flowers, shrubs or trees, the soil in the area to be planted shall be loosened and amended in a manner consistent with the requirements of City Code Section 12-132(a), regardless of whether a building permit is required for the specific lot, tract or parcel in which the area is located. A certification consistent with the requirements of City Code Section 12-132(b) shall be required for the area to be planted. This requirement may be temporarily suspended or waived for the reasons and in the manner set forth in City Code Sections 12-132(c) and (d).

Municipal Code Section 12-132, Soil Amendment

- (a) Except as otherwise provided below, the holder of any building permit shall, as a condition of the issuance of a certificate of occupancy, prepare any area in which any plant materials, including but not limited to grass, seed, flowers, shrubs, or trees, are expected or intended to be installed, prior to installation of any plant materials in that area, as follows:
- (1) The soil in such areas shall be thoroughly loosened to a depth of not less than eight (8) inches; and
 - (2) Soil amendments shall be thoroughly incorporated into the soil of such areas to a depth of at least six (6) inches by tilling, discing or other suitable method, at a rate of at least three (3) cubic yards of soil amendment per one thousand (1,000) square feet of area to be planted, unless at least four (4) inches of loose top soil has been placed on the area after completion of construction activity on top of not less than four (4) inches of loosened subgrade soils. Documentation of the content and quantity of the soil amendments and topsoil placed in an area, prepared by the commercial source of the material or a qualified soils testing laboratory, shall be submitted in connection with the certification required in Subsection 12-132(b), below.
- (b) Prior to the issuance of any certificate of occupancy, the prospective recipient of such certificate of occupancy shall submit written certification to the Utilities Executive Director that all planted areas, or areas to be planted, have been thoroughly loosened and the soil amended, consistent with the requirements set forth in this Section.
- (c) In the event that the Utilities Executive Director determines that compliance with this Section is rendered unreasonably difficult by weather or seasonal conditions, the Utilities Executive Director may temporarily suspend the application of this requirement, contingent upon the provision by the prospective recipient of such arrangements, guaranties or assurances as the Utilities Executive Director determines to be adequate to ensure compliance.
- (d) In the event that the Utilities Executive Director determines that compliance with this Section in a specific area is unreasonably difficult as a result of site conditions such as, for example, an excessively steep gradient or a very narrow side lot, the Utilities Executive Director may waive the application of this requirement for such area.
- (e) The Utilities Executive Director or City Manager may inspect any property in order to determine compliance with the requirements of this Section as a condition of issuance of any certificate of occupancy.
- (f) Payment of any administrative fee established by the City Manager for the purpose of recovering the costs of administering and enforcing the requirements of this Section shall be required as a condition of issuance of any building permit, excluding any building

permit where it can be shown that no areas within the project limits will be disturbed by construction activities and planted with vegetation.

These provisions commingle substantive regulations (Subsection (a)) with opportunities for flexibility or relief from those regulations (Subsections (c) and (d)) and procedures to administer the regulations (Subsections (b), (e), and (f)).

Recommended Changes

Reorganization for Clarity

The content currently contained in Section 12-132 of the Municipal Code should be reorganized into the following three new subsections for clarity:

- Section 12-132: Substantive Soil Amendment Standards
- Section 12-133: Flexibility and Relief
- Section 12-134: Administration and Enforcement

Substantive Soil Amendment Standards

This revised Section should include current Subsection 12-132(a) but with the following changes:

- The text of Subsection 12-132(a) should be revised to clarify that it applies when soil has not been tested to identify deficiencies.
- As alternatives to the requirement of Subsection (a), add provisions allowing the following:
 - If topsoil that has been tested and confirmed to meet the minimum soil amendment standards, allow the topsoil to be stored on site (using best storage practices) and then reapplied to the site after subgrade soils have been loosened;
 - If topsoil has been tested and found not to meet the minimum soil amendment standards, allow the topsoil to be stored on site (using best storage practices), amended to bring it up to those minimum standards, and then reapplied to the site after subgrade soils have been loosened.
- As exceptions to the requirements of Subsection (a), the revised Section could include the following:
 - To avoid damage to root systems, remove the require for soil amendment in areas around new and existing trees, provided that topsoil in those areas has been loosened following construction activities;
 - To avoid potential erosion and pollution, do not require soil amendments within 25 feet of any perennial waterway; and
 - To encourage the retention of existing vegetation and their established root systems, do not require soil amendments in areas where existing vegetation is retained.
 - To simplify administration, do not require soil amendment in planting areas smaller than 1,000 square feet in areas.

Flexibility and Relief

- Add a new Section 12-133 consolidating provisions related to available flexibility. These provisions will allow soil amendment requirements to be tailored to the specific needs of each site and will remove common barriers to compliance. This new Section should include current Subsections 12-132(c) (temporary delays due to weather conditions) and (d) (waivers due to impracticability).

In addition, this new Section should include the following provisions:

- On larger projects, where the applicant for a Certificate of Occupancy is unrelated to the entity responsible for installing landscaping, allow Certificates of Occupancy to be issued even if required soil amendments have not been installed, provided that one of those entities has provided the City financial guarantees or other assurances that the soil amendments will be completed when landscaping is installed.
- In site areas where (a) site compaction did not occur during construction, and (b) required or planned landscaping will be installed as plug installations, container plantings, overseeding applications, or xeriscaping, allow soil aeration or other no-till soil treatments as an alternative to soil amendments.

Administration and Enforcement

- Add a new Section 12-134 consolidating provisions related to administration and enforcement of the revised regulations. This new Subsection should include current Subsections 12-132(b) (written certification of performance), (e) (allowance of inspections), and (f) (administrative fee payment).

In addition, the new Subsection should include the following provisions:

- Applicants should be allowed to document compliance with the regulations through submittal of photos along with soil amendment load tickets or affidavits.
- Simplify the inspection process by conducting a single inspection to verify soil amendment, tilling depth, and other standards are addressed.
- Establish the amount of the administrative fee already authorized by Subsection 12-132(f) and begin collecting that fee.

Importantly, because the provisions of current Section 12-130 through 132 are only relevant to landscaping and all other landscaping provisions are located in the LUC, we recommend that those provisions (as modified by the changes listed above) be relocated from the Municipal Code to the Land Use Code. They should appear as a new general landscaping standard (applicable to all required landscaping) as a new Subsection 3.2.1(E)(4) Soil Amendments. Subsequent subsections should be renumbered accordingly.

2. Xeriscaping

This section focuses on issues identified by City staff related to landscaping and water conservation following review of the Additional Targeted Best Practices Report (May 2022) and internal discussions.

Current Standards and Challenges

These recommendations build on, and should be coordinated with, the current LUC regulations on landscaping, irrigation, and water conservation. More specifically, they build on the following current LUC regulations:

Section 3.2.1(E) Landscape Standards

...

“(3) *Water Conservation*. Landscape plans shall be designed to incorporate water-efficient techniques.

“(a) Landscape designs shall be designed according to the xeriscape landscaping principles described as follows:

- (1) Plan and design. Plan for how people will use and interact with the landscape. Group landscape materials accordingly based upon hydrozone.
- (2) Landscape arrangement. Provide a cohesive arrangement of turf, plants, mulch, boulders, and other landscape elements that support the criteria in Section 3.2.1(H). Landscape elements shall be arranged to provide appropriate plant spacing and grouping and to avoid disproportionate and excessive use of mulch areas.
- (3) Appropriate use of turf. Limit high water-use turf to high-traffic areas where turf is functional and utilized.
- (4) Appropriate plant selection. Selected plants shall be well adapted to the Fort Collins climate and site conditions. Plants shall be grouped according to water and light requirements.
- (5) Efficient irrigation. Design, operate and maintain an efficient irrigation system. Select equipment appropriate to the hydrozone. Water deeply and infrequently to develop greater drought tolerance.

...

(9) Xeriscape principles do not include or allow artificial turf or plants; paving of areas not used for walkways, patios, or parking; excessive bare ground or mulch; weed infestations; or any landscaping that does not comply with the standards of this section.

(b) Landscape plans shall include:

1. A water budget chart that shows the total annual water use, which shall not exceed an average of fifteen (15) gallons/square foot for the landscape.
 - a. Accurate and clear identification of all applicable hydrozones using the following categories:

High Hydrozone	18 gallons/square feet/season
Moderate Hydrozone	10 gallons/square feet/season
Low Hydrozone	3 gallons/square feet/season
Very Low Hydrozone	0 gallons/square feet/season

Section 3.2.1 (J) Irrigation

“(1) Provision shall be made for permanent, automatic irrigation of all plant material, with the following exceptions:

- (a) plantings that do not require any irrigation beyond establishment.
- (b) trees and other plants used to landscape a residential local street parkway abutting lots for single-family detached dwellings.”

...

“(3) The City of Fort Collins irrigation system standards for water conservation are as follows:

- (a) Irrigation methods and layout:
 1. The irrigation system shall be designed according to the hydrozones shown on the landscape plan.
 2. Each zone shall irrigate a landscape with similar site, soil conditions and plant material having similar water needs. To the extent reasonably feasible, areas with significantly different solar exposures shall be zoned separately.
 3. Turf and non-turf areas shall be irrigated on separate zones.
 4. On steep grades, an irrigation method with a lower precipitation rate shall be used in order to minimize runoff, and, to the extent reasonably feasible, these areas shall be zoned separately.
 5. Drip, micro-sprays, spray heads and rotors shall not be combined on the same zone.
 6. The irrigation method shall be selected to correlate with the plant density. Drip irrigation or bubblers shall be used for sparsely planted trees and shrubs, and rotors, sprayheads and multi-jet rotary nozzles shall be used for turfgrass.

Recommended Changes

Limits on Amounts of Irrigated Turf

Although existing standards limit the total annual water use on a given site to an average of 15 gallons/square foot/year for each water tap, there are currently no limits on the amount of residential and commercial sites on which irrigated turf can be installed. The 2020 LUC Code Audit addressed this shortcoming directly, stating that the City should:

“Make water conservation standards stronger by requiring a minimum percentage of qualifying native or xeric plantings, and by restricting the overall amount of turf grass allowed in the context of landscaping and open space requirements;”

We recommend that limits similar to those applied in some comparison communities be included, both to reduce water demand and to encourage the installation of more natural landscapes consistent with the NIC program goals. These limits should be integrated as a new Subsection 3.2.1(E)(3)(c), Limitations on Irrigated Turf, and should include the following content:

- On non-residential properties (including commercial, institutional, and industrially zoned lands) irrigated turf shall be limited to no more than 30 percent of the total landscaped area, not to exceed a maximum of 10,000 square feet of irrigated turf on the lot or parcel.
- On residential properties (including both single-family and multi-family development) irrigated turf shall be limited to (a) no more than 30 percent of any area front yard area, and (b) no more than 1,000 sq. ft. of the lot or parcel.
- In order to avoid water waste that occurs through overspray on small areas, on both residential and non-residential properties irrigated turf shall not be installed:
 - In contiguous areas smaller than 300 sq. ft.; or
 - In parkway areas between the sidewalk and street.

While the current LUC regulations do not apply to detached single-family homes, it is important that the revised regulations do so, since that land use often occupies more than one-half of the developed land. Because a substantial portion of Fort Collins occupied by this one land use, requiring that single-family homes install more natural landscaping suitable for survival in Colorado’s climate without irrigation can make a large contribution to the NIC goals of more frequent and consistent exposure to natural environments. The Additional Best Practices Report documents the ways in which cities such as Aurora, Castle Rock, and Albuquerque have already imposed similar limitations on irrigated turf.

In addition, the LUC should be revised to clarify what level of development or redevelopment should trigger the application of these turf limits. We recommend that they apply to:

- All projects involving the construction of new primary buildings on vacant land;
- All redevelopment involving the expansion of the gross floor area of an existing primary building by more than 25 percent;
- All redevelopment expanding the number of parking spaces on a lot or parcel by more than 25 percent; and
- All redevelopment involving changes to the exterior of primary structures in which the total value of building permits exceeds 25 percent of the current fair market value of the property, as shown in current property tax records.

For internal consistency, Subsection 3.2.1(J)(1) should be revised by the addition of a Subsection (c) clarifying that the general requirement for installation of landscape irrigation systems does not

apply to areas where irrigation is prohibited pursuant to proposed new Subsection 3.2.1(E)(3)(c) above.

In addition, for internal consistency, Subsection 3.2.1(E)(2) should be deleted, as it contains inconsistent provisions regarding the installation of irrigated turf.

Water Conservation and Irrigation

Increasing the exposure of Fort Collins residents to natural environments will require that more of the landscaping installed in the future be water conserving or xeric landscaping, and that any irrigation installed for non-turf landscaping be highly water efficient. The City's current standards for irrigation installation and design are found in Section 3.2.1(J), and could be strengthened and better aligned with the NIC goals and vision by:

- Removing the Subsection 3.2.1(J)(1)(b) exemption from irrigation for trees and other plants used to landscape a residential local street parkway abutting lots for single-family detached dwellings. In most cities, these types of frontages make up a significant percentage of overall street frontage, and ensuring that trees and vegetation planted in these areas have a high likelihood of survival would make a major contribution to the achievement of NIC goals;
- Adding a new Subsection 3.2.1(J)(3)(a)7 requiring that drip irrigation be installed for all new trees in parkways and front yard areas and whenever the submittal of a landscaping plan is required;
- Clarifying where and when the water efficient irrigation equipment and design standards in Section 3.2.1(J)(3) apply. More specifically, clarifying:
 - Whether they apply to all irrigation installed on single-family detached dwelling lots (many cities would not do so because of limited administrative and enforcement capacity); and
 - Whether they apply to redevelopment projects. We recommend they apply in the same situations where the irrigated turf limits described above apply.

Although some have suggested that the LUC contain a prohibition on overhead irrigation (i.e., non-drip irrigation) between 10:00am and 6:00pm to reduce evaporation, Clarion does not recommend including such a standard in the LUC. This type of standard is likely to change over time and vary by season, weather, and drought events. These types of operational standards are generally adopted in a City Council resolution or regulation that is then cross-referenced in the Code.

To achieve this level of flexibility:

- A new LUC Subsection 3.2.1(J)(4), Overhead Watering Restrictions, could be added to clarify that City Council can, by resolution, limit the hours when overhead watering (i.e., non-drip irrigation) may occur, and that a violation of that resolution is a violation of the LUC. If further detail is needed, the new subsection could also state that unless and until the City Council adopts such a resolution, overhead watering is prohibited between 10:00am and 6:00pm.

As a corollary to the recommendation above, Fort Collins may want to remove some of the highly detailed standards in Subsections 3.2.1(J)(3)(b) Equipment Selection, (c) Sleeving, (d) Water

Pressure, and (E) Sprinkler Performance Audit from the LUC and instead list them in a regulatory administrative manual. These standards are significantly more detailed than those found in many newer codes and could require significant changes over time if irrigation technology and best practices advance. It is generally significantly easier and quicker to update a City Council-authorized manual of technical standards that is maintained outside the Code than to update the Code itself.

Although a suggestion was made to include a prohibition on overhead watering between 10:00 am and 6:00 pm to reduce evaporative water losses, we generally do not recommend including such a provision in the LUC. Most communities include those types of operational restrictions in a technical manual or document cross-referenced in the code, because the specific times of watering restrictions may change over time, and it is easier to amend technical standards outside the code than to make amendments to the code itself.

Landscape Materials

Although Subsection 3.2.1(E)(3)9 states that xeriscape principles do not include artificial turf and plants, staff noted that this standard is often interpreted to apply only to developments implementing xeriscaping, instead of to all scenarios. In addition, while Subsection 3.2.1(D)(3) includes species diversity requirements for trees, there is no similar requirement for shrubs, grasses, ground covers, or other required plantings. Because plants indigenous to Colorado are generally relatively drought-resistant, provisions that require the use of drought-resistant species will help ensure that installed landscaping survives drought events and the ability to experience nature remains uninterrupted. To further increase exposure of Fort Collins residents to nature throughout the city, the current prohibition on artificial turf should be clarified and requirements for species diversity and the use of drought-resistant species should be strengthened. This will require the following changes to Section 3.2.1(I), Landscape Materials.

- Add a new Subsection 3.2.1(I)(10) stating that the use of artificial turf and plants are prohibited in any area required to be landscaped.
- Add a new Subsection 3.2.1(I)(11) stating that in any area required to be landscaped, the landscape materials shall (a) comply with the tree diversity provisions in Section 3.2.1(D)(3) and (b) ensure that each landscaped area between 500 and 1,000 sq. ft. in size contains at least two species of shrubs, and that each landscaped area larger than 1,000 sq. ft. in size contain at least one additional shrub species for each additional 1,000 sq. ft. or part thereof.
- Subsection 3.2.1(I)(2) already requires that plant materials be selected from the *City of Fort Collins Plant List* created by Fort Collins Utilities Customer Connections Department, and we assume that list requires the use of many native, Waterwise, and drought-resistant species. If it does not, then the list should be revised to do so. We do not recommend that Subsection 3.2.1(I)(2) be revised to reference drought-resistant species separately, since that could create confusion as to whether that requirement is in addition to or may conflict with the City's cross-referenced *Plant List*. Most newer land use codes do not try to list all required or encouraged species, but instead include them in a cross-referenced manual outside the Code.

- In addition, the list of prohibited tree species in Municipal Code Section 27-18 should be incorporated into the *Plant List*, or LUC 3.2.1(l)(2) should be revised to also cross-reference the prohibition. In general, all of the information listing prohibited and permitted tree species should be found in one place to make that information easier to find and to simplify updating that information the future.

In addition, experiencing natural areas along the Front Range generally involves exposure to a significant amount of living (rather than inorganic) material. The LUC currently contains very few standards addressing how non-turf areas are to be landscaped and could be strengthened by requiring a minimum amount of landscape material. When combined with the current tree diversity standards and the recommended shrub diversity standards, requirements for at least a minimum amount of live material in these areas could make a significant contribution to the experience of nature in Fort Collins.

- Add a new Subsection 3.2.1(E)(2)(f) stating that not less than 50 percent of the surface of each landscaped be covered with live landscaping or plant material at maturity. Renumber the current Subsection 3.2.1(E)(2)(f) to (g).

Please note that the first NIC Audit of the LUC in 2020 also recommended that the new Common Open Space regulations include the following text:

“All common open space areas required to be vegetated or landscaped pursuant to this section or pursuant to other requirements of the Land Development Code shall use native, non-invasive, and xeric or low water use plant species to the maximum extent practicable.”

Streetscape

The applicability of streetscape standards is often a source of confusion in land use regulation, because it is unclear whether parkway areas (generally those areas between a detached sidewalk and the curb) are subject to general landscaping standards applicable to private property, or are instead subject to separately adopted streetscape standards generally designed to be applied when a street is created, widened, or reconstructed. In many communities, it depends on who owns the parkways; privately owned parkways are subject to the landscaping standards in zoning regulations and publicly owned parkways are subject to separately adopted streetscape standards. We assume this is the case in Fort Collins, but this source of confusion should be clarified as the City’s new Land Use Code as drafted. Because the use of turf on privately owned parkways was addressed above, this section will address separately adopted parkway standards related to the creation, widening, or reconstruction of streets.

Most of the City’s streetscape standards appear in Appendix C of the Larimer County Urban Area Street Standards, although there are also numerous references to the Prospect Road Streetscape Program. To maximize exposure to Nature in the City, each of the streetscape standard documents applicable in the City or the Urban Area should be made consistent with the recommendations for private property listed above. If they do not already do so, the streetscape standards should be revised to clarify that the following LUC provisions and recommendations discussed above apply to publicly owned parkways and medians.

- The prohibition on the use of irrigated turf. Currently, both cool season long grasses (Kentucky Bluegrass, Tall Fescue, Perennial Ryegrass, and Wheatgrass) and warm season native short grasses (Buffalograss and Blue Grama) are permitted to be planted in parkways, which is inconsistent with the recommendations for private property above.
- The requirements for use of drip irrigation and high efficiency irrigation equipment;
- The prohibition on the use of artificial turf and plants;
- The requirements for tree and shrub diversity; and
- The requirement to select plants from the *City of Fort Collins Plant List* created by Fort Collins Utilities Customer Connections Department.

3. Tree Protection and Tree Canopy Enhancement

This section of the Audit focuses on regulations related to tree protection and tree canopy enhancement based on staff and consultant discussions following review of the Additional Targeted Best Practices Report (May 2022). Staff identified ten themes to be addressed in this Additional LUC Audit.

- Tree inventories required prior to conceptual review;
- Tree preservation during construction;
- Tree preservation for single-family residential development (including ADUs and carriage houses);
- Ash tree preservation;
- Heritage tree program;
- Street tree escrow for right-of-way tree establishment;
- Species diversity requirements;
- Parking lot heat island mitigation;
- Tree mitigation; and
- Penalty for tree removal after commercial development.

In addition to the ten themes identified for Forestry Division, this portion of the audit addresses one key definition that needs to be addressed in order to achieve the goals of the Nature in the City program.

Current Standards and Challenges

The current Fort Collins regulations related to these topics are listed below.

Section 5.1.2 Definitions

- Tree, significant shall mean any tree with a DBH of six inches or more.

Section 3.2.1(D)(1)(c) “Full tree stocking” means:

- In all “landscape areas” within 50 feet of any building or structure.

- “Landscape areas” occur along all high use or high visibility sides of any building or structure—extending at least seven feet from any building or structure wall and containing at least 55 square feet of nonpaved ground area.
- For street trees:
 - Planting cutouts in walkways shall contain at least 16 square feet.
 - Planting cutouts, planters, or other landscape areas for tree planting shall be provided within any walkway that is 12 feet or greater in width adjoining a vehicle use area that is not covered with an overhead fixture or canopy that would prevent growth and maturity.
- Full tree stocking shall mean formal or informal groupings of trees planted according to the following min./max. spacing dimensions:
 - Canopy shade trees 30'—40' spacing
 - Coniferous evergreens 20'—40' spacing
 - Ornamental trees 20'—40' spacing
- Exact locations and spacings may be adjusted at the option of the applicant to support patterns of use, views, and circulation as long as the minimum tree planting requirement is met.
- Canopy shade trees shall constitute at least 50 percent of all tree plantings.
- Trees required for parking lot landscaping and street trees may be used to contribute to this standard.

Section 3.2.1(D)(2) Street Trees

Planting of street trees shall occur in the adjoining street right-of-way, except as described in subparagraph (b) below, in connection with the development by one (1) or more of the methods described in subparagraphs (a) through (d) below:

- (a) Wherever the sidewalk is separated from the street by a parkway, canopy shade trees shall be planted at thirty-foot to forty-foot spacing (averaged along the entire front and sides of the block face) in the center of all such parkway areas. If two (2) or more consecutive residential lots along a street each measure between forty (40) and sixty (60) feet in street frontage width, one (1) tree per lot may be substituted for the thirty-foot to forty-foot spacing requirement. Such street trees shall be placed at least eight (8) feet away from the edges of driveways and alleys, and forty (40) feet away from any streetlight and to the extent reasonably feasible, be positioned at evenly spaced intervals.
- (b) Wherever the sidewalk is attached to the street in a manner that fails to comply with the Larimer County Urban Area Street Standards, canopy shade trees shall be established in an area ranging from three (3) to seven (7) feet behind the sidewalk at the spacing intervals as required in Subsection (a) above. Wherever the sidewalk is attached to the street and is ten (10) feet or more in width, or extends from the curb to the property line, canopy shade trees shall be established in planting cutout areas of at least sixteen (16) square feet at thirty-foot to forty-foot spacing.

- (c) Ornamental trees shall be planted in substitution for the canopy shade trees required in Subsection (D)(2)(a) and (b) above where overhead lines and fixtures prevent normal growth and maturity. Ornamental trees shall be placed at least fifteen (15) feet away from any streetlight.
- (d) Wherever existing ash trees (*Fraxinus* species) are in the adjoining street right-of-way, the applicant shall coordinate and obtain an onsite analysis with the City Forester to determine replacement canopy shade trees either through shadow planting or other emerald ash borer mitigation methods.

Section 3.2.1(D)(2)(d)

- Wherever existing ash trees (*Fraxinus* species) are in the adjoining street right-of-way, the applicant shall coordinate and obtain an onsite analysis with the City Forester to determine replacement canopy shade trees either through shadow planting or other emerald ash borer mitigation methods.

Section 3.2.1(D)(3), Minimum Species Diversity

To prevent uniform insect or disease susceptibility and eventual uniform senescence on a development site or in the adjacent area or the district, species diversity is required, and extensive monocultures are prohibited. The following minimum requirements shall apply to any development plan.

Number of trees on site	Maximum percentage of any one species
10—19	50%
20—39	33%
40—59	25%
60 or more	15%

Section 3.2.1(D)(4) Parking Lot Perimeter Landscaping

Parking lot perimeter landscaping (in the minimum setback areas required by Section 3.2.2(J), Access, Circulation and Parking, shall meet the following minimum standards:

- (a) Trees shall be provided at a ratio of one (1) tree per twenty-five (25) lineal feet along a public street and one (1) tree per forty (40) lineal feet along a side lot line parking setback area. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. Perimeter landscaping along a street may be located in and should be integrated with the streetscape in the street right-of-way.
- (b) Screening. Parking lots with six (6) or more spaces shall be screened from abutting uses and from the street. Screening from residential uses shall consist of a fence or wall six (6) feet in height in combination with plant material and of sufficient opacity to block at least seventy-five (75) percent of light from vehicle headlights. Screening from the street and all nonresidential uses shall consist of a wall, fence, planter, earthen berm, plant material or a combination of such elements, each of which shall have a minimum height of thirty (30)

inches. Such screening shall extend a minimum of seventy (70) percent of the length of the street frontage of the parking lot and also seventy (70) percent of the length of any boundary of the parking lot that abuts any nonresidential use. Openings in the required screening shall be permitted for such features as access ways or drainage ways. Where screening from the street is required, plans submitted for review shall include a graphic depiction of the parking lot screening as seen from the street. Plant material used for the required screening shall achieve required opacity in its winter seasonal condition within three (3) years of construction of the vehicular use area to be screened.

Section 3.2.1(D)(5) Parking Lot Interior Landscaping

As required in Subsection 3.2.2(M)(1) Access, Circulation and Parking, six (6) percent of the interior space of all parking lots with less than one hundred (100) spaces, and ten (10) percent of the interior space of all parking lots with one hundred (100) spaces or more shall be landscape areas. (See Figure 1). All parking lot islands, connecting walkways through parking lots and driveways through or to parking lots shall be landscaped according to the following standards:

- (a) **Visibility.** To avoid landscape material blocking driver sight distance at driveway-street intersections, no plant material greater than twenty-four (24) inches in height shall be located within fifteen (15) feet of a curb cut.
- (b) **Maximized Area of Shading.** Landscaped islands shall be evenly distributed to the maximum extent feasible. At a minimum, trees shall be planted at a ratio of at least one (1) canopy shade tree per one hundred fifty (150) square feet of internal landscaped area with a landscaped surface of turf, ground cover perennials or mulched shrub plantings.
- (c) **Landscaped Islands.** In addition to any pedestrian refuge areas, each landscaped island shall include one (1) or more canopy shade trees, be of length greater than eight (8) feet in its smallest dimension, include at least eighty (80) square feet of ground area per tree to allow for root aeration, and have raised concrete curbs.

[Drawing not reproduced]

- (d) **Walkways and Driveways.** Connecting walkways through parking lots, as required in Subsection 3.2.2(B)(5)(a), Walkways, shall have one (1) canopy shade tree per forty (40) lineal feet of such walkway planted in landscape areas within five (5) feet of such walkway. Driveways through or to parking lots shall have one (1) canopy shade tree per forty (40) lineal feet of and along each side of such driveway, in landscape areas within five (5) feet of such driveway.
- (e) **Parking bays** shall extend no more than fifteen (15) parking spaces without an intervening tree, landscape island or landscape peninsula.

Section 3.2.1(F) Tree Preservation and Mitigation

- Existing significant trees (six (6) inches and greater in diameter) within the LOD and within natural habitat buffer zones shall be preserved to the extent reasonably feasible and may help

satisfy the landscaping requirements of this Section as set forth above. Such trees shall be considered "protected" trees within the meaning of this Section, subject to the exceptions contained in Subsection (2) below. Streets, buildings, and lot layouts shall be designed to minimize the disturbance to significant existing trees. All required landscape plans shall accurately identify the locations, species, size, and condition of all significant trees, each labeled showing the applicant's intent to either remove, transplant, or protect. Where it is not feasible to protect and retain significant existing tree(s) or to transplant them to another on-site location, the applicant shall replace such tree(s) according to the following requirements and shall satisfy the tree planting standards of this Section. To the extent reasonably feasible, replacement trees shall be planted on the development site or, if not reasonably feasible, in the closest available and suitable planting site on public or private property. The closest available and suitable planting site shall be selected within one-half (½) mile (2,640 feet) of the development site, subject to the following exceptions. If suitable planting sites for all of the replacement trees are not available within one-half (½) mile (2,640 feet) of the development, then the City Forester shall determine the most suitable planting location within the City's boundaries as close to the development site as feasible. If locations for planting replacement trees cannot be located within one-half (½) mile of the development site, the applicant may, instead of planting such replacement trees, submit a payment in lieu to the City of Fort Collins Forestry Division to be used to plant replacement trees to plant replacement trees as close to the development site as possible. The payment in lieu mitigation fee per tree is determined by the City Forester and may be adjusted annually based on market rates. Payment must be submitted prior to the Development Construction Permit issuance or other required permits.

- (1) A significant tree that is removed shall be replaced with not less than one (1) or more than six (6) replacement trees sufficient to mitigate the loss of contribution and value of the removed significant tree(s). The applicant shall coordinate with the City Forester to determine such loss based upon an onsite tree assessment, including, but not limited to, shade, canopy, condition, size, aesthetic, environmental and ecological value of the tree(s) to be removed. Replacement trees shall meet the following minimum size requirements unless otherwise determined by the City Forester:
 - (a) Canopy Shade Trees: 2.0" caliper balled and burlap or equivalent.
 - (b) Ornamental Trees: 2.0" caliper balled and burlap or equivalent.
 - (c) Evergreen Trees: 8' height balled and burlap or equivalent.
- (2) Trees that meet one (1) or more of the following removal criteria shall be exempt from the requirements of this subsection unless they meet mitigation requirements provided in Section 3.4.1(E)(1) of this Code:
 - (a) Dead, dying or naturally fallen trees, or trees found to be a threat to public health, safety, or welfare;
 - (b) Trees that are determined by the City to substantially obstruct clear visibility at driveways and intersections;

- (c) Siberian elm less than eleven (11) inches DBH and Russian-olive or ash (Fraxinus species) less than eight (8) inches DBH;
 - (d) Russian-olive, Siberian elm, and ash (all Fraxinus species) of wild or volunteer origin, such as those that have sprouted from seed along fence lines, near structures or in other unsuitable locations;
- (3) All existing street trees that are located on city rights-of-way abutting the development shall be accurately identified by species, size, location, and condition on required landscape plans, and shall be preserved and protected in accordance with the standards of Subsection (G).

Section 3.2.1(G) Tree Protection Specifications

The following tree protection specifications shall be followed to the maximum extent feasible for all projects with protected existing trees. Tree protection methods shall be delineated on the demolition plans and development plans.

- (1) Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
- (2) All protected existing trees shall be pruned to the City of Fort Collins Forestry Division standards.
- (3) Prior to and during construction, barriers shall be erected around all protected existing trees with such barriers to be of orange construction or chain link fencing a minimum of four (4) feet in height, secured with metal T-posts, no closer than six (6) feet from the trunk or one-half (½) of the drip line, whichever is greater. Concrete blankets, or equivalent padding material, wrapped around the tree trunk(s) is recommended and adequate for added protection during construction. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone. A tree protection plan must be submitted to and approved by the City Forester prior to any development occurring on the development site.
- (4) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
- (5) No damaging attachment, wires, signs, or permits may be fastened to any protected tree.
- (6) Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be "ribboned off," rather than erecting protective fencing around each tree as required in Subsection (G)(3) above. This may be accomplished by placing metal t-post stakes a maximum of fifty (50) feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
- (7) The installation of utilities, irrigation lines or any underground fixture requiring excavation deeper than six (6) inches shall be accomplished by boring under the root system of protected

existing trees at a minimum depth of twenty-four (24) inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the chart below. Low pressure hydro excavation, air spading or hand digging are additional tools/practices that will help reduce impact to the tree(s) root system when excavating at depths of twenty-four (24) inches or less. Refer to the Critical Root Zone (CRZ) diagram, Figure 2, for root protection guidelines. The CRZ shall be incorporated into and shown on development plans for all existing trees to be preserved.

Tree Diameter at Breast Height (inches)	Auger Distance From Face of Tree (feet)
0-2	1
3-4	2
5-9	5
10-14	10
15-19	12
Over 19	15

Section 3.2.1(I) Landscape Materials, Maintenance and Replacement

...

- (5) Maintenance. Trees and vegetation, irrigation systems, fences, walls, and other landscape elements shall be considered as elements of the project in the same manner as parking, building materials and other site details. The applicant, landowner or successors in interest shall be jointly and severally responsible for the regular maintenance of all landscaping elements in good condition. All landscaping shall be maintained free from disease, pests, weeds and litter, and all landscape structures such as fences and walls shall be repaired and replaced periodically to maintain a structurally sound condition.
- (6) Replacement. Any landscape element that dies, or is otherwise removed, shall be promptly replaced based on the requirements of this Section.

Recommended Changes

Definitions

The definition of “full tree stocking” in Section 4.3.2(D)(1)(c) is not a commonly used term in either zoning or in the landscaping profession outside of Fort Collins and is unlikely to be understandable to Fort Collins residents. In addition, the embedded definition of “landscape areas” is apparently intended to apply only in the context of “full tree stocking” but could easily be confused or misunderstood to be a general definition to other LUC uses of this common term (where it would not be applicable and could undermine the intent of the landscaping regulations.

- The definition of “full tree stocking” should be avoided if possible or should be clarified and simplified to be more understandable to residents and landscapers, and regulatory text should be removed. In general, definitions should only define terms, and related regulations

should appear in the regulatory standards applicable to the activities and places referred to in the definition.

- The use of a second, inconsistent, definition of “landscape area” should be avoided if possible. If that is not possible, then it should be either grouped near the general definition of that term so the difference is clear, or the general definition of “landscape area” should include a cross-reference to this term so that the reader understands that Fort Collins uses the term in two different ways.

Tree Preservation

For clarity, this portion of the report groups together recommendations on several themes identified by staff related to the preservation of existing trees prior to and during the development process, including:

- Tree inventories;
- Tree preservation during construction;
- Tree preservation for single-family residential development;
- Ash tree preservation; and
- Heritage tree program.

Tree Inventory

In many communities, well-intentioned regulations for to protect existing trees are undermined by lack of knowledge of what trees are on a particular property before development or redevelopment of the property is proposed or a concept plan or site plan is submitted. As recognition of the value of mature trees for carbon dioxide absorption, heat island mitigation, and the experience of nature has increased in recent years, some communities have adopted requirements that a tree inventory be prepared and presented to staff at the first concept plan meeting, so that protection of those trees can be better integrated into site design. In order to be effective, requirements for tree inventories need to clarify that not only the number and location, but the type, size, and health of the tree need to be shown, and should clarify that the City may compare the inventory to existing available aerial photography in order to verify the accuracy of the inventory.

A few cities have gone further to require that no trees may be removed (except those that are create public health or safety hazards or a risk of disease transmission to other trees) for a defined period of time following the inventory, or following concept review of a proposed development, in order to allow time for processing of subsequent applications. In our experience, however, regulations prohibiting removals during these preliminary stages of development are rare.

Because the removal of existing mature trees that could potentially be incorporated into site design would significantly undermine the goals of the Nature in the City program, we recommend that a tree inventory requirement be incorporated into the LUC. To be effective, we also recommend that the LUC include limits on overlot grading and tree removal for a period of time

prior to concept or site plan submittal or require more-than-mitigation for any tree removal in the final site plan.

- The LUC should clarify that a tree inventory describing the number, location, type, size, and health of existing trees on the property is required before Concept Review (or before the submittal of a Preliminary Design Plan or other site plan) unless waived by the Director based on the availability of recent aerial photography of the site or known site conditions. The detailed requirements for the inventory should be contained in a technical manual outside the LUC to allow for easier updating as technology changes without the need for a formal code amendment. For consistency with current Subsection 3.2.1(F)(3), this new provision should require that the inventory also include all street trees located on public property abutting the development lot or parcel. This new provision could appear as either:
 - An addition to Subsection 2.2.1(A)(3), Concept Plan Submittal; or
 - An addition to Subsection 3.2.1(C), General Standards, preceding the text that requires the submission of a landscaping plan.
- Revise Subsection 3.2.1(F), Tree Protection and Mitigation, to break up the very long introductory paragraph into more readable subsections, and to add a new first subsection prohibiting overlot grading and tree removal for a period of one year prior to Concept Plan submittal, and that if the City determines that has occurred, the applicant may be required to mitigate any removal of significant trees at up to twice the rate stated in current Subsection 3.2.1(F)(1).

Tree Protection During Construction

Sections 3.2.1(F) and (G) together require that all significant trees over six inches in diameter within the LOD and within natural habitat buffer zones be preserved to the extent reasonably feasible and allows those preserved trees to be used to satisfy other landscaping requirements. Trees required to be protected are shown on development construction plans (DCPs) and building permits. Section 3.2.1(G) lists the ways in which those trees must be protected, and those requirements are fairly typical of many tree protection ordinances.

Like many communities, however, Fort Collins does not have the staff or resources to monitor all development sites to ensure that existing trees that are required for preservation are protected from damage during the development process. Staff reports that many trees are in fact being damaged during this process. This suggests the need for a better approach that allows the City to confirm tree protection measures are in place prior to and throughout construction in order to minimize impacts to trees.

To address these weaknesses, we recommend the following changes:

- We assume that the introductory text of Section 3.2.1(F) that applies mitigation standards to the LOD and natural habitat buffers implies that significant trees (and other trees) outside those areas may not be removed (since that would be a disturbance of the site). However, if that is not how this provision is currently interpreted, Section 3.2.1(F) should be revised to

clarify that tree removal outside the LOD would constitute unauthorized site disturbance. In addition, if there are any development approvals that do not include the designation of a Limit of Disturbance on the development property, revise Section 3.2.1(F) to include all significant trees on the entirety of that development parcel.

- For clarity, and to distinguish the content of this Section from that of the previous Section addressing long-term tree preservation, Section 3.2.1(G) should be retitled “Tree Protection During Construction.”
- For readability, the long introductory text in Section 3.2.1(F) should be broken into smaller, labeled, subsections, each addressing a different requirement.
- Expand the applicability of Section 3.2.1(G)(1) to require that fencing be installed one foot beyond the dripline of each protected tree, and to clarify that chain link fencing or wooden slat fencing be required (not just plastic construction fencing).
- Revise Division 2.14.1, Enforcement, to note that provisions of the LUC may be enforced through the issuance of stop work orders. As an alternative, this section could be replaced with a cross-reference to general code enforcement powers in the new LUC, and those powers could include stop work orders in the list of possible enforcement tools for all violations of the code.
- Revise Division 2.14.2, to require an initial site inspection to confirm compliance with any pre-construction requirements (including but not limited to tree protection and mitigation requirements) before any overlot grading or site preparation may occur.
- Revisit the schedule of penalties in Section 3.8.16 to ensure that the applicable penalty for failure to protect significant trees during construction, and for unauthorized removal of trees, are large enough to deter those actions. See the discussion on Tree Removal Mitigation and Penalties below.

Residential Tree Preservation

Section 3.2.1, Landscaping and Tree Protection, exempts from all of its provisions “development on existing single-family detached dwellings”, which is true of many landscaping regulations in other communities. Because residential land makes up over 57 percent of the developed land area in Fort Collins, this exemption has a significant impact on the ability of the City to protect existing trees and tree canopy. The impact of this exemption has been compounded in recent years by increased allowance of Accessory Dwelling Units (ADUs), which could lead to the removal of additional trees in order to accommodate new construction of detached ADUs. The marginal contribution of ADUs to tree removal, however, is a much lower threat to maintenance of existing trees than the blanket exemption of all single-family detached dwelling lots from all provisions of Section 3.2.1.

In most communities, similar exemptions are driven primarily by the fact that the community has inadequate staff capacity to inspect and monitor the removal or planting of trees on so many individual residential lots, as well as the political reluctance to interfere with activities in this popular form of U.S. housing. Because of the impact of this exemption on the NIC goals, it may be time to revisit this exemption, or at least to limit it to smaller, more affordable lots that help protect the City’s affordable housing stock.

We recommend that the City consider the following changes to Section 3.2.1:

- Limit the single-family detached housing exemption to requirements for installation of new landscaping, but make those lots subject to the tree protection requirements of Sections 3.2.1(F) and (G); or
- Limit the single-family detached housing exemption to lots under 5,000 square feet in area; or
- Require the designation of Limits of Development (within which tree protection provisions would apply) on all residential single-family detached lots over 5,000 square feet in area.

Because of the potential contribution of ADUs to more affordable housing, we do not recommend a separate program for protection of individual trees during the ADU process unless or until the broader weaknesses in the current exemptions listed above have been considered.

Ash Tree Preservation

Although Emerald Ash Borer (EAB) is present in Fort Collins and has been impacting Ash trees (*Fraxinus* species) in the community, the Forestry Division believes that many existing Ash trees continue to contribute to the urban tree canopy and provide benefits to the community. Because they are generally mature trees with significant tree canopy, their preservation (where possible) would contribute to needed tree diversity, and because the risks of spreading the EAB is not limited to those Ash trees located in the street right-of-way, their protection on private property would also contribute to achievement of Nature in the City goals and objectives. When Ash trees are located in the street right-of-way adjacent to a proposed development property, Section 3.2.1(D)(2)(d) requires coordination with the City Forester and possible protection or mitigation measures, but those same protections do not apply to Ash trees located on private property.

To address this issue, we recommend that the City:

- Establish a new Subsection 3.2.1 (E), Ash Tree Protection and Mitigation, that contains the text of Section 3.2.1(D)(2)(d) modified to apply to *Fraxinus* species located on both private and public property. As an alternative, the City could retain the regulations in current Section 3.2.1(D)(2)(d) and create a parallel provision applicable to private property as a new Subsection 3.2.1(F)(4).

Heritage Tree Program

Although Fort Collins current regulations protect “significant trees,” those trees are only required to be preserved “to the extent reasonably feasible,” and when that that is not the case, on- and off-site mitigation by up to six trees as well as payment of an in-lieu fee are available. Because of the higher value of larger trees to carbon dioxide absorption, heat island mitigation, and the perception of Nature in the City, some communities have gone further to create additional protections for very large trees. Often this takes the form of a heritage tree designation and program with higher standards for preservation, higher levels of required approval for removal, and stricter or higher requirements for mitigation. In addition to establishing those higher standards, creation of a heritage tree program would require Fort Collins to establish criteria for designation of heritage trees and a process for designating them.

The protection of heritage trees, beyond standards like those for existing significant trees, is not typical. Instead, heritage tree programs are often voluntary and intended to encourage preservation and maintenance through pride of ownership. In some cases, participation in a heritage tree program is incentivized through City efforts to support heritage tree maintenance.

Because of the importance of Nature in the City goals within Fort Collins planning process, we recommend that the City consider the following changes:

- Retitle Section 3.2.1(F) as “Significant Tree Protection and Mitigation,” creating a new Section 3.2.1(G) titled “Heritage Tree Protection and Mitigation,” and re-lettering the following Subsections accordingly.
- Redefining significant trees to be those between four- and 10-inches diameter at breast height (DBH) that do not otherwise meet the definition of a heritage tree.
- Defining heritage trees as those larger than 10 inches DBH as well as those that the City Forester determines (a) contribute to the historic character of a designated historic landmark or districts, (b) are associated with a notable person or historic event, (c) are landmarks in the community, or (d) have horticultural significance due to rarity in the community.
- Clarifying that the City Forester may initiate an application for designation of a heritage tree on any property, a private property owner may initiate an application to designate a heritage tree on property he or she owns, and that Planning Commission approval would be required following a public hearing in either case. Any member of the community may contact the City Forester to informally recommend a heritage tree, but the Forester is not obligated to investigate or act on each such recommendation.
- Establishing a list and GIS layer for designated heritage trees.
- Offering that care and maintenance of designated heritage trees shall be provided by the City, and at City expense, if requested by the property owner.
- Providing that a heritage tree may only be removed if preservation of the tree would result in the value of the property for uses listed as permitted uses in its current zoning district being reduced by 25 percent or more, as established by an appraisal acceptable to the City, unless the City approves zoning changes or development variances needed to offset the diminution in value.
- In addition, to provide a significant incentive for preservation of larger old trees, Subsection 3.2.1(F) could be revised to provide that the preservation of each “significant tree” shall create a credit of two inches of DBH for each DBH of the preserved tree against tree plantings required by other landscaping regulations. Although resulting in fewer total DBH in new tree plantings, some cities conclude that the benefits of preserving larger trees are worth this tradeoff.

Tree Planting

This section addresses themes identified by staff related to the provision and planting of trees, including:

- Escrow for street tree establishment;

- Species diversity; and
- Parking lot heat island mitigation.

Escrow for Street Tree Establishment

Fort Collins currently requires planting of street trees generally every 30 to 40 feet along streets. In cases where the street features an attached sidewalk “that fails to comply with the Larimer County Urban Area Street Standards,” trees are then required to be planted behind the sidewalk at the same spacing intervals. The City also enforces standards that require trees to be set back from driveways and alleyways by eight feet and from streetlights by 40 (shade trees) or 15 (ornamental trees) feet.

Although it often takes three to five years for a street tree to become fully established, the current warranty period for street improvements is only two years. Currently, standards are applied during the development approval process (at the time of planting), which makes enforcement easier because the City has leverage over the issuance of development permits. For large new developments, street tree permits are issued after installation, not establishment. However, staff notes that required trees are often not well-maintained following development leading to many trees that die and require removal (and that should require replacement) between the end of the warranty period but before trees become established.

Other communities that have addressed this issue sometimes require that an escrow fund be created to replace trees that die during a specified period of time after the warranty is released. However, monitoring and maintenance of escrow accounts tends to be complex and time consuming and is more often limited to high-cost infrastructure such as roads and utilities. To avoid the cost and complexity of operating an escrow program, other communities simply require that the property owner (not the applicant or developer) remains responsible for the continued survival or the replacement) of street trees and all other landscaping required to be installed as a condition of site approval. Fort Collins already has those regulations in place in Sections 3.2.1(l)(5) and (6). Rather than establishing an escrow program to guarantee the survival of street trees until fully established, we recommend that the City focus on more pro-active enforcement of those existing regulations. Enforcement details are an administrative matter subject to staffing and budget constraints and should not be codified in the LUC.

Tree Species Diversity

Currently, Section 3.2.1(D)(3) of the LUC states that required trees meet a certain level of species diversity for the overall site, depending on the number of trees on the site, in order to reduce the creation of monocultures that increase the chances of disease spread and other arboriculture challenges. Forestry Division staff have recommended increasing the standards for overall species diversity as shown in the following table. Based on recent development codes that we have researched or authored, Clarion is not aware of a “standard” approach to species diversity, and we have no objection to replacement of the current standards with the proposed requirements shown in the table. We note that both the current and proposed requirements for species diversity are more detailed than those used in many other communities.

Number of Trees on Site	Current Percent of Any One Species (Max.)	Proposed Percent of Any One Species (Max.)
10-19	50%	40%
20-39	33%	30%
40-59	25%	20%
60+	15%	10%

Forestry Division staff have also noted that the current standard only requires diversity based on the number of trees on the entire development site, and therefore does not require diversity among new street tree plantings, all of which could be of the same species as long as the required mix of species was achieved elsewhere on site. The City and County of Denver currently requires that no more than two consecutive street trees of the same species may be planted in a continuous row, including around corners and in groupings, in order to provide particular protection against disease for the most visible evidence of urban forestry (i.e., along public streets).

Fort Collins staff requested that Clarion assess the viability of a similar standard (no more than three consecutive trees of one species) in the new LUC. Our research suggests that, despite a historic preference for consistent rows of trees of a single species along parkways and other highly visible street frontages, the advantages of street tree diversity requirements outweigh their disadvantages, primarily because of the risk that a new disease or blight (such as the Ash borer or the Chestnut blight) could rapidly eliminate a public and environmental value that took decades to grow and mature, and because that risk is avoidable at little cost. We would therefore support a strengthened standard for street tree diversity but would not recommend that stricter standards be applied to all tree plantings on a development site because of the difficulty of monitoring and enforcement over time. This change could be achieved by the following:

- Revise Section 3.2.1(D)(3) by relabeling the current standards as Subsection (a) and adding a new Subsection (b) requiring that no more than two adjacent street trees be of the same species.

Parking Area Heat Island Reduction

LUC Sections 3.2.1(D)(4) and (5) include relatively detailed requirements for the installation of trees along the perimeters of, and in the interiors of, parking lots. This approach is relatively new for the City and replaces previous standards that were vague and required the City to negotiate for quality parking area layouts and landscaping elements. Installation of generous landscaping in larger surface parking lots is important to achieving the Nature in the City goals, both because the views of large expanses of uninterrupted asphalt create an experience almost the opposite of natural areas, but because unshaded expanses of asphalt create significant heat islands that are inconsistent with the cooler temperatures experienced outside of urban areas. For these reasons,

we assume that Fort Collins wants to be a leader in avoiding unshaded surface parking lots as new development and redevelopment occurs.

Although no two medium or large cities appear to regulate parking lot landscaping in the same way, Fort Collins' current standards are generally consistent with those found in newer land development codes, with a few exceptions. Many of the key terms used in the current LUC are undefined and could be applied more effectively and consistently if those definitions were added. In addition, while the levels of tree planting required are fairly consistent with those found for medium to high density areas, they are lower than those applied in some suburban areas. An increasing number of cities vary not only the number of parking spaces required, but also the amount of parking lot landscaping required, based on the level of "urbanism" existing or desired in different parts of the city. Finally, some newer codes include requirements for the installation of "terminal islands"—planted islands dividing the end of each row of parking spaces from drive aisles and driveways, which also tends to spread out required tree plantings and increase the amount of surface asphalt they shade.

To address these weaknesses, the LUC could be amended as follows:

- Revise Section 5.1.2, Definitions, to include clear definitions accompanying graphics for "landscaped island," "landscaped peninsula," "pedestrian refuge," "driveway," "parking space" and "terminal island." Ensure that the definition of "landscaped island" includes a "terminal island." Currently, it is unclear if a driveway includes both vehicle access points to/from a street and drive aisles between parking stalls. In addition, it appears that the terms "parking spaces" and "parking stalls" are used interchangeably, and we recommend using only one term consistently throughout the LUC.
- When defining "landscape islands," require that they be designed as swales below the level of the parking surface, so that stormwater flows into these areas rather than off the parking lot into engineered stormwater systems. While freestanding curb stops can still be required to protect landscaping from damage by cars, the elimination of continuous curbing and artificially elevated landscaped areas helps promote a more natural appearance for parking areas, as well as allowing for natural filtration and treatment of at least part of stormwater falling on the parking lot.
- Add a new Subsection 3.2.1(D)(5)(b) to add a provision requiring the creation of terminal islands to separate the end of each row of parking space from driveways and internal drive aisles and requiring that the terminal island extend the full length of the parking space that it abuts.
- Consider revising Subsection 3.2.1(E)(5) to provide that in Fort Collins lower intensity zoning districts – i.e., those with a more suburban character – a minimum of 14 percent of the interior of parking lots with more than 100 spaces be landscaped.

Tree Removal Mitigation and Penalties

This section of the Audit addresses themes identified by staff related to the removal and mitigation of removed trees, including:

- Tree mitigation; and
- Penalty for tree removal after commercial development.

Tree Removal Mitigation

Over the past years, Fort Collins has experienced the illegal removal of required trees by commercial developments, and Forestry Division staff have noted that the LUC penalty for doing so does not deter this behavior or provide the City with the resources to mitigate the damage of illegal removals to the experience of Nature in the City. If the removed tree was a “significant tree,” Section 3.2.1(F) requires mitigation with between one and six trees, but staff indicates that often only one mitigation tree is required. For smaller trees, no mitigation is required or enforced. Replacements for significant trees removed must meet the minimum size requirements of Section 3.2.1(D)(4), but those are not related to the size of the tree removed. The result is often the loss of an established, healthy tree and the planting of a new tree that is years from being able to replace the shade and quality of the removed tree. The current LUC requires on-site mitigation, but where not feasible mitigation trees may be planted within one-half mile of the development site. In rare cases, the City allows payment in lieu as determined by the City Forester.

We understand that Fort Collins’ Forestry Division staff are currently in the process of drafting a detailed proposal for LUC changes to address these weaknesses, but we will limit our recommendations to those often found in newer development codes in other communities. Generally, these provisions try to address the illegal removal of trees that were required to be planted or were required to be preserved because they are shown on approved site plans and are necessary for compliance with landscaping standards.

The weaknesses identified above could be addressed by the following revisions to the LUC during the code rewrite process.

- Because of the priority that Fort Collins places on the experience of Nature in the City, the definition of a “significant tree” should be revised to apply to all trees over four inches DBH. The four-inch DBH standard is currently used by the City of Boulder. The definition of “significant tree” in Section 5.1.2 would need to be revised accordingly.
- Because of the importance of larger trees to carbon dioxide absorption, heat island prevention, and the NIC goals, Section 3.2.1(F) should be revised to require mitigation at a two-inches-per-DBH-inches of each significant tree removed. This would require documentation of not just the location but also the DBH of each existing tree shown on an approved site plan.
- In addition, Section 3.2.1(F), Tree Preservation and Mitigation, should be revised to add a Subsection requiring mitigation for removal of any tree under two inches DBH shown on an approved site plan and necessary for compliance with the City’s landscaping standards or the conditions of site plan approval to be mitigated on an inch-to-inch, rather than tree-to-tree basis.

- The current requirement for on-site mitigation if possible, and for plantings within one-half mile if that is not feasible, is similar to that used in other communities. However, this regulation could be strengthened by requiring that the off-site mitigation be as close as reasonably practicable to the subject site, and by clarifying that those mitigation plantings can occur in the parkways on public-rights-of-way that do not currently comply with street tree standards (with the permission of the City).

Penalty for Tree Removal after Commercial Development

While most newer development codes focus on mitigating the impacts of illegal tree removal through stronger mitigation standards, some communities have also adopted enhanced financial penalties to encourage the practice. While these are not common, they are usually limited to cases of illegal tree removal on multi-family, commercial, mixed-use, industrial, and institutional properties. They generally do not apply to single-family or low-density residential properties because of the difficulty of monitoring and enforcing tree removal on properties where the existing trees have not been documented (and because of the political unpopularity of enforcement actions against these types of properties).

As an example, the City of Seattle, Washington, imposes a financial penalty based on the size of the illegally removed tree and equal to three times the environmental value of the removed tree to the community. However, our discussions with Seattle staff suggest that the fine is rarely enforced and may not be effective in discouraging illegal tree removal. In general, we believe that even very high monetary penalties may not be effective in discouraging tree removals that are motivated by market driven development opportunities that create much greater value to the property owner, and that focusing on strengthening enforcement and mitigation regulations may be more effective in minimizing reductions in tree canopy due to illegal tree removals. While it is useful to periodically revise zoning enforcement penalties to ensure that they are internally consistent, that they compound daily after notice from the City and a reasonable period to cure the violation, and high enough to encourage prompt action by the landowner after they begin to accrue, we do not recommend an increase in tree removal penalties separate from a thoughtful periodic update process.

4. Additional Recommendations

We also recommend the following changes to the LUC and the Municipal Code to further promote the Nature in the City program.

- The purpose statement for the Landscaping and Tree Protection regulations in Section 3.2.1(B) does not clearly reflect the goals of the Nature in the City initiative and should be revised to do so. The purpose statement could be strengthened by explicitly referencing the City's intent to increase tree survival rates, to protect and expand tree canopy, to reduce unauthorized removal of trees before and after construction, to reduce damage to trees during construction, and conserve water, and to avoid the creation of monocultures.
- The requirements for obtaining permits related to trees in public places described in Municipal Code Sections 27-31 and 27-32 should be cross-referenced in LUC Section 3.2.1, in

order to put private property owners on notice that City approval may be required to alter trees on a public parkway adjacent to their property (and that they may not understand is on public property).

- The duties of each property regarding trees on their property contained in Municipal Code Section 27-57 and 27-58 should also be cross-referenced in LUC Section 3.2.1, as many property owners may be unfamiliar with those duties.

Item 2.



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MEMORANDUM

DATE: January 13, 2023

TO: Mayor Arndt and City Councilmembers

FROM: Katie Collins, Water Conservation Specialist ^{DS} KC
 Mariel Miller, Water Conservation Manager ^{DS} MM

THROUGH: Kelly DiMartino, City Manager ^{DS} KD
 Kendall Minor, Utilities Executive Director ^{DS} KM

RE: January 10, 2023, Work Session Summary: Land Use Code Changes to Address Xeriscape and Soil Amendment

Mayor Arndt, Mayor Pro Tem Francis, and Councilmembers Canonico, Pignataro, Gutowsky, and Ohlson were present. Staff members present were Katie Collins, Mariel Miller, Danielle Reimanis, Gretchen Stanford, Kathyne Marko and Jesse Schlam.

The purpose of this item was to seek Council feedback on four proposed code update opportunities that support water-wise landscaping in Fort Collins. The four proposals presented were:

1. Less turf in new development and redevelopment (three options)
2. Allow synthetic turf in some scenarios
3. Expand irrigation standards and residential equipment efficiency
4. Increase flexibility in soil amendment policy

Summary

Overall: Councilmembers expressed general support for proposals 1, 3, and 4. Councilmembers were not in support of proposal 2.

- All Councilmembers indicated support for a turf limit between 15 – 30% maximum of the landscape area of new and redeveloped residential and commercial properties. Several councilmembers request more exploration of turf minimums and maximums across all property types.
- All Councilmembers expressed significant concern for updating code to allow the installation of synthetic turf in Fort Collins. Of most concern is the PFAS content of synthetic turf material.
- Council indicated support for an update to irrigation efficiency standards. Councilmembers are in favor of proposed soil amendment code changes related to smaller, more “micro” landscape changes and best practices. Council requests additional evaluation of current inspection and enforcement processes, and of opportunities for improvement on larger, more “macro” landscape changes (e.g. new development).

Questions

- *How are front yards and recreation defined and identified?*

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- *How would larger, estate lots be evaluated and are there incentives to keep some area more natural?*
- *Would landscape standards override HOA rules?*
- *Will properties irrigated with hose-end sprinklers be subject to the proposed watering window?*
- *How does the city enforce current soil amendment code?*
- *Has Utilities considered adjusting the top tier water rate for those that use the most water?*
- *Can the Xeriscape Incentive Program be expanded to include other water districts?*
- *What additional costs are associated with proposed landscape and irrigation standards?*

Next Steps

- Q1-Q3 2023: Continue internal/external outreach and engagement and identify, communicate additional resource needs (i.e. budget, education campaigns)
- Q2 2023: provide answers to the above questions via a memo to Council, which will include detail on the following:
 - cost impact analysis for landscape and irrigation proposals
 - soil amendment program information and cost and resource analysis to scale up soil amendment inspections
- Q3 2023: Incorporate feedback and draft code updates for first reading, scheduled for September 19, 2023

Item 2.









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MEMORANDUM

Date: January 27, 2023

To: Mayor and City Councilmembers

Thru: Kelly DiMartino, City Manager ^{DS} 
Tyler Marr, Deputy City Manager ^{DS} 
Dean Klingner, Interim Community Services Director ^{DS} 
Mike Calhoun, Parks Director ^{DS} 
Rebecca Everette, City Planning Manager ^{DS} 

From: Kendra Boot, City Forester ^{DS} 

Re: January 24, 2023 Work Session Summary: Urban Forest Strategy and Land Use Code Audit related to Forestry

Introduction

The purpose of this memo is to summarize and provide follow-up items from the January 24, 2023, work session around urban forest strategy and policy. Mayor Arndt and all Councilmembers attended the discussion.

Discussion:

The feedback gathered from Council on both the urban forest strategy and the tree related Land Use Code audit work sessions was supportive. The work sessions were a great opportunity for staff to bring Council up to speed on topics such as:

- Emerald ash borer management and the prohibited sale of ash trees.
- Current operations and the current operating budget shortfall on tree replacement.
- Proposed areas of focus for the urban forest strategic plan with a strong focus on canopy cover goals, prioritizing vacant planting sites, and advancing canopy equity.
- Concerns for large healthy tree removals and support for stronger code to incentivize more tree preservation.
- Acknowledge the benefits of having trees dedicated as important community infrastructure.



Next Steps:

As requested by Council:

- Members of the Ad Hoc Committee assisting with the tree-related Land Use Code audit included:
 - Shelley Lamastra (Landscape Architect, Russell Mills Studio)
 - Mollie Bradehoft (Landscape Architect, BHA Design)
 - Fred Haberecht (Retired Landscape Architect and Planner, Colorado State University)
 - Elizabeth Judd (Urban Forestry Planner, City and County of Denver)
 - Daniel Burcham (Urban and Community Forestry and Arboriculture Professor, Colorado State University)
 - Edith Silvas (Diversity, Equity, and Inclusion Coordinator, One Health Institute, Colorado State University)
 - Dana Hornkohl (Civil Engineering Director, City of Fort Collins)
 - Marc Virata (Civil Engineer III, City of Fort Collins)
 - Kirk Longstein (Sr Environmental Planner, City of Fort Collins)
 - Freddie Haberecht (Forestry Specialist, City of Fort Collins)
 - Carrie Tomlinson (Forestry Specialist, City of Fort Collins)
 - Christine Holtz (Forestry Specialist, City of Fort Collins)
 - Ralph Zentz (Assistant City Forester, City of Fort Collins)
 - Kendra Boot (City Forester, City of Fort Collins)

- Approximately 22-percent of the urban forest resides in commercial areas, 75-percent in residential areas already developed, and 3-percent in open space (Community Tree Assessment, April 2016).
- American Forest's Tree Equity Score link - <https://treeequityscore.org/>
- The Urban Forest Strategic Plan will have a strong emphasis in setting canopy cover goals as well as addressing canopy disparities community wide. The proposed schedule for the plan is to kick-off in Spring of 2023 and wrap-up for Council adoption Spring of 2024.
- Staff plans to continue internal and external stakeholder engagement for the following themes to influence code amendment recommendations for adoption in Q3 of 2023:
 - Escrow for tree establishment
 - Improved mitigation standards to incentivize preservation
 - Increased penalties for healthy tree removal post construction
 - Heritage Tree Program – additional staffing resources would be required for this program.
- Further, Staff plans to explore the following code amendments during Phase 2 of the LUC update.
 - Improved parking lot standards to address urban heat island
 - Tree preservation and protection for residential redevelopment

Item 2.



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MEMORANDUM

DATE: June 27, 2023
TO: Mayor Arndt and Councilmembers
THROUGH: Kelly DiMartino, City Manager
Gretchen Stanford, Utilities Deputy Director, Customer Connections
Jason Graham, Director of Water Utilities
FROM: Kathyne Marko, Environmental Regulatory Affairs Manager
Katie Collins, Water Conservation Specialist
RE: Council Priorities Update: Additional Details for Soil Amendment Inspections and Artificial Turf

Bottom Line

The purpose of this memo is to provide additional background for the current and proposed soil amendment compliance program and the proposed restriction of artificial turf on all new development. These topics relate to a larger code update project that originated from two City Council priorities:

- 14. Effective soil amendment policies and compliance (water usage)
19. Xeriscape – Increase rebates and education, less green lawns with new development

Background

On November 21, 2023, Council will consider adoption of landscape-related codes, that promote water conservation, stormwater quality, and resilient urban landscapes. Staff will present a preview of the ordinance to discuss final direction of the proposal at the October 10, 2023 Council Work Session. The package of proposals will include artificial turf and soil amendment standards as well as standards related to general soil health, limits on irrigated grass, irrigation efficiency, and tree canopy protections. These items were discussed at the January 10, 2023 Council work session. Up to date details for these other proposals may be found in the most recent Council Priority Update.

Soil Amendment

The Soil Amendment Program is currently implemented via an administrative review process using site knowledge gained from other required field inspections for erosion control. The ability to resource and scale-up soil amendment inspections from an administrative review process to onsite inspections is dependent on numerous variables, including availability, existing workload, and timing of soil amendment submittals. A qualitative analysis of different scalability options is provided in this memo; this initial



evaluation indicates that to increase inspections with any significance, additional staffing/funding would be needed.

Soil amendment information is provided to address two questions from the January 10, 2023, Work Session: Land Use Code Changes to Address Xeriscape and Soil Amendment:

- How does the city enforce current soil amendment code?
- Resource analysis to scale up soil amendment inspections

Enforcement of Current Soil Amendment Program

The Soil Amendment Program is run through the Environmental Regulatory Affairs (ERA) Erosion Program staff. Staff consists of three FTE's – Two Senior Inspectors and one Senior Specialist. The core function of this work group is to manage the City's Erosion Control Program which is mandated by the City's Municipal Separate Storm Sewer System (MS4) Permit. Typically, construction sites that disturb over 10,000 ft² are inspected every two weeks during active construction for adequate erosion control. The following table is an overview of the activities performed by the Erosion Program staff.

Activity	2022 Statistics
Soil Amendment Certifications	350 Soil Certifications 127 Temporary Waivers
Soil Amendment Site Inspections	<10 sites
Development Review	566 Projects
Erosion Control Inspections	170 sites 2115 routine inspections
Permanent Stormwater Quality Feature Inspections (SWQF)	58 sites 67 SWQF Inspections
Vegetation / Site Stabilization Inspections	65 sites 283 Vegetation Inspections
Other Responsibilities	– Spill response – Fugitive dust complaints – Construction site complaints – Erosion enforcement

The review and approval process consists of reviewing a certification form along with amendment receipts. During winter, when soil conditions do not allow for tilling, a temporary waiver is issued and staff tracks completion of the soil amendment the following Spring. In most cases, knowledge of the site from erosion control inspections feeds into review of the soil amendment certification review. Soil amendment verification site inspections are performed based on indicators such as:

- Delivery dates not consistent with certification date
- No Area to Amend Certification
- New compost supplier
- Inconsistent ratio of cubic yards to lot size (3 yds / 1,000 SF)
- Timing of soil amendment not consistent with phase of construction



If field verification determines soil amendment was not consistent with the requirements, staff will not sign off for a Certificate of Occupancy (CO). If a CO has been issued, as is the case for Temporary Waivers, other building permits can be put on hold.

Resource Analysis to Scale Up Soil Amendment Inspections

Qualitative analysis for scaling up soil amendment inspections is summarized in the following table.

Inspection Type	Considerations/Limitations	Feasibility/Needs
Investigative Inspect if indicators of deficiencies	– Solely reactive, based on indicators	– Status Quo
Sporadic Inspect as time allows	– Likely would not occur during busy construction season	– Without additional resources, a significant increase would not be likely with the existing workload.
Seasonal Focus inspections during busy landscape season	– Increase existing staff time for hiring and/or training. – Likely based on grouping of submittals and available staff time.	– Additional resources/funding needed. – Consider the use of temporary hourly employees or consultant
Percentage Inspect a certain percentage of sites	– Likely based on grouping of submittals and available staff time.	– Additional resources/funding is needed to ensure consistent coverage. – Resource and funding needs dependent on percentage.
Full with adjusted thresholds Inspect all except Single Family Residential (SFR) landscape renovations	– SFR landscape renovations currently do not get permitted and survey results show existing homeowners do amend soil. – Could evaluate other thresholds	– Need higher additional resources/funding to ensure consistent coverage.
Full Inspect all vegetated landscape projects	– Requires significant process changes to add SFR landscape renovations to permit and inspection procedures.	– Highest increase of additional resources/funding needed to address both inspections and process change for SFR.

To conduct a full evaluation of selected alternatives, the following topics will need to be considered for a sustainable soil amendment inspection program:

- **Timing of certification submittal** related to when soil amendments occur and/or when CO is requested and staff's availability to perform a site inspection on short notice.
- **Staffing to ensure consistent coverage** for all work and avoid conflicting priorities with other regulatory permit requirements, while also considering coverage for all work throughout vacations, sick leave, and seasonal workload changes. Staffing considerations may also include use of 3rd Party consultants.
- **Software** improvements can help with efficiency and documentation. Both new and expanded capabilities of current systems are being explored, some being part of the City's digital transformation efforts.



- **Consider results from the *Assessment of Compliance with Local Environmental Policy* project which** will evaluate how various city workgroups address compliance with local environmental policy and provide recommendations to improve our approach.

Artificial Turf

Current Policy in Land Use Code

Land Use Code 3.2.1 restricts the use of artificial plants as a “Landscape Area Treatment.” Except for single-family detached dwellings, all development and building permit applications are subject to review by this standard. Historically, a few projects have been approved for artificial turf installation given that the area proposed for installation was not considered landscape area by the code’s definition.

During the “Land Use Code Changes” discussion at the January 10, 2023, work session, Council responded to a proposal that would have allowed the use of artificial turf in the city by exception if installed to high-standard specifications. Council overwhelmingly opposed the proposal, preferring not to allow artificial turf in Fort Collins.

While the benefits of artificial turf can include reduced water use, maintenance and chemical inputs, a growing body of research suggests the negative impacts of artificial turf to human health and the environment may outweigh the benefits. Potential risks include chemical exposures and contamination from the materials themselves, such as the release of per- and polyfluoroalkyl substances (known as PFAS) and carcinogens, and non-chemical impacts such as increased heat and heat island and waste-stream implications.

Proposed Policy Changes in Land Use Code

On November 21, Council will consider an ordinance that clearly restricts the use and installation of artificial turf on all new development and major redevelopment including non-residential and multi-family properties and single-family residential front yards. The artificial turf restriction ordinance will be packaged with additional landscape standards.

Impact

The restriction of artificial turf on single-family residential front yards will require review of landscape plans for new single-family residential development, a process that does not currently exist. This process would also serve the other landscape standards discussed at the January 10 work session for new single-family residential properties. The added review will impact the development review process and require additional staffing needs, which are being considered and will be discussed further during the October 10, 2023 Council Work Session. There will be an impact on owners challenged with finding suitable alternatives for high-traffic, low-water ground cover. Staff will continue to engage with landscape professionals and the community to identify and promote suitable alternatives.

Attachments

January 10 Council Work Session Materials

cc: Kendall Minor, Utilities Executive Director
 Jill Oropeza, Sr. Director, Integrated Sciences & Planning
 Mariel Miller, Water Conservation Manager
 Eric Potyondy, Assistant City Attorney



Landscape Standards – Soil, Xeriscape and Trees



Kathryne Marko, Environmental Regulatory Affairs Manager, Utilities

Katie Collins, Water Conservation Specialist, Utilities

Kendra Boot, City Forester, Forestry Division

10-10-2023

Item 2. Topic Overview

Staff have partnered to draft codes that align across soil, xeriscape and tree priority areas:

- City Council Priorities (#s 14, 19, and 28)
- Municipal Code, Chapters 12 and 26
- Land Use Code 3.2.1 and 3.8.21
 - Landscaping and Tree Protection

Benefits of Landscapes	Benefits of Landscape Codes
<ul style="list-style-type: none"> • Reduce air temperature/heat island effect • Stormwater quality • Reduce runoff • Better air quality • Wildlife habitat • Recreation • Visual Appeal 	<ul style="list-style-type: none"> • Landscapes built “smart from the start” • Better prepared for future needs or changes • Reduced frequency of low to no benefit landscapes

Council Priority 14

Effective soil amendment policies and compliance (water usage)

Council Priority 19

Xeriscape – increase rebates and education, less green lawns with new development

Council Priority 28

Improve tree policies

Status Update

- Key Improvements
- Additional Considerations
- Resource Needs
- Themes from Engagement
- Timeline
- Next Phases



Specific to Xeriscape and Irrigation

1. What feedback or questions does Council have on applying landscape and irrigation standards to single-unit dwelling front yards?

2. On daytime watering restrictions, what feedback or questions does Council have regarding:
 - a. application to all water districts within city limits?
 - b. staff continuing conversations with raw water users and providers?

General feedback for all sections

3. What feedback or questions does Council have on the proposed path forward?

Land Use Code 3.2.1

- Improved mitigation standards incentivizing tree preservation
- Creation of separate street tree escrow and timeframe for tree replacement responsibility
- Specified repercussions for tree damage or healthy tree removal violations
- Improved tree diversity requirements
- Improved tree protection during construction

Resources and Impacts

- 2 FTE Zoning Landscape Inspectors funded, hired one in 2023 and another in 2024
- Increase in tree mitigation requirements

Proposed Implementation - January 1, 2024



Sample Project: Kum & Go Prospect and Lemay

Species	Size (Diameter at Breast Height)	Tree Condition	Current Mitigation Standard	Proposed Mitigation Standard
Honeylocust	20"	Fair	3 trees = \$1500	\$8,404
Honeylocust	17"	Fair	3 = 1500	\$6,072
Boxelder	6"	Fair	1 = 500	\$1,500
Boxelder	8"	Fair	.5 = 250	\$2,000
Boxelder	12"	Fair	1.5 = 750	\$3,000
Siberian Elm	18"	Fair minus	1.5 = 750	\$2,778
Siberian Elm	5"	Fair minus	0	0
Siberian Elm	6"	Fair minus	0	0
Siberian Elm	16"	Fair minus	1.5 = 750	\$2,195
Boxelder	10"	Fair	1 = 500	\$1,500
Honeylocust	26"	Fair	3.5 = 1750	\$14,204
Rocky Mountain Juniper	18"	Fair	2.5 = 1250	\$5,189
Rocky Mountain Juniper	20"	Fair	2.5 = 1250	\$6,406
Ponderosa Pine	20"	Fair minus	2 = 1000	\$8,516
Ponderosa Pine	20"	Fair minus	2 = 1000	\$8,516
Ponderosa Pine	24"	Fair minus	2.5 = 1250	\$12,263
Ponderosa Pine	19"	Fair minus	2 = 1000	\$7,685
Siberian Elm	11"	Fair minus	1 = 500	\$750
			31 trees = \$15,500	\$90,978



~\$63,000 savings

Municipal Code, Chapter 12

- Define standards for soil compaction and soil quality
- Clearly define thresholds for applicability
 - Residential seeking Certificate of Occupancy and > 1000 sf where plant materials will be installed
 - Non-residential requiring development review and > 1000 sf where plant materials will be installed
- Remove barriers for considering existing soil and/or plant type

Program-related

- Implement comprehensive field inspection program for all sites

Proposed Implementation - January 1, 2025



Proposed changes to Land Use Code 3.2.1

- 30% of landscape can be irrigated turf
 - Front yards up to 1,000 sf
 - Commercial up to 10,000 sf
- Artificial turf restriction with limited exceptions
- 50% living plant coverage on the surface of landscaped areas
- Irrigation equipment and design standards for front yards
- Dedicated irrigation to trees

Proposed change to Municipal Code Sec. [12-123]

- Limit overhead irrigation of landscaping and turf between 10 a.m. and 6 p.m.

Program-related

- Continue to promote programs and provide education



Soil and Xeriscape - Resources per Proposal

Proposal	# FTE	Description of Role	Ongoing Cost	One-time Cost
Soil Inspection Program	1	Review plans and perform site inspections for sites required to meet soil standards.	\$93,300	\$3,000
Daytime Watering Restriction	0.5	Enforcement	\$53,760	\$3,000
Landscape Standards, non-single-unit residential	1	Review landscape and irrigation plans and perform inspections.	\$98,960	\$1,500
Landscape Standards, single-unit residential	1	Review landscape and irrigation plans and perform inspections.	\$87,334	\$38,000
Landscape Education Programming	1	Develop landscape resources; education and outreach	\$105,871	\$1,500
Total	4.5		\$439,225	\$47,000

100% General Fund assuming applicability throughout city limits and fully implemented inspections.

Daytime Watering Limit



In City Limits?

- › Utilities service area vs. all treated water
- › City staff responsible to enforce

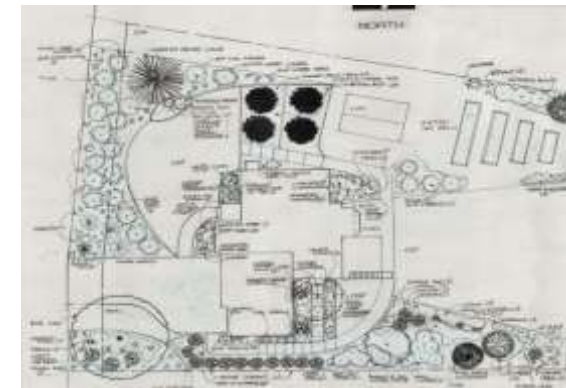
Daytime Watering Limit



For Raw Water?

- › Maximizes benefits of water efficiency
- › City overreach?
- › Impact on functionality
- › Impact to delivery window?
- * Raw water will not be considered until further vetting

Xeriscape Standards



For Single-Unit Dwellings?

- › Built “smart from the start”
- › Reduces water demand
- › Front yards only
- › Best supported with education
- › New processes and additional staff
- › Development fees don't match landscape type

Landscape Standards – Cost Comparison

Property, Landscape Type	Total Landscape Area (% high-water grass)	Design & Install. cost	Estimated Water Supply Req.*	20-year cost to irrigate**	Total	Water-wise cost difference over 20 years
Commercial, typical	26,000 (80%)	\$110,000	\$82,530	\$68,067	\$260,597	- \$15,536
Commercial, water-wise	26,000 (30%)	\$140,000	\$51,975	\$53,086	\$245,061	
Res. front yard, typical	900 (70%)	\$6,500	\$21,168	\$5,287	\$23,633	+ \$4,936
Res. front yard, water-wise	900 (30%)	\$12,000	\$21,168	\$4,723	\$28,569	

* Fort Collins Utilities 2023 Rates. Residential estimates based on 4-bedroom house on 7,300 sf lot with 5,200 sf outdoor area. Commercial assumes irrigation-only tap.

** Based on Fort Collins Utilities 10-year rates forecast. Residential water bill estimate is for front yard only with 3/4" tap. Indoor and remaining outdoor water use estimates are not included in 20-year cost to irrigate. Commercial water bill estimate is based on 1-1/2" irrigation-only tap.

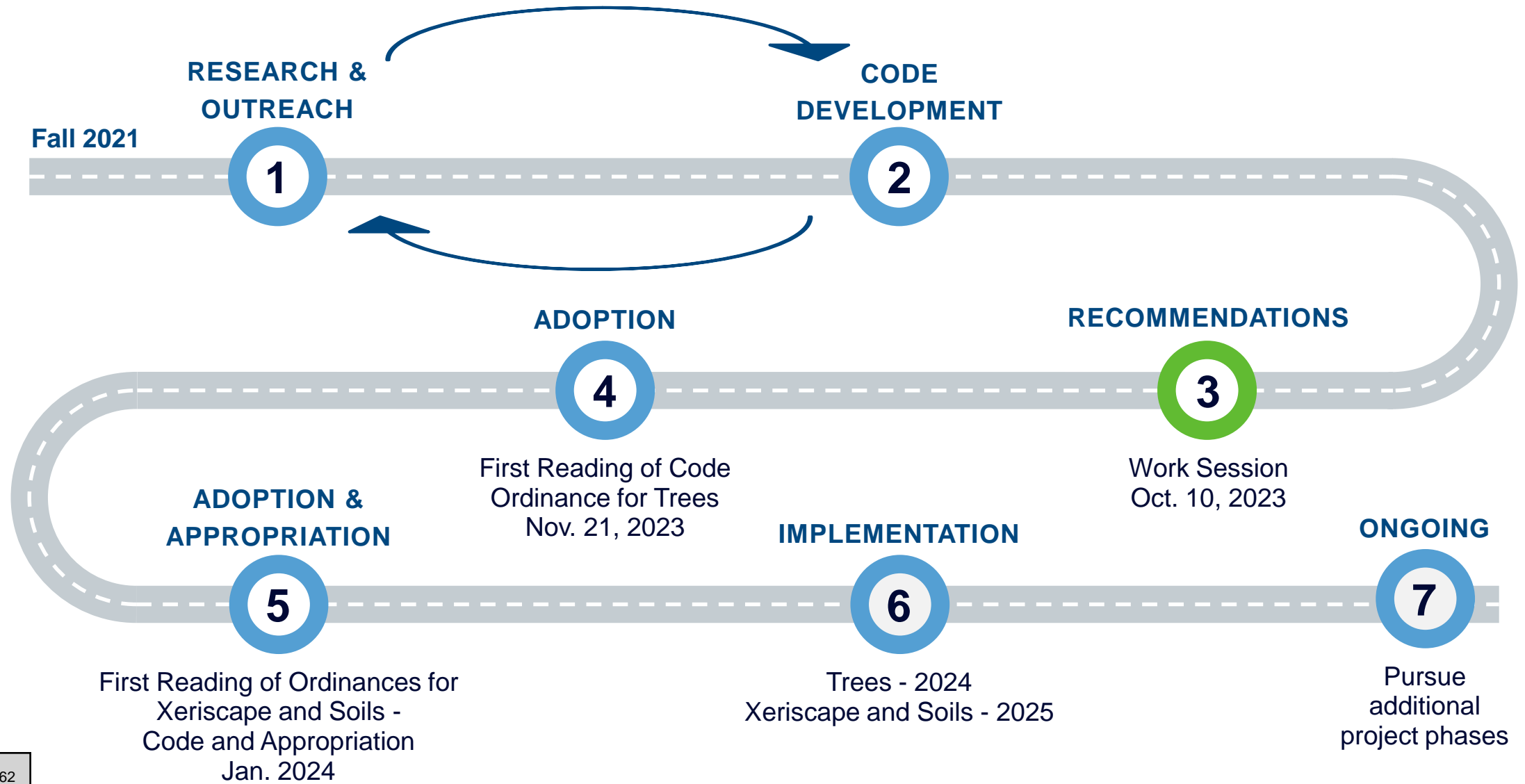
Public, Community Partners, Boards and Commissions expressed

Support for:

- General direction
- Importance of education and outreach
- Applicability citywide
- Importance of simple, predictable processes for implementation

Concerns about:

- Impact to costs, affordability
- Funding sources for additional staff and processes
- Applicability for single-unit houses
- Consideration of unique public sites such as parks, downtown core
- Allowing turfgrass in parkways
- Artificial turf – what's the alternative?



In Progress



Assessment of Compliance with Local Environmental Policy (Q1 2024)

- Alignment of related permitting, inspection and enforcement efforts
- Where would additional resources provide the most benefit

In Progress



Urban Forest Strategic Plan (Q2 2024)

- Heritage Tree Program
- Tree preservation and protection on single-unit properties

In Progress



Water Efficiency Plan (Q4 2024)

- Goalsetting for water efficiency
- Effective strategies to meet goals

Future Exploration



- Turfgrass in parkways
- Unique public areas - such as parks, and downtown core
- Raw water opportunities
- Single-unit development fees

Specific to Xeriscape and Irrigation

1. What feedback or questions does Council have on applying landscape and irrigation standards to single-unit dwelling front yards?

2. On daytime watering restrictions, what feedback or questions does Council have regarding:
 - a. application to all water districts within city limits?
 - b. staff continuing conversations with raw water users and providers?

General Feedback for All Sections

3. What feedback or questions does Council have on the proposed path forward?

October 10, 2023

WORK SESSION AGENDA ITEM SUMMARY

City Council



STAFF

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

SUBJECT FOR DISCUSSION

East Mulberry Plan and Potential Annexation Strategy.

EXECUTIVE SUMMARY

The purpose of this work session is to seek Council feedback on the draft of the East Mulberry Plan and potential annexation considerations related to the plan. Staff will share a potential approach to annexation for Council to consider based on a concept referred to as "Thresholds."

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. Do Councilmembers have feedback on the East Mulberry Plan?

BACKGROUND / DISCUSSION

Staff have been working towards an update to the East Mulberry Plan, including extensive community engagement, since early 2021. Council discussions on this topic include:

- March 2021: Work session focused on the public engagement plan and the fiscal impact analysis of a potential phased annexation approach.
- March 2022: Work session focused on the plan update, strategic approach to plan-making and annexation evaluation.
- April 2022: City Council and County Commissioner discussion of potential future annexation and the existing Intergovernmental Agreement for Growth Management.
- April 2022: Work session focused on overall community approach to annexation and growth management, including implications for the East Mulberry Enclave area.
- August 2022: Staff presented a financial analysis framework for five subarea designations within a 20-year timeframe separated into 5-year increments.
- October 2022: Staff presented Opportunities and Tradeoffs by Character Area and received feedback to provide ranges of costs to inform future discussions at the November 8th full Council Work Session
- June 2023: Engagement summary and memo shared with City Council

Feedback from Council

Significant discussion has occurred regarding the East Mulberry Plan and the implications of potential annexation. Council feedback has generally centered around an interest in moving slowly and deliberately to avoid acquiring infrastructure without adequate resources to support them; focusing on lessons learned from the most recent large annexation project – the Southwest Enclave Annexation; and a desire to conduct substantial analysis prior to annexation of large portions of the East Mulberry Enclave.

History

The current East Mulberry Corridor Plan was adopted in 2002. The plan was jointly adopted by the City of Fort Collins and Larimer County. The plan update reexamines the East Mulberry area relative to changed conditions, emerging trends, and aligning with key policy recommendations found in the 2019 City Plan update. Through engagement with area business owners, residents, and extensive internal staff conversations, the plan aims to highlight area priorities, guide thoughtful growth, and prioritize future public investments.

An area of unincorporated County land surrounded by land within the city limits, referred to as an 'enclave', was formed along East Mulberry in August 2018. Three years after an enclave is formed, the City of Fort Collins may initiate involuntary annexation. Therefore, the East Mulberry Enclave became eligible in August 2021. Although not statutorily required to annex the enclave, the City has an agreement with Larimer County that such an enclave annexation will be pursued when it becomes eligible. Given the size of the East Mulberry enclave, such an annexation could be phased over several years.

Annexation has been a tool used to grow the boundary of the City's jurisdiction since the late 1800s. Since the 1950s, many of the City's annexations have occurred to the south in conjunction with development proposals on otherwise "greenfield" land, often of formerly agricultural lands or undeveloped prairie lands. Much of the East Mulberry area developed between the 1950s and 1970s, especially the industrial area north of East Mulberry Street. This area was generally isolated from the development occurring to the west around the core of College Avenue. As development occurred outward from the Fort Collins core in the 1980s, the East Mulberry area eventually became surrounded by City limits.

Fort Collins Subarea Plans: Position and Purpose

Subarea plans, like the East Mulberry Plan, are important tools for implementing geography-specific implementation strategies of broader city policy and goals. Subarea plans can achieve the following:

- Address important issues and opportunities unique to a given area.
- Offer context-sensitive implementation and funding strategies that are actionable.
- Provide vision, policy, and land use guidance for a particular area.
- Guide policy considerations related to large potential annexations.

East Mulberry Plan Update: Why Update? Why Now?

Much has changed since the East Mulberry Corridor Plan was created in 2002. In the 20 years since the plan was adopted, conditions have changed both in the East Mulberry Plan area and across the broader Fort Collins community. A plan update should be pursued for the following reasons:

- The East Mulberry Enclave was created in 2018 and became eligible for annexation in 2021. Since the adoption of the 2002 plan predated these conditions, the East Mulberry Plan did not outline an annexation strategy specifically through policy recommendations or other elements of the plan.
- Many comprehensive citywide documents have been updated since the East Mulberry Corridor Plan was adopted. This includes City Plan, updates to the City's Land Use Code, key outcome areas of the

City's Strategic Plan, amongst others. An East Mulberry Plan update could ensure alignment with these documents.

- Substantial development activity is occurring in the East Mulberry Plan area. Specifically, the Bloom and Mosaic communities may be catalysts for additional development proposals in this area. A plan update could address known future development and proactively address the remaining undeveloped areas of the East Mulberry Plan area.
- Market conditions have also changed, creating a need to analyze current zoning designations and explore application of policies that could serve to protect and preserve existing land uses while creating opportunity for new development.

Public Engagement

Community engagement for this plan began in 2020 and has focused primarily on the business owners and residents within this area. While this area is important to the community of Fort Collins and the Northern Colorado region as a whole, Area Plan engagement usually occurs first with those who experience and interact with the place on a daily basis as an employee, business owner, resident or a combination of these.

During the December 13, 2022, City Council Work Session, members of Council directed staff to perform a full update of the existing 2002 East Mulberry Corridor Plan and to explore the annexation thresholds approach (formerly referenced as tipping points). As part of this exploration into annexation thresholds, staff launched a new series of public outreach events to inform and engage residents and businesses on the proposed thresholds approach.

Recent Project Activities

A series of four sessions were held spanning February and March of 2023. At these virtual and in-person sessions, staff offered a 45-minute presentation, followed by a 45-minute Q&A session to allow attendees to clarify questions and share concerns with staff members. A report prepared by the Institute for the Built Environment (IBE) documents the community engagement activities that occurred between February and March of 2023. This and other engagement summaries from previous engagement events are included as an appendix in the plan document.

As noted in the IBE report, notification methods used to inform and invite residents and community members to these events in February and March 2023 included:

- Over 2,200 postcard invitations were mailed to all addresses within the East Mulberry Enclave.
- Press Release distributed February 23, 2023.
- Over 200 in-person business visits to hand-deliver invitations.
- Invitation and event reminders distributed to over 300 East Mulberry email newsletter subscribers.

Previous Engagement: The engagement activities that took place in February and March of 2023 are just the most recent events in an extended series of engagement work that has been conducted as part of the East Mulberry Plan update efforts. It is important to note that in addition to the most recently heard feedback, previous community and business feedback is being utilized to formulate recommendations in the updated East Mulberry Plan. As previously mentioned, summary documents of all engagement activities spanning the project history are included as an appendix in the plan.

Beginning in 2020, some of the notable previous engagement activities included the following:

- East Mulberry Business Focus Groups, August 2020
- Community Q&A Sessions, April 2021

- Community Visioning Sessions, June 29, July 14, and August 4, 2021
- Online Visioning Survey, Summer 2021
- Community Advisory Group Meetings – five meetings spanning October 2021 through April 2022
- Community Workshops, October 2021
- Community and Business Workshops, January and February 2022

Some of the primary opportunities and priorities that have been highlighted thus far in the public engagement process and internal conversations include:

- Infrastructure & Development
 - Flooding and its impact on the community
 - Integrated transportation system connecting neighborhoods to the surrounding area
 - Safety and accessibility
 - Sustainable development practices
- Gateway & Entry Aesthetic
 - An interest in aesthetic improvements at the I-25 and East Mulberry interchange as well as along the East Mulberry Highway corridor
 - An interest in maintaining the diverse uses within the area
 - An interest in preserving the industrial and agricultural function and character of the area
- Amenities and Services
 - Access to essential amenities and services, such as parks, schools, and grocery stores
 - Residents and business owners have struggled with issues related to vandalism, drug use, and homelessness, especially near the I-25 interchange
- Housing & Gentrification
 - Interest in preserving the affordability in the area

East Mulberry Plan

The East Mulberry Plan is broken down into five distinct sections:

Introduction	This section provides background and context on the East Mulberry Plan Area.
Character Areas	The Character Areas section describes how character areas were formulated, the unique attributes of the character areas, and how character areas serve to provide more customized recommendations within the plan strategies.
Goals & Strategies	The Goals & Strategies section contains the goal statements for the East Mulberry Plan Area as well as the policies and strategies that will help bring these goals to fruition.
Implementation	This section includes the place type framework plan that envisions the future place types within the East Mulberry Plan Area, the Transportation

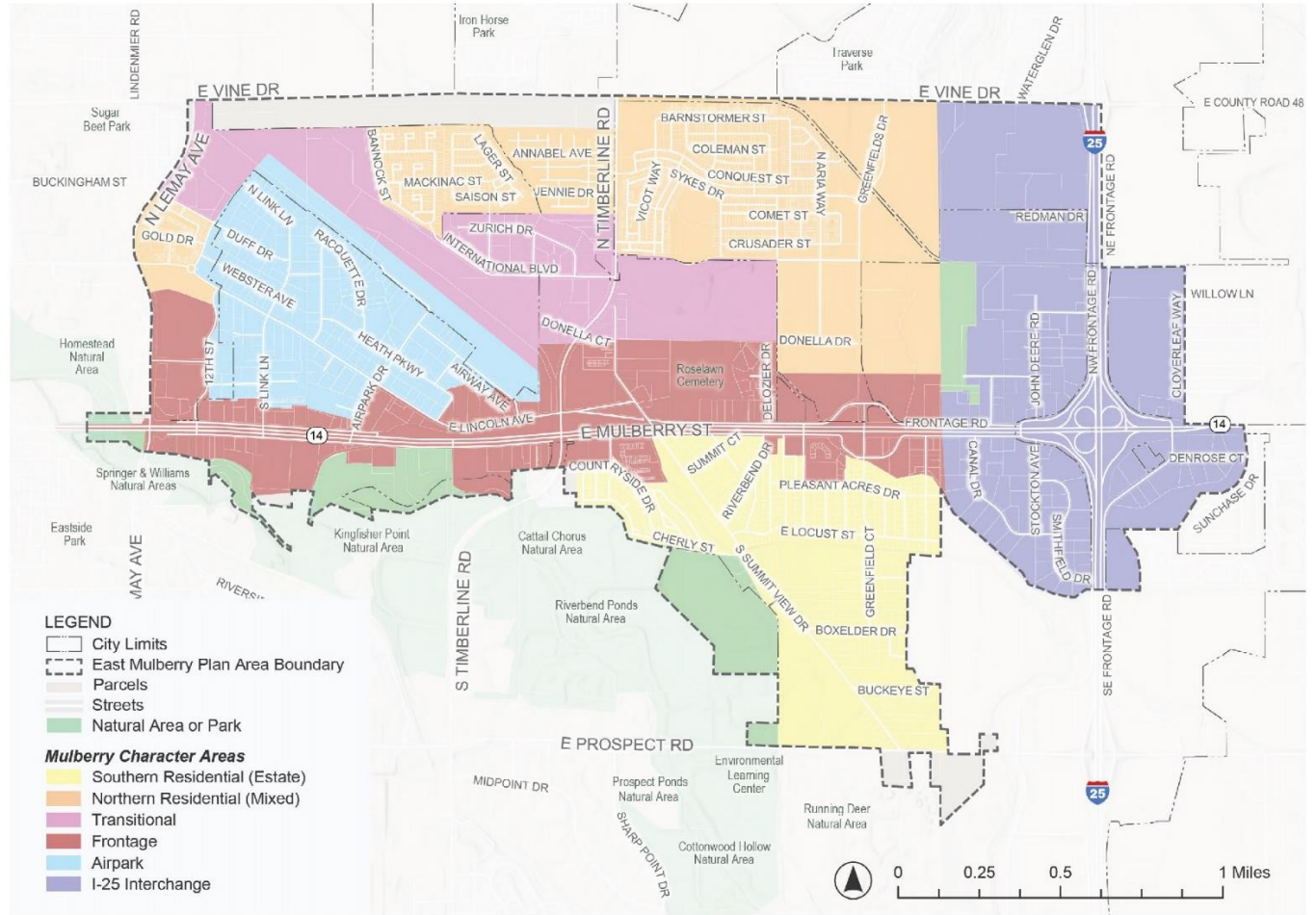
	Framework Map, and the Development Review Framework.
Annexation Thresholds	The Annexation Thresholds section provides a detailed overview of the annexation thresholds approach, how thresholds will be identified, and how the thresholds approach could be managed in the long-term.

Introduction

This section provides background and context on the East Mulberry Plan Area, including history of the area since the 1950s, a comprehensive review of existing conditions, community priorities and what we heard through community engagement, and review of the formation of the enclave and the general purpose of annexation.

Character Areas

The East Mulberry Plan Area is a large area that encompasses various land use types. While several of the goals above apply to the entire area, each of the distinct land use types requires some specificity when it comes to the application of each goal. That said, the plan area has been divided into distinct Character Areas. Considerations for defining character area boundaries included land uses, the built form, transportation system factors, and other defining aspects of each area. Character areas are not intended to create hard edges or boundaries, but instead generally serve to define and strengthen each area’s distinct qualities. The map of all Character Areas is depicted below:



The Plan Area has been broken into 6 distinct Character Areas:

- Airpark
- East Mulberry Frontage
- I-25 Interchange
- Northern Residential (Mixed)
- Southern Residential (Estate)
- Transitional

Through community engagement and internal staff conversations, specific issues and areas of opportunity continued to present themselves. Many of these issues are geographically tied to a specific character area given the diversity of land uses and context across the Plan Area. For example, small-business preservation and support continued to come up for industrial business owners within the Airpark area, while concerns about crime and aesthetics came up frequently for business-owners within the I-25 Interchange area. As mentioned above, while several of the plan goals apply to all character areas, there are unique priorities and implementation action items for future consideration.

Goals and Strategies

When approaching this update to the East Mulberry Plan, study of existing conditions and conversations with residents and business owners reveal the complexity and challenge of planning within this area. The diversity and uniqueness of land uses, combined with the desire to simultaneously preserve many things about the plan area, while at the same time, improving other aspects, like deteriorating infrastructure and lack of community amenities, pose a unique challenge from a planning perspective. For these reasons, establishing a set of goals that cover a wide breadth of elements impacting the East Mulberry Plan area felt like an appropriate way to balance both the preservation and augmentation needs of this area that a single vision statement could not adequately capture. The plan goals speak to desired future outcomes for the plan area and were collaboratively generated with community members and City staff.

There are seven major goals within the East Mulberry Plan. Below each of the seven plan goals are strategies and implementation action items. Strategies are action-oriented statements that support achievement of the goal. The implementation action items are more specific than the strategy statements and provide more detailed methods for how the strategies may be achieved.

Because annexation of the East Mulberry Enclave under a thresholds approach may take a long time, the sections called “Note on Fulfillment of this Strategy” acknowledge that implementation of these strategies and implementation action items are mostly dependent on when the areas are brought under city jurisdiction. Ongoing coordination and collaboration with Larimer County will continue throughout a threshold annexation strategy.

- *Goal 1: Commercial/Industrial Hub (industrial/ag uses):* Foster a healthy and prosperous commercial and industrial hub for the City, while remaining viable for small businesses and industry.
- *Goal 2: Stormwater infrastructure:* Master plan, construct and maintain stormwater infrastructure to provide safe conveyance of stormwater flows and reduce flood risk.
- *Goal 3: Multimodal (mobility, streets):* Plan and support safe and comfortable infrastructure for multi-modal transportation.
- *Goal 4: Community Access (amenities & services):* Increase access for residents and businesses to community amenities & services.

- *Goal 5: Housing Affordability:* Explore mechanisms to maintain housing affordability and existing character of residential neighborhoods.
- *Goal 6: Historic, Cultural, Natural Features (ecological health):* Protect and promote natural, historic, and cultural resources that support a cohesive and resilient community using nature-based solutions.
- *Goal 7: Gateway Aesthetic:* Improve the function and visual appearance of the Mulberry & I-25 interchange and Mulberry Street frontage as a gateway into Fort Collins.

Implementation

The Implementation Section explores more practically how the goals, strategies, and implementation action items recommended within this plan could be accomplished. Within this section, there is a Place Type Framework map that depicts future land uses, a Transportation Framework map that explores a potential transportation network, and a Development Review Spectrum to guide future development activity in the East Mulberry Plan Area.

Place Type Framework: Place Types were developed through the creation of the most recent iteration of City Plan, adopted in 2019. These place types provide a framework for the ultimate buildout of Fort Collins and help guide future land use decisions, such as initial zoning when areas of the East Mulberry Enclave are annexed. Place types are not zoning districts but instead broader categories that focus on the types of land uses and development intensities to encourage.

Transportation Framework: The Transportation Framework map depicts connectivity needs, proposed streets for augmentation, and areas that require future evaluation and improvement. Some areas, such as the East Mulberry Street corridor, would benefit from a standalone design effort in partnership with the Colorado Department of Transportation (CDOT). This framework is not meant to be a comprehensive transportation plan and is instead a reflection of opportunities and concerns surfaced through community and internal staff engagement.

Development Review Spectrum: The Development Review Spectrum highlights typical requirements and areas of flexibility for site upgrades within the City of Fort Collins' development review process. The purpose of this spectrum is to provide a structured and strategic approach for revitalizing and improving properties over time as they come through the City's Development Review process. It can also serve as a resource for Larimer County reference when reviewing properties within the East Mulberry Enclave that are going through the County's Development Review process, but not yet eligible for annexation. Each of the categories outlined within this spectrum highlights the requirements based on the level of proposed site improvements and the priorities for each of the corresponding City departments.

Threshold Annexation Strategy

The Annexation Threshold strategy occupies its own section of the East Mulberry Plan but continues to detail implementation of this potential approach. Staff have been further analyzing and exploring this potential approach for Council consideration. This approach is based on "Thresholds". Thresholds could be defined as a set of conditions that when reached, may represent an opportune time to consider annexations of portions of the East Mulberry Enclave. When a threshold is identified, strategic annexation of the area in question and the surrounding parcels could be initiated. Thresholds for consideration could include a combination of predictable or anticipated events, opportunities, and other defined conditions. Specifically, opportunities to achieve city priorities, major development/redevelopment activity, maintenance of logical jurisdictional boundaries, funding opportunities, and infrastructure upgrades. In many cases, thresholds would be initiated when future conditions are met, therefore, thresholds and opportunities to consider annexation may be spread across a longer time horizon. Some potential thresholds that staff have begun formulating for evaluation include:

- *Maintaining Logical Boundaries:* Over time, voluntary annexation establishes a smaller enclave or area that is essentially surrounded by City of Fort Collins. To create or maintain logical boundaries for enforcement, provision of services (i.e., police services, roadway/sidewalk improvements, and create areas of compatible land uses), annexation of the parcels to form more logical or contiguous boundaries may be a threshold.
- *Proactive Resource Protection:* Imminent impact to a critical natural resource or buffer. To apply natural resource protection under city codes, this may be considered a threshold for considering annexation.
- *Redevelopment Risk:* A redevelopment risk threshold represents the ability to preserve mobile home parks and other sources of naturally occurring affordable housing. Future property sales may pose risk of redevelopment to existing mobile home parks. To protect these sources of existing affordable housing stock, bringing the mobile home park into the City of Fort Collins could allow application of the City's Manufactured Housing district, which would aid in preservation of these communities.
- *External Funding and Capital Project Alignment:* This threshold is related to receipt of external funding that could help alleviate some of the cost burden associated with annexation. It also would include the ability to consider annexation of areas containing multiple priority project sites from adopted plans.

Example Threshold

During the October 10 Work Session, staff will explore with Councilmembers an example threshold that demonstrates what types of considerations would be made when examining potential thresholds. The example threshold combines a variety of the identified threshold categories and will aim to explain how potential annexation boundaries could be established for Council consideration. While this example is meant to illuminate the threshold annexation process, the example is not included in the Draft Plan document and will not be included in the final version of the Plan.

NEXT STEPS

First reading of the East Mulberry Plan is set for November 21 at a regular Council meeting.

ATTACHMENTS

1. East Mulberry Plan - Draft
2. Presentation

9/28/23 DRAFT

East Mulberry Plan



ACKNOWLEDGMENTS

City Council

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Larimer County Board of County Commissioners
Transportation Board
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Members of the Public

Many property owners, residents, and members of the public participated in this planning effort. Thank you to all who contributed to the Plan.

Community Advisory Group

The Community Advisory Group was comprised of residents and business owners from within the East Mulberry Plan Area.

Business Community Participants

Fort Collins Area Chamber of Commerce, Local Legislative Affairs Committee.



This policy plan is advisory only, and it is not intended to establish development standards applied through the Land Use Code to any development within the City of Fort Collins unless a provision of the Land Use Code, other than a provision set forth in Article 1, explicitly applies all or a portion of this plan as a development standard.

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- Appendix A: Community Engagement Reports
- Appendix B: Mulberry Corridor Financial Impact Analysis
- Appendix C: Role of Subarea Plans

1 Introduction

About this Document
Introduction to East Mulberry
Planning for East Mulberry
Why Update, Why Now?

Item 3.

About this Document

East Mulberry Plan Update

PURPOSE & INTENT

The 2023 East Mulberry Plan serves as an update to the previously adopted 2002 East Mulberry Corridor Plan. The Plan incorporates new goals, the Plan policy direction and action items for the next 10-20 years based on extensive business-owner and resident feedback within the area and internal policy discussions amongst City staff. Much like the previously adopted plan, the East Mulberry Plan will continue to be a guidance document for Larimer County staff prior to annexation and a policy document for future areas potentially annexed into Fort Collins. The Plan incorporates recently completed planning efforts and studies, including the City Plan, the Transportation Master Plan, the Active Modes Plan, and other relevant work related to utilities and small business support services.

PLAN ORGANIZATION

The plan is organized into the following sections:

1. INTRODUCTION

- About this Document
- Introduction to East Mulberry
- Planning for East Mulberry
- Why Update, Why Now?

This section provides background and context on the East Mulberry Plan Area. Coverage of existing conditions, how the plan area is evolving, and community and stakeholder input frame why this plan update is needed.

2. CHARACTER AREAS

This section introduces Character Areas and describes the unique characteristics of each easily identified area within the East Mulberry Plan Area.

3. GOALS & STRATEGIES

- Plan on a Page
- Goals & Strategies

The Goals & Strategies section contains the goal statements for the East Mulberry Plan Area as well as the policies and strategies that will help bring these goals to fruition.

4. IMPLEMENTATION

- Place Types Framework
- Transportation Framework
- Development Framework

This section provides guidance related to plan implementation, including the place type framework plan that envisions the future place types within the East Mulberry Plan Area, the transportation framework plan, and the development framework plan.

5. ANNEXATION

- Annexation Thresholds Framework

This section includes a discussion of the annexation thresholds strategy.

How to Use this Document

In addition to the three sections and appendices of the East Mulberry Plan Document, you will see the gray callout boxes like this one indicating terminology or more detailed information on supporting plan items.



When you see this 'Information' icon it either indicates a definition of terms or additional information on a subject.



When you see this icon, funding sources for implementation of the goals and strategies are addressed.

Item 3.

Introduction to East Mulberry

East Mulberry began to develop as an industrial and agricultural area in the 1950s, separated from the core of Fort Collins. Residential neighborhoods to the south were predominantly developed in the 1960s, as a combination of large lots and traditional suburban block patterns. As Fort Collins grew geographically, the East Mulberry area became surrounded by commercial and residential development.

East Mulberry remains an important gateway into the City of Fort Collins and connects downtown and Colorado State University campus to I-25. It is also a Scenic Byway and gateway to the Poudre Canyon. The East Mulberry “enclave” - an area of unincorporated Larimer County surrounded by the City of Fort Collins, was established in 2018 and encompasses roughly 2,500 acres of land to the east of Downtown Fort Collins. The area is now comprised of over 400 businesses, serving customers both locally and internationally.



THE AREA IS UNIQUE IN SEVERAL WAYS:

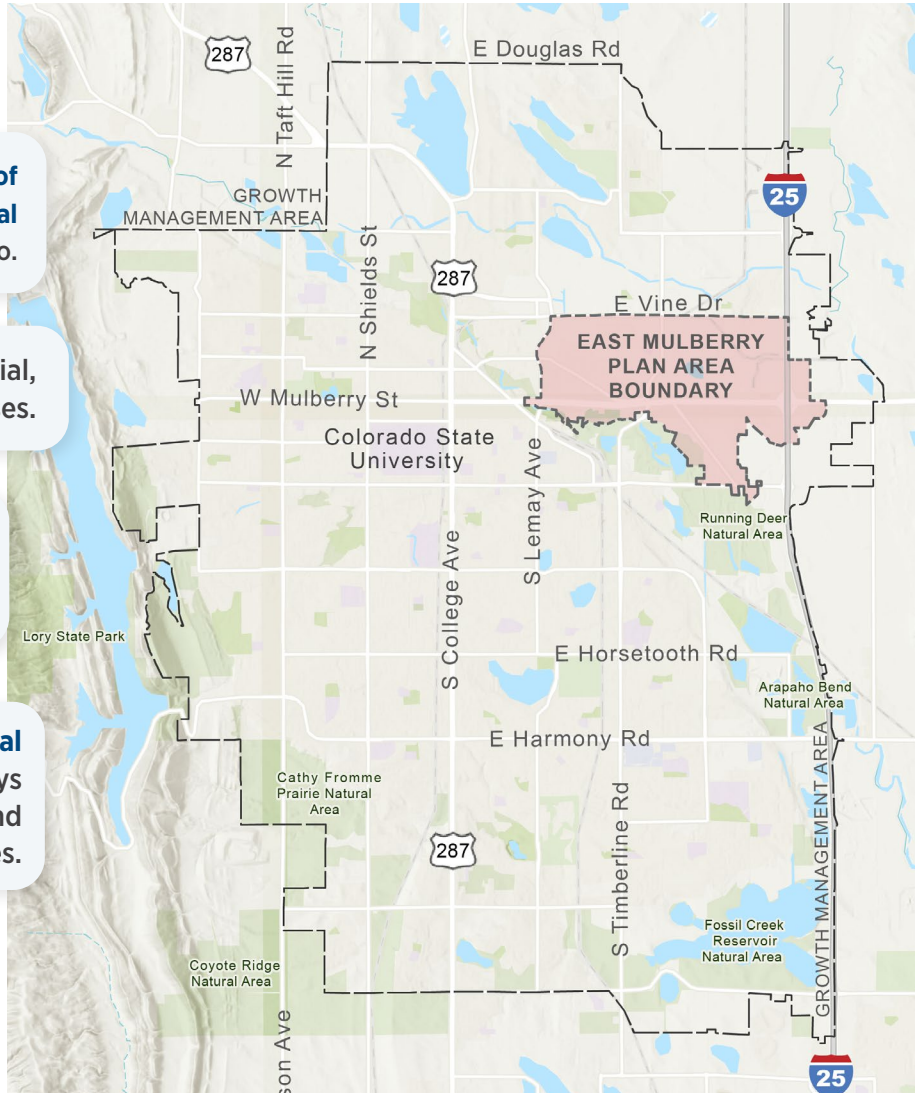
It is the **largest concentration of independent and industrial businesses** in Northern Colorado.

It is a **mixed-use area** of industrial, commercial/retail, and residential uses.

It is a **gateway** to Downtown, the Poudre Canyon, and is the start of the designated Highway 14 Scenic Byway.

It is a **unique confluence of natural areas, floodways, and waterways** with multiple jurisdictions and agencies providing services.

The East Mulberry Plan Area is located in the Northeastern section of Fort Collins, at the gateway of Interstate I-25 to the east, East Vine Drive to the north, Lemay Avenue to the west and the Poudre River to the South.



Item 3.

Introduction to East Mulberry History of East Mulberry

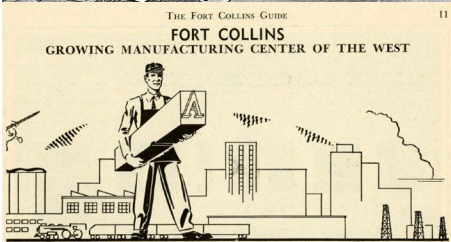


State Highway (SH) 14 began as a dirt road surrounded by farms and ranches, stretching from Fort Collins east beyond Ault and west to the Poudre Canyon. The highway later became East Lincoln Avenue.



1950s

East Mulberry began to develop as an industrial and agricultural area in the 1950s, separated by the Poudre River from the city core of Fort Collins.



The SH 14 Bypass was created in the 1950s and soon became more traveled than the older East Lincoln Avenue. By 1957 it was no longer a bypass but relabeled as SH14.

The Greeley Water Transmission Line that ran diagonal northwest to southeast along East Lincoln Avenue/Summit View Drive helped to shape the area. Many of the early businesses and homes were built on this diagonal to tap into the line for a steady water supply. Only later did the City of Fort Collins and other utility companies provide water to developing areas east of city limits.



1960s

Much of the development in this area occurred under County jurisdiction in the 1950s and 1960s. As Fort Collins grew geographically, the East Mulberry area became surrounded by commercial and residential development.



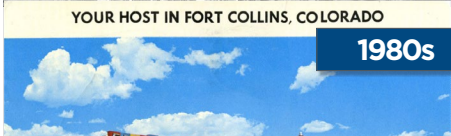
Residential neighborhoods to the south were predominantly developed in the 1960s, some as large lots and others with more traditional suburban block patterns.

The Fort Collins Downtown Airport (originally named “Airpark” and now “Airport”) was constructed during the spring and summer of 1966 and opened the following fall with a 2,700ft runway and ten “T” hangars, housing about 25-30 planes. The thirty stockholders who financed the airport also built the industrial park to the southwest.



1970s

As Fort Collins began to grow more rapidly in the 1960s and 1970s, staff and elected officials from Larimer County and the City of Fort Collins began to discuss a formal service-area agreement for the East Mulberry area, which would also set the stage for a potential future annexation.



1980s

Fort Collins and Larimer County establish an Intergovernmental Agreement to set Fort Collins’ Growth Management Area, which includes the Mulberry Corridor.



1990s

Discussions regarding the future of East Mulberry became more detailed in 1997 when the City of Fort Collins identified this area of land as a priority for planning in anticipation of potential future annexation.



2000s

East Mulberry Plan Adopted



2010s

The East Mulberry “enclave” was established in 2018 and encompasses roughly 2,500 acres of land to the east of Downtown Fort Collins. The area is now comprised of over 400 businesses, serving customers both locally and internationally.



2023

East Mulberry Plan Update

Item 3.

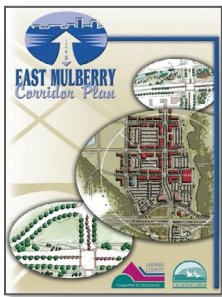
Planning for East Mulberry

Updating the 2002 East Mulberry Corridor Plan

In 2002, the development of the East Mulberry Corridor Plan (EMCP) was led by staff at the City of Fort Collins and was jointly adopted by Fort Collins City Council and the Larimer County Board of County Commissioners. Objectives outlined in the EMCP include provision and maintenance of public facilities and services, annexation, costs of improvements, redevelopment, and streetscape design. The EMCP acknowledged that continued growth and change may impact current conditions, including the robust industrial business mix and the rural feel of the residential neighborhoods.

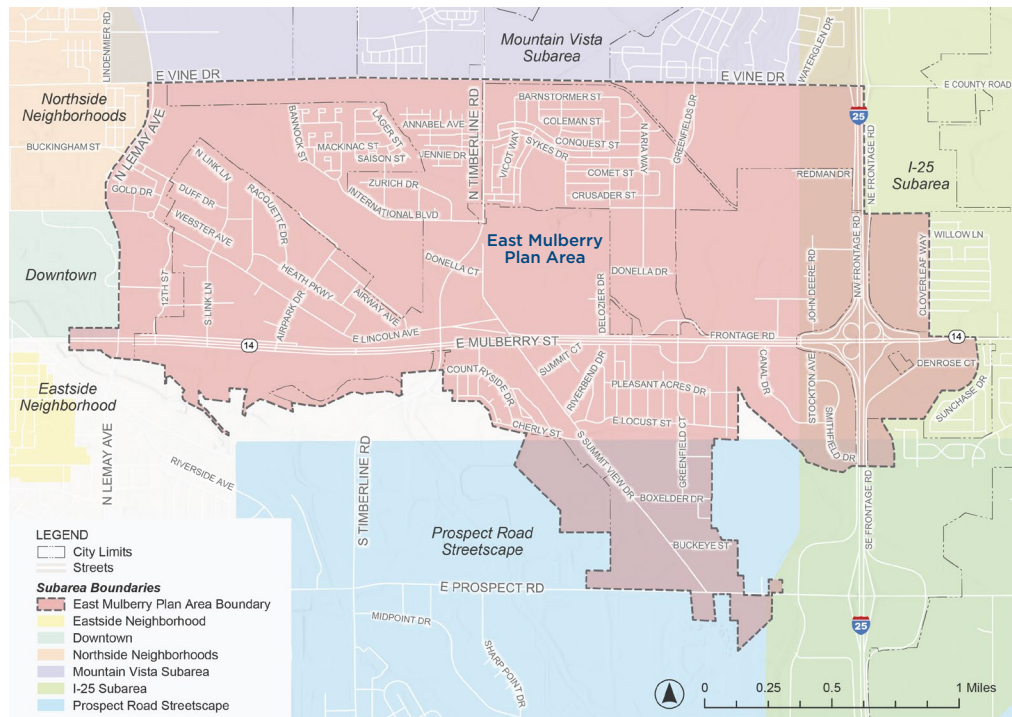
2002 EAST MULBERRY PLAN TOPICS INCLUDE:

- Goals for the future of the area
- Allowed land uses
- Look & feel of the area
- Public transportation needs
- Bicycle & pedestrian infrastructure



While some of the objectives from the 2002 plan will carry over into the new plan, the new plan will address concepts and services that have changed since 2002 and update policies and objectives to align with various plans that have been adopted since, including City Plan, the Transportation Master Plan and the Active Modes Plan, among others.

East Mulberry Plan Area



The **East Mulberry Plan Area** is the area of focus for both the 2002 East Mulberry Corridor Plan and this newly updated plan document. The plan area is different than the enclave area, but largely overlaps. Plan area boundaries are typically established based on other adjacent City of Fort Collins subarea plans. It is important that subarea plan boundaries do not largely overlap so that guidance for each area can remain clear. The East Mulberry Plan Area is adjacent to the Mountain Vista Subarea Plan, the Downtown Plan, the I-25 Subarea Plan, and the Northside Neighborhoods Plan.

i Refer to Page 22 for more information on Annexation and Enclave terminology

THE PLAN BOUNDARY FOR THE UPDATED 2023 EAST MULBERRY PLAN WAS ADJUSTED FROM THE 2002 EMCP BOUNDARY IN SOME LOCATIONS TO INCLUDE MORE OF THE AREAS CONTAINED WITHIN THE EAST MULBERRY ENCLAVE.

Why Update, Why Now?

In the ever-evolving landscape of the East Mulberry Plan Area, it's important to recognize the dynamic nature of the built environment and the impact of changes in growth patterns, social structures, community goals, business trends, technology, and more.

Twenty years after adoption of the 2002 East Mulberry Corridor Plan, these changes warrant a reevaluation of existing goals and strategies for today's issues and tomorrow's opportunities. Through a comprehensive understanding of existing and changed conditions, reflection of past and present stakeholder input and priorities, and context from the history and formation of the East Mulberry Enclave, this plan seeks to address new and emerging issues and shape a vision and framework for the future of the East Mulberry Plan Area.

I. EXISTING & CHANGED CONDITIONS

Existing & Changed Conditions in the plan area since the EMCP in 2002, including infrastructure, growth, and development.

II. COMMUNITY PRIORITIES & WHAT WE HEARD

Priorities have shifted since the 2002 EMCP; we're also hearing about new goals from a new generation of residents and businesses in the corridor.

III. EAST MULBERRY ENCLAVE & ANNEXATION

Planning history of the East Mulberry Enclave and a reexamination of how future annexation for this area could occur.

I. EXISTING & CHANGED CONDITIONS

At the highest level, the Mulberry Corridor looks and functions much as it had twenty years ago in 2002 when the first East Mulberry Corridor Plan was adopted. It's a primary entrance to the community, an important commercial and industrial hub, and an area where one can best experience both the benefits and drawbacks of urban-level County development. Many of the same concerns that have long been associated with the corridor persist – street maintenance and traffic congestion, a lack of access to certain amenities, and uncertainty about the impacts and timing of potential annexation into the City of Fort Collins.

Dig deeper and changes in growth patterns, new development, and the application of recent community-wide goals and strategies present new opportunities and challenges. Many of the original 2002 EMCP strategies and implementation actions have also been completed or may no longer be relevant and invite further study of what elements of the original corridor plan should be continued forward.

Transportation & Infrastructure

Development in the plan area spans more than seven decades across multiple jurisdictions and features an environment constructed to varying development standards, a patchwork of urban-level infrastructure, and an assortment of street maintenance quality. Compared with the broader community, one of the most recognizable characteristics of the corridor is its **lack of certain infrastructure such as curb & gutter, sidewalks, and on-site stormwater detention.**

- **STREETS & SIDEWALKS** pg. 13
- **STORMWATER** pg. 14
- **ELECTRIC GRID** pg. 14
- **BICYCLE & MULTIMODAL** pg. 15
- **TRANSIT** pg. 15

Community Services & Infrastructure

While many policy goals for the community and plan area remain the same today as in 2002, there are also several policy areas where the community has established new goals and plans that will need to be contextualized to the East Mulberry Plan Area. **Key among these changes is the importance of Community Services & Infrastructure; including housing, equity and opportunity, and accessibility.**

- **OPPORTUNITY, EQUITY, & ACCESSIBILITY** pg. 16
- **FIRE & SAFETY** pg. 17
- **PARKS & RECREATION** pg. 17
- **NATURAL AREAS** pg. 17
- **HOUSING & AFFORDABILITY** pg. 18

Changing Growth & Development Patterns

Over the past twenty years, new development in the East Mulberry Plan Area has been modest when compared to the broader community and region, and slower than originally anticipated by the market study completed for the 2002 EMCP. **However, since 2020, over 2,400 new residential units have been constructed or approved as part of future phased developments, which would represent almost a doubling of the housing in the plan area over the next 10-20 years.**

- **DEVELOPMENT & GROWTH** pg. 19
- **LAND USE** pg. 20
- **EMPLOYMENT & INDUSTRY** pg. 21

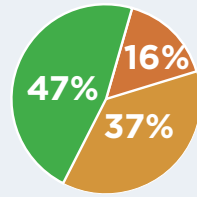
Update, Why Now?

i. Existing & Changed Conditions Transportation & Infrastructure

STREETS & SIDEWALKS

Surface condition is only one component of what the City calls, “Complete Streets” which include sidewalks, curb and gutter, bike lanes, and proper markings, among other details depending on the street type.

Mulberry Enclave Street Surface Conditions



47% - GOOD/SATISFACTORY

Good asphalt surface condition, including few major cracks or potholes

37% - FAIR/POOR

Larger cracks and may have chips that have become potholes over time

16% - VERY POOR/FAILING

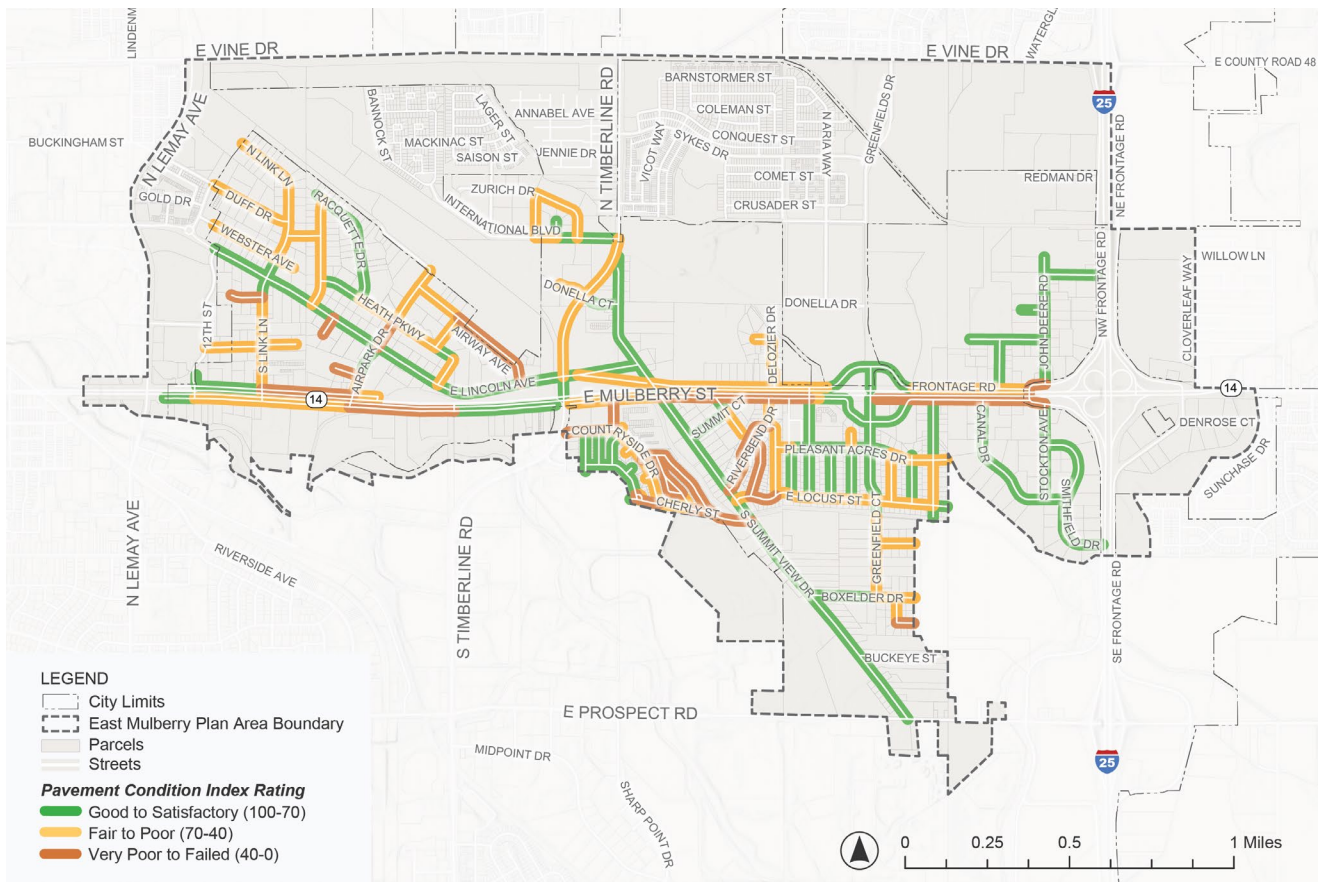
Large cracks and potholes. Generally, these streets must be completely rebuilt to be considered functional



15% of streets have sidewalks

34% of streets have Curb & Gutter

50% have markings (travel and bike lanes, shoulder demarcation)



Pavement Condition Data collected by the City of Fort Collins in 2021.

SURFACE CONDITIONS OF ROADS MAP

\$ The City of Fort Collins streets and maintenance are paid for through a combination of a dedicated 1/4-cent tax for street maintenance plus general fund dollars and are spread across the entire City. Some streets are maintained by the Colorado Department of Transportation (CDOT) including East Mulberry outside of City limits. Some streets within the East Mulberry area are maintained through Special Improvement Districts whereby business owners or residents’ tax themselves and the money is managed and applied to the specified tax district. These are expected to remain in place through any future annexation activity.

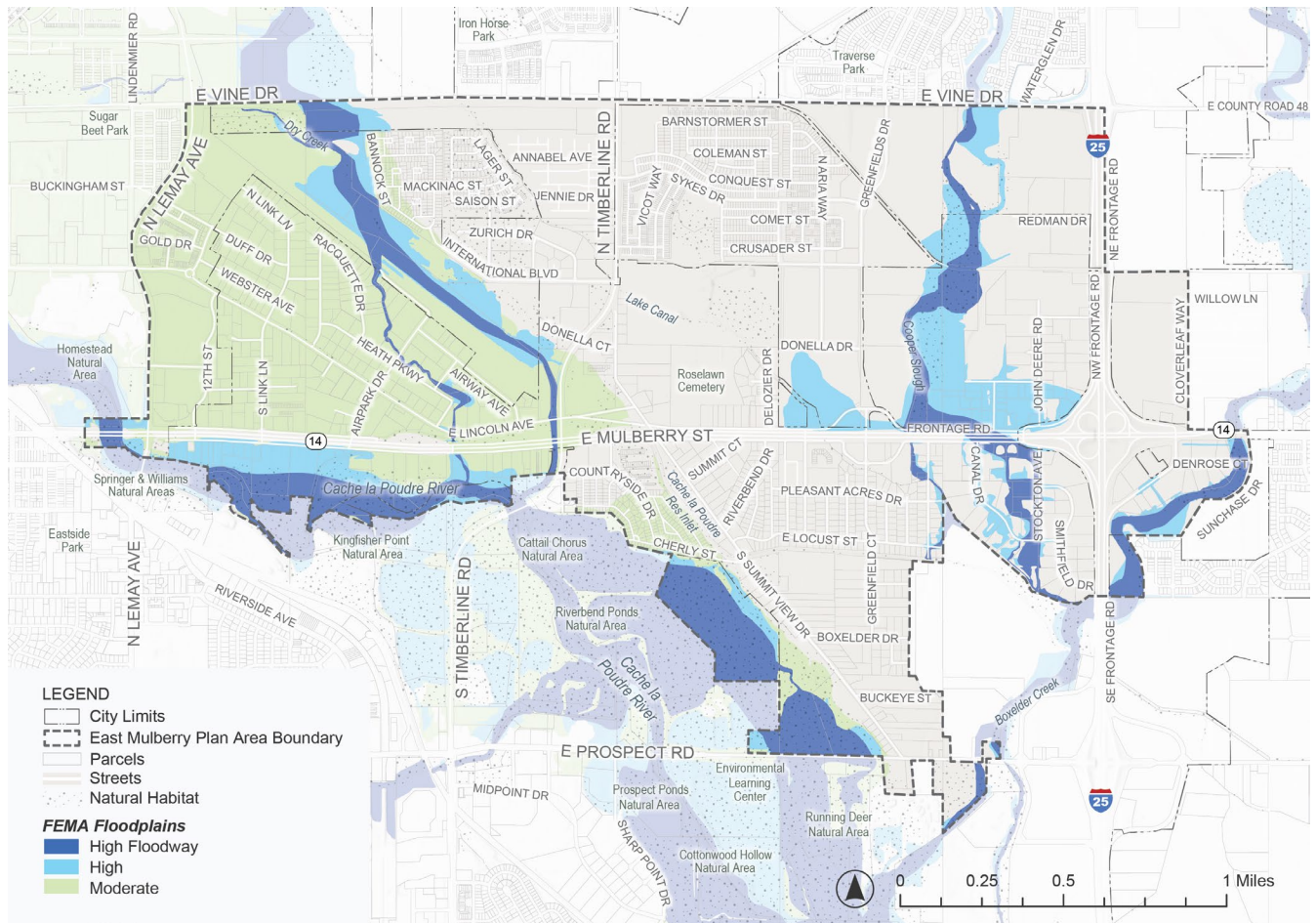
STORMWATER

Stormwater infrastructure is comprised of several components, including street gutters, storm drains, open channels, underground culverts, regional and on-site detention areas, among others. Unlike streets, the stormwater system within the East Mulberry area has not yet been inspected or evaluated. A few known issues include:

- Stagnant water and flooding are significant concerns.
- Public stormwater infrastructure within the area is currently not being maintained.
- For the existing stormwater system to be evaluated, it will need to be flushed of sediment and debris and inspected. Once an inspection of the system has been conducted, a more thorough analysis can be done to understand what improvements need to be made to create a more functional stormwater system in the area.
- A capital improvement project is planned within the area to channel the Dry Creek floodway. This project would only be added to the capital improvement project list upon annexation of the area.



Stormwater infrastructure is built using several funding mechanisms, including Capital Projects funds, private funding through development projects and sometimes State and Federal funding.



FLOODWAY MAP

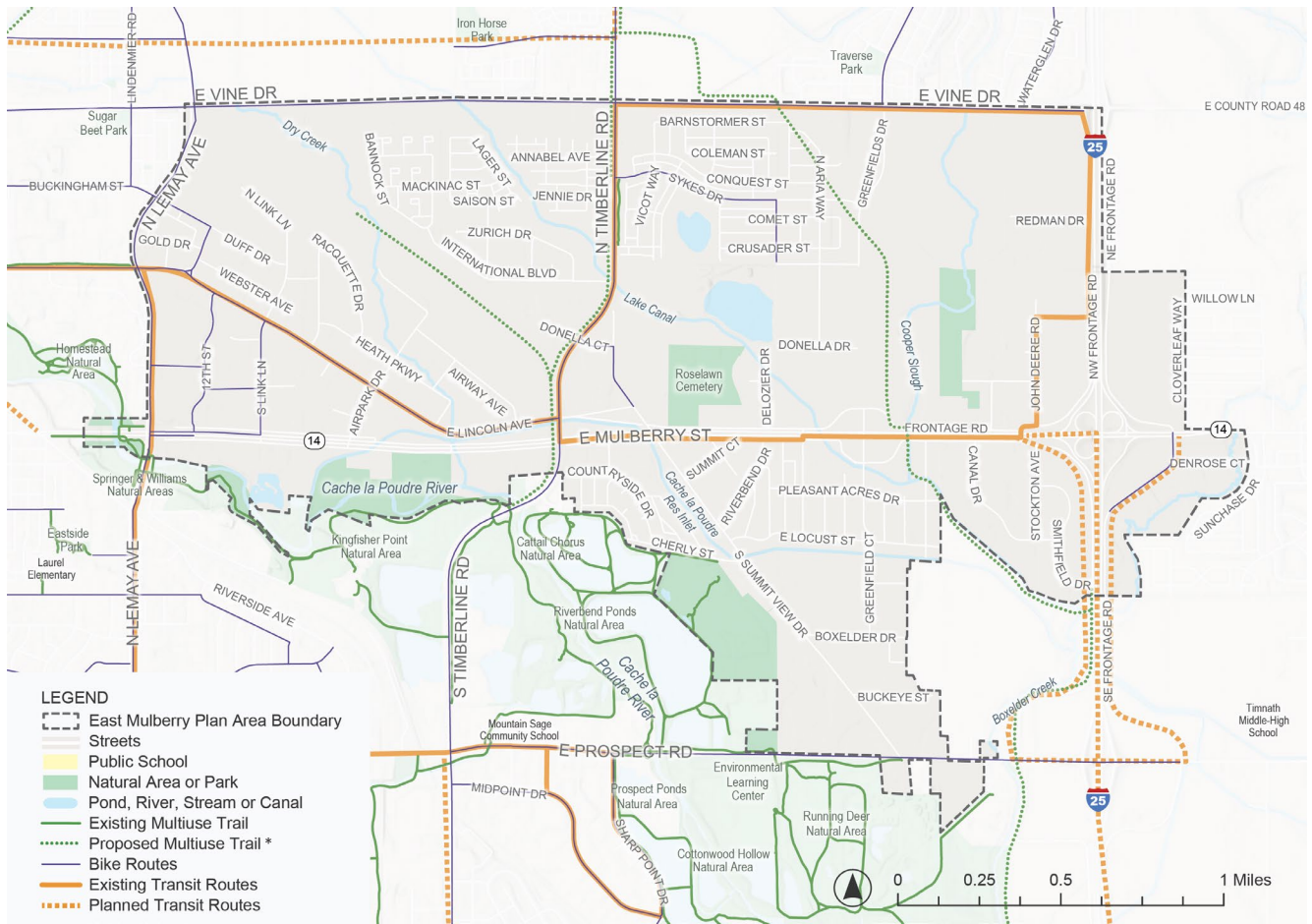
ELECTRIC GRID

Much of the East Mulberry area is currently served by Poudre Valley REA and Xcel Energy. Most of this infrastructure is above ground, including poles and wiring. The majority of the electrical infrastructure within Fort Collins city limits is underground or planned to be underground in coming years. Upon annexation into city limits, existing infrastructure is purchased by City of Fort Collins Light & Power. When areas are developed or redeveloped, the development supports most of the cost of installing underground infrastructure to serve it. Other areas that are already developed do not have the same funding to support undergrounding, therefore the mechanism for undergrounding these areas is dependent on available funding and electric infrastructure priorities across the community.

BICYCLE & MULTIMODAL

The existing and most contiguous bicycle facilities in the East Mulberry Plan Area include the facilities on Vine Drive, Timberline Road, Lemay Avenue, Lincoln Avenue, and the Poudre Trail (these facilities are shown as bike routes on the map below). There are other shorter segments of bicycle facilities, but overall, this area has relatively few high-comfort bicycle or multimodal facilities. Vine Drive provides a continuous east-west bicycle facility, but it is classified as low comfort. Timberline Road is a north-south connection between Mountain Vista Drive and the neighborhoods in north Fort Collins, through the East Mulberry Plan Area, continuing all the way to south Fort Collins. However, like Vine Drive, the entire extent of Timberline Road is classified also as a low-comfort facility. Lincoln Avenue is the most direct east-west connection for bicycle traffic from Downtown Fort Collins into the East Mulberry Plan Area. There are striped bike lanes on Lincoln Avenue until around 12th Street. Continuing east on Lincoln, bicycles use the road shoulder. Lincoln Avenue is also considered a low-comfort facility for bicycle travel.

The East Poudre Trail parallels the flow of the Poudre River and passes through portions of the East Mulberry Plan Area. This multi-use trail provides a high-comfort pathway for bicycles, pedestrians, and other multimodal traffic. The East Poudre Trail continues southwest to nearby the Running Deer Natural Area and northwest through Laporte to Bellvue.



*Source of the proposed multiuse trails comes from the City's Paved Recreational Trail Master Plan and the Planned Transit Routes come from the City's Transportation Master Plan.

TRAILS, BICYCLE, & TRANSIT MAP

TRANSIT

The Transfort Route 14 bus serves the East Mulberry area. The route runs from the Downtown Transit Center largely on Lincoln Avenue, John Deere, Vine, and Timberline.



Update, Why Now?

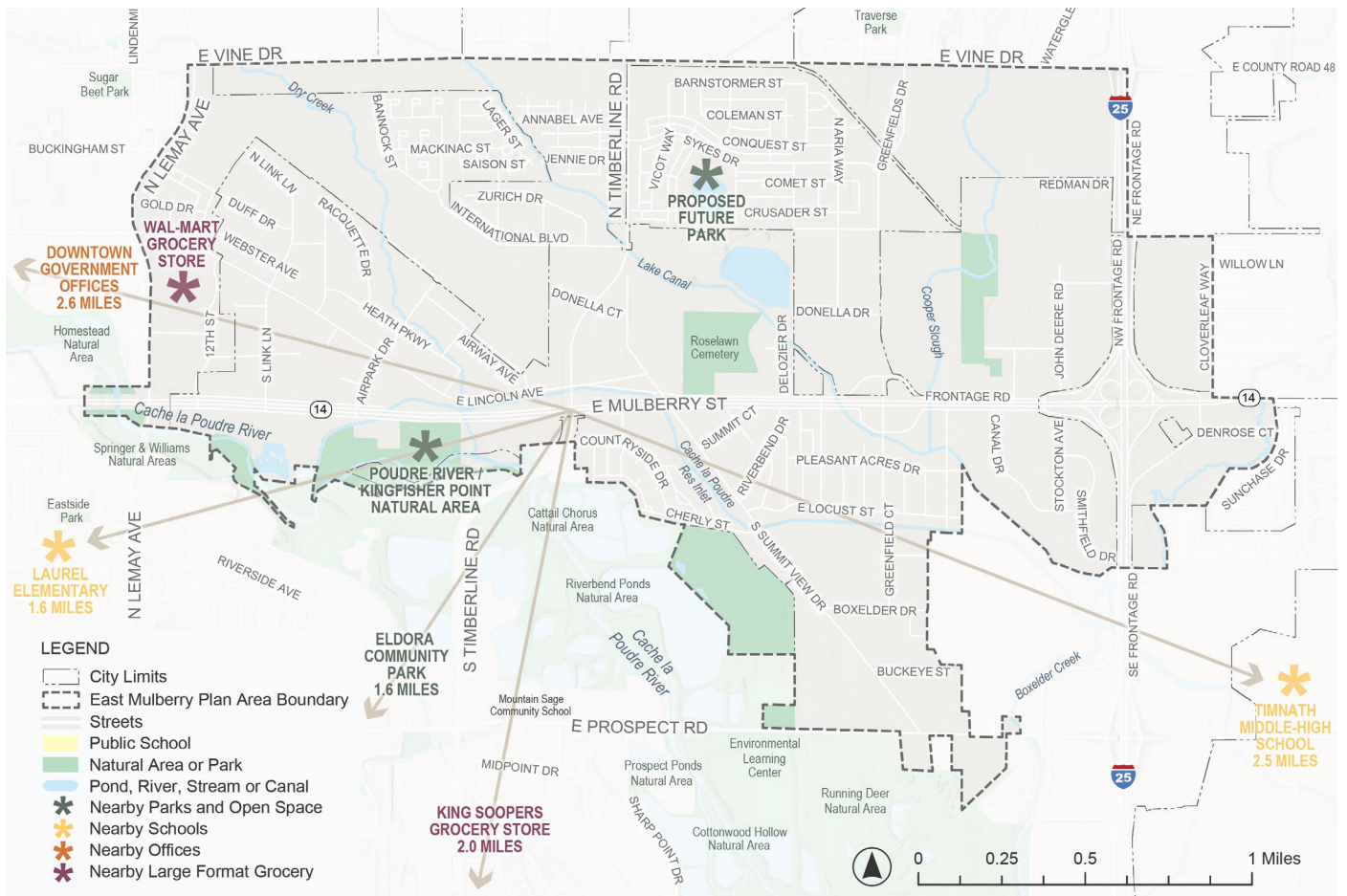
OPPORTUNITY, EQUITY, & ACCESSIBILITY

Located at the edge of the community, many parts of the East Mulberry Plan Area lack quick and convenient access to amenities such as parks, schools, grocers, and neighborhood supportive retail. Health and equity indicators also show that some census tracts within the plan area contain more vulnerable populations such as seniors, lower income residents, racial and ethnic minority groups, or those suffering from poor physical and mental health resulting in areas of the plan area could be prone to forms of gentrification and displacement in the future. Incorporating new policies and goals while promoting equity into the plan is essential for fostering a more inclusive and equitable environment.

Fort Collins has a vision to become a 15-minute city where every resident can walk, bike, or roll within 15-minutes of their home to their daily needs and services. One goal of implementing the 15-minute city concept is to strengthen underserved communities where basic needs and services are inaccessible without an automobile. The 15-minute city analysis uses average speed for typical walking, biking, and other micromobility options. Based on each modes' speed, the defined 15-minute network range was three miles for those biking or using micromobility and 3/4-mile for those walking or rolling. The East Mulberry Plan Area will continue to balance a diversity of uses into the future, including working as an industrial hub for Fort Collins. However, the City will utilize the goals of the 15-minute city concept for residential and commercial parts of the East Mulberry Plan Area so residents can have more inclusive and equitable access to community amenities and daily needs.

i Equity

Equity is the process by which policies, programs and tools are developed to ensure the elimination of existing disparities and includes inclusive engagement that leverages diversity. It becomes an outcome once a person's identity or identities no longer impacts their ability to experience equality and access to services.



Update, Why Now?

FIRE & SAFETY

This area is served primarily by Poudre Fire Authority (PFA) Station 6 and Station 1. The Larimer County Sheriff's Office (LCSO) provides law enforcement services for the area contained within the East Mulberry Plan Area. LCSO breaks down their law enforcement jurisdiction into seven areas across Larimer County. Fire service provision is not anticipated to change based on either this plan or annexation, however the intergovernmental agreement with PFA stipulates funding adjustments for the differential between City Property Tax and Poudre Valley Fire Protection Property Tax. The plan area currently falls into the service area designated by LCSO as 'Area 1'.

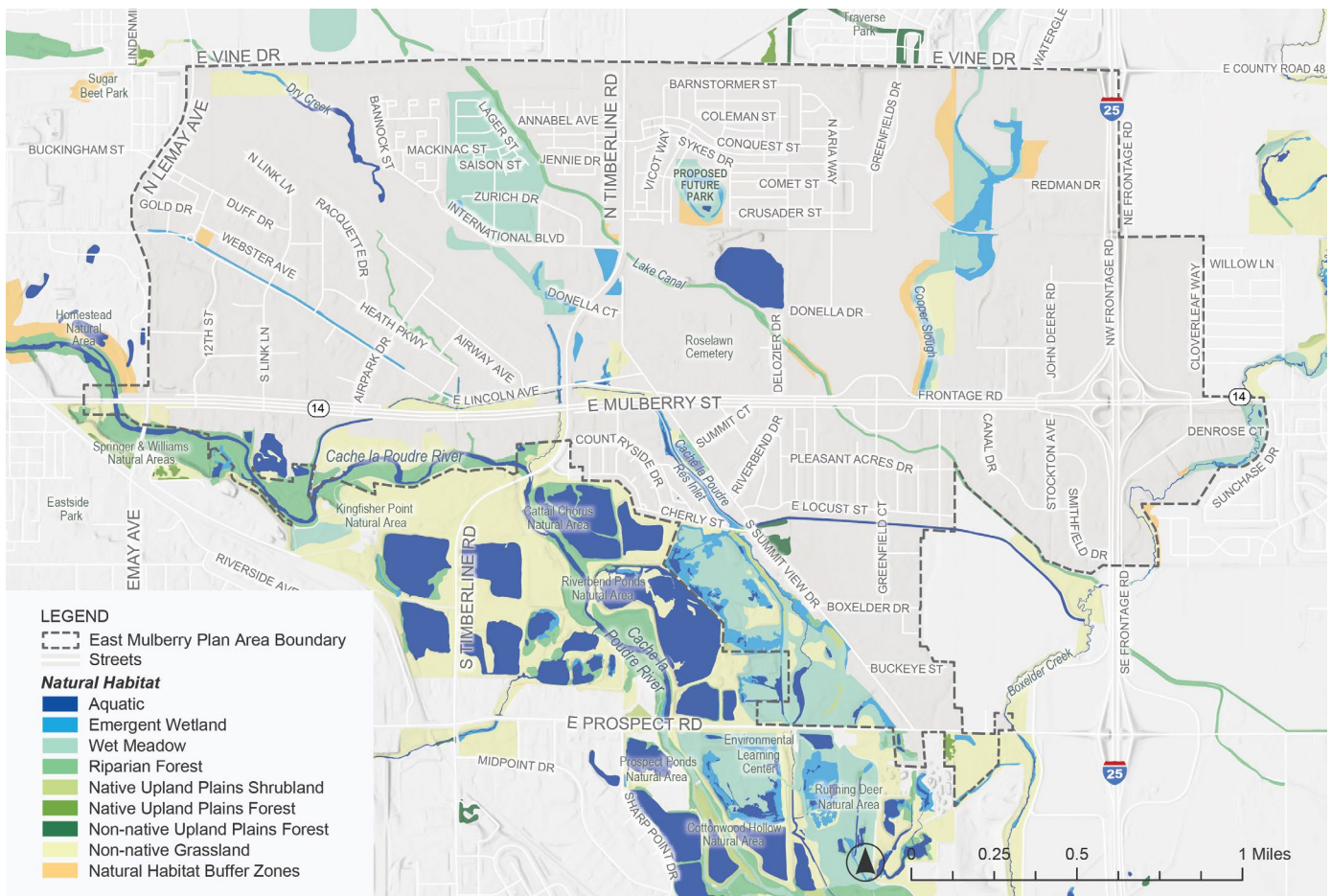
NATURAL AREAS & FEATURES

Short segments of the Poudre River and accompanying Poudre River Trail pass through the East Mulberry Plan Area. The northern portions of the Kingfisher Point Natural Area and the Springer Natural Area also fall within the East Mulberry Plan Area boundary. Dry Creek runs through the industrial and Airpark area and often causes flooding issues during rain events. The Cooper Slough runs in a generally north-south direction on the eastern portion of the East Mulberry Enclave. There is currently a natural buffer agreement between the City of Fort Collins and Larimer County to protect this natural feature when development occurs.

PARKS & RECREATION

There are no existing parks or public recreational facilities within the East Mulberry Plan Area. The Fort Collins Parks and Recreation Master Plan identifies a proposed park to be included within the Mosaic neighborhood, located inside the East Mulberry Plan boundary. However, at the time of this document's publication, this park is yet to be constructed. New neighborhood parks called Iron Horse Park and Traverse Park in the Waterfield and Trailhead neighborhoods respectively are north of Vine Drive, outside of the East Mulberry Plan Area.

- Future private and public parks could be associated with future development
- Upcoming trails master plan in 2024 that could identify new opportunities for additional trails and trail connections in the corridor.
- The Poudre Trail runs along or near the plan area's southwestern boundary.



HOUSING & AFFORDABILITY



5141
RESIDENTS*



2268
HOUSING UNITS*

*2020 US Census



Shifts in the types of housing developed over the past two decades, changing family sizes and social structures, and large increases in home prices have catapulted housing attainability and affordability to the forefront of resident and policy maker priorities.

Existing housing in the East Mulberry Plan Area tends to be both older, more varied, and affordable than housing in Fort Collins as a whole. One such example of this includes the existing manufactured housing communities. There are three such communities, including the Nueva Vida Mobile Home Park, Collins Aire Mobile Home Park, and the Villas. There is growing recognition that these existing homes provide an important source of naturally occurring attainable/affordable housing that could be at risk of gentrification and resident displacement without appropriate policies and neighborhood support. The East Mulberry Plan Area also contains older, established neighborhoods with larger lot sizes that impart a rural character to these areas. Some of the residents with large lots keep small livestock or horses.

Existing attainable housing options in the plan area also house more vulnerable populations such as seniors, young children, persons of color, non-native English speakers, or lower-income wage earners. These populations tend to have reduced access to educational opportunities, nature, healthcare, and other amenities, often resulting in poorer health and economic outcomes.

Missing-Middle Housing

Refers to housing that accommodates more people than a single-family home but is smaller than a large apartment building. Typically, this term encompasses housing types such as accessory dwelling units, duplexes, townhomes, and small apartment buildings that are designed to blend into and be compatible with a residential neighborhood dominated by single-family homes. It is called “missing” middle because many communities do not have much of this sort of mid-range housing.

Attainable Housing

The term “attainability” implies that housing is within reach or achievable for individuals or families with moderate incomes, who may find it challenging to afford market rate housing or qualify for subsidized low-income housing.

- **The East Mulberry Plan Area captures an increasing share of Fort Collins’ new housing and population as growth in the community shifts towards the northeast.**
- **Housing types and price points along Mulberry are also more diverse than the community as a whole with a greater percentage of manufactured and missing-middle housing options.**
- **Housing growth is anticipated to continue with new developments proposed near the Vine and Lemay overpass and of Mulberry and Greenfields.**

Update, Why Now?

DEVELOPMENT & GROWTH

Since the 2002 EMCP, new growth in Fort Collins was largely focused south of Harmony Road, but development patterns are now shifting to the northeast quadrant of the community where the largest source of vacant and developable land remains. Alongside growth in surrounding communities like Wellington, Timnath, Windsor, and Severance, recent and projected growth in the region now surrounds the East Mulberry Plan Area from the north to the southeast.

Within the plan area, new growth has also recently accelerated with residential development near the new Vine Drive and Lemay Avenue overpass and the vacant land between Timberline Road and Greenfield Court.

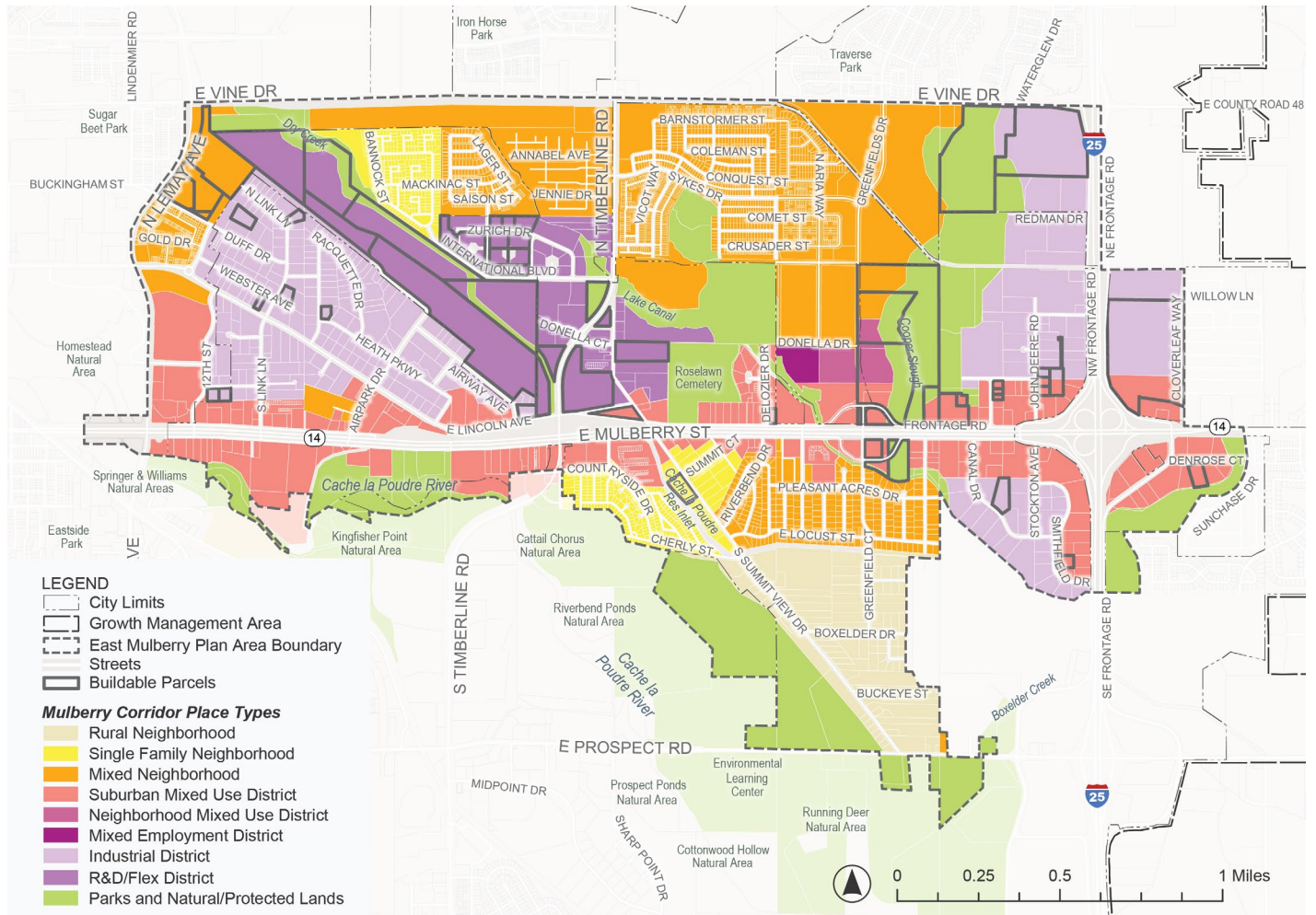
Residential growth within and surrounding the plan area is also likely to generate additional commercial and retail development, with active proposals for office and retail space near Mulberry Street and Greenfield Court as originally envisioned in the 2002 EMCP. With approximately 420 acres of vacant land left in the plan area, much of which is impacted by floodplains or will be used to support buffering around sensitive natural features, the remaining areas for commercial development remain a critical resource for future services and amenities to serve the area's existing and growing residential population.

418 acres
REMAINING VACANT/
BUILD ABLE LANDS*



2470
NEW/APPROVED
HOUSING UNITS*

*2021 City of Fort Collins



LEGEND

- City Limits
- Growth Management Area
- East Mulberry Plan Area Boundary
- Streets
- Buildable Parcels

Mulberry Corridor Place Types

- Rural Neighborhood
- Single Family Neighborhood
- Mixed Neighborhood
- Suburban Mixed Use District
- Neighborhood Mixed Use District
- Mixed Employment District
- Industrial District
- R&D/Flex District
- Parks and Natural/Protected Lands

This map depicts place type designations from City Plan's Structure Plan map. The Structure Plan map illustrates how the community may grow and change over time, setting a basic framework for future land use decisions.

DEVELOPMENT & GROWTH MAP

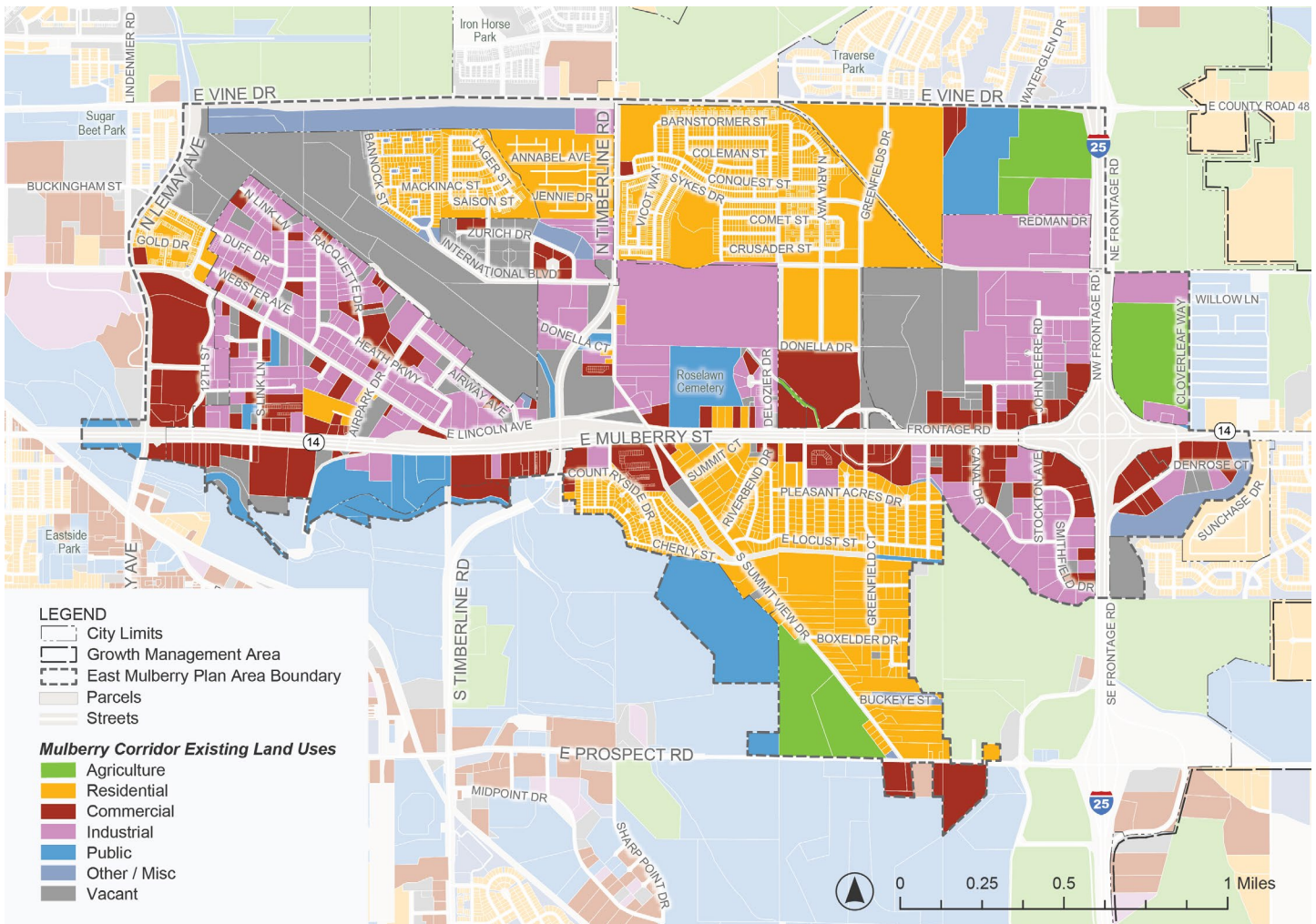
Update, Why Now?

i. Existing & Changed Conditions
Changes in Growth & Development

LAND USE

The Mulberry Corridor features a mix of land uses with a particular emphasis on industrial and commercial operations serving the broader region. Existing residential neighborhoods can be found south of Mulberry Street and newer neighborhoods and residential development proposals are clustered north of Mulberry Street.

While vacant and agricultural uses remain in portions of the corridor, many of these properties may transition to new greenfield development in the short and mid-term as overall growth in the community continues to favor areas northeast of Downtown.



EXISTING LAND USE MAP

Update, Why Now?

i. Existing & Changed Conditions
Changes in Growth & Development

EMPLOYMENT & INDUSTRY

Mulberry is home to one of the largest concentration of small businesses in Fort Collins and is one of the largest employment centers in Fort Collins alongside Downtown, Colorado State University, and the Harmony Corridor. As a large hub for industrial and business support firms, the Mulberry corridor is an important location for industrial and manufacturing businesses that support Fort Collins and the broader region.

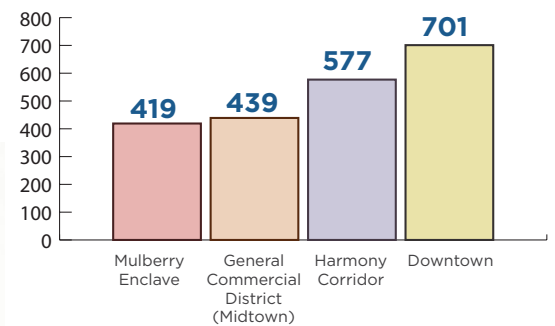
419 # OF EMPLOYERS
423 # OF BUSINESSES
6,098 # OF EMPLOYEES

*2020 Bureau Labor Statistics

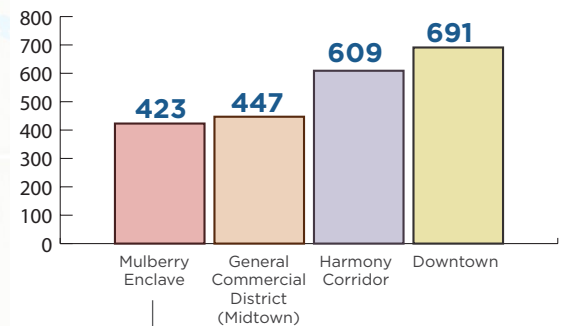
TOP INDUSTRY CATEGORIES

19% MANUFACTURING **17%** CONSTRUCTION **11%** WHOLESALE TRADE

NUMBER OF EMPLOYERS

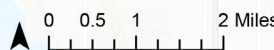
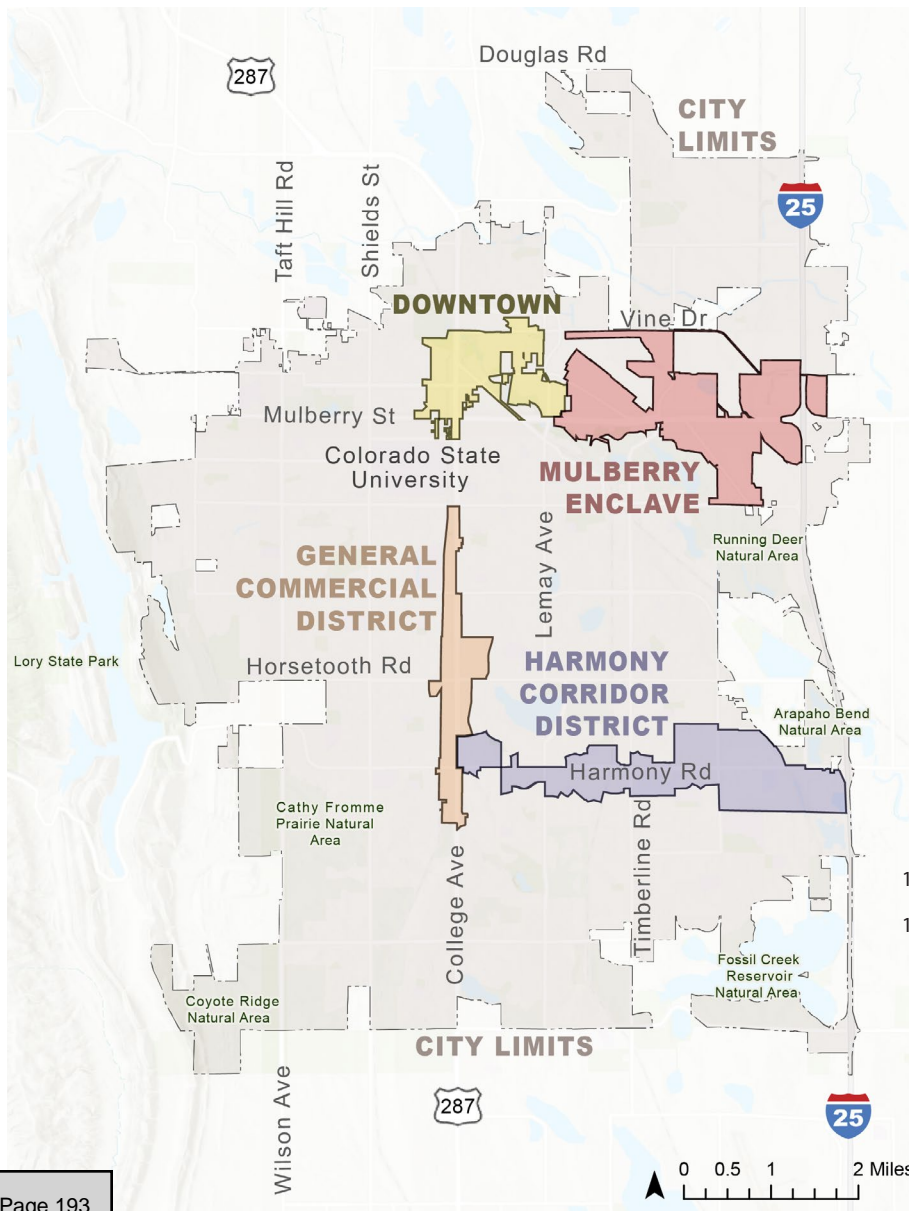
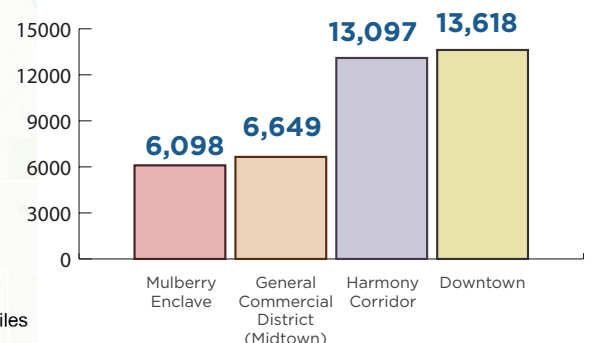


NUMBER OF ESTABLISHMENTS



Of the total **423** businesses within East Mulberry:
52% have under **10** employees
95% have under **50** employees
*2022 QCEW data

NUMBER OF EMPLOYEES



ii. Community Priorities & What We Heard

WHAT WE HEARD FROM THE COMMUNITY

The creation of the goals for this plan were driven by extensive community input, ensuring that the plan reflects the needs and aspirations of local businesses and residents. The following is a summary of the community input collected as part of this plan update. In some instances, community sentiment varied quite extensively on some of these topics. This plan tries to recognize that there are inherent tensions about the future of the plan area and strives to reflect and respond to these diverse perspectives.



Infrastructure & Development

- **Flooding and its impact on the community** were major concerns raised by residents and business owners.
- The community emphasized the need for a **big picture plan to manage stormwater** for large areas rather than site by site.
- Residents advocated for an **integrated transportation system connecting neighborhoods to the surrounding area**, that accommodates various modes of travel, including walking, biking, public transit, and driving.
- **Safety and accessibility** were key considerations in the community's input, with a focus on creating infrastructure that maintains usability for businesses and reduces traffic congestion.
- Community members expressed a desire for **sustainable development practices** that prioritize green spaces and protect natural corridors.

Amenities & Services

- Community members expressed a desire for improving **access to essential amenities** and services, such as parks, schools, and grocery stores.
- There was acknowledgment that this area has not received the level of service that is typical in a more urban area and has **struggled with issues related to vandalism, drug use, and homelessness**, especially near the I-25 interchange.

Corridor Character & Uses

- The community expressed a desire to **maintain the diversity of uses in the corridor**, including the range of job opportunities offered, and desire for the City to help preserve small businesses and industries.
- Business owners emphasized the importance of **preserving the industrial and agricultural function and character** of the area.






Gateway & Entry Aesthetic

- Many participants identified East Mulberry as a prominent entry point into the City that could **benefit from aesthetic improvements**. However, many voiced concerns about related costs for businesses.
- The community is seeking a **more visually appealing gateway that reflects the character of Fort Collins** and the history of this corridor, creating a positive first impression for visitors and residents alike.
- This community values their **unique identity** and ability to support many small businesses and industrial uses. There is a clear need for improved infrastructure. Altering the existing built environment to accommodate new infrastructure could be met with some resistance, as this community fears compromising affordability and losing its unique character. However, many support modernizing infrastructure for improved services and interconnectivity.

Housing & Gentrification

- Residents stressed the importance of **preserving the affordability** of the area in hopes of preventing gentrification.

HOW WE GOT THE WORD OUT

 <p>2 Mailers 2,200+ Postcards</p> <ul style="list-style-type: none"> Meeting Noticing for Community Visioning, Community Updates & Feedback Engagement 	 <p>Project Newsletter 475 Subscribers & Website</p> <ul style="list-style-type: none"> Project Updates 2 Webpages on East Mulberry Information & Resources 	 <p>YouTube Video 265 views</p> <p>Video on overview of East Mulberry Plan and Intro to Annexation Thresholds</p>	 <p>Press Release</p> <p>Information on Annexation Q&A Sessions, encouragement for community participation</p>	 <p>Business Canvassing 200+ Businesses</p> <p>Staff visitations to businesses to get involved in planning</p>
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HOW WE HEARD FROM THE COMMUNITY

- APRIL 2021** ● **Community Q&A Sessions - approx. 60 participants**

City staff hosted two virtual Q&A sessions for businesses and residents of the East Mulberry Plan Area to address questions about the update to the East Mulberry Plan and potential annexation.
- SUMMER 2021** ● **Visioning Sessions**

Over a series of six meetings in June, July, and August of 2021, City staff presented key themes from the Existing Conditions document and gathered input from community members on the future vision of the East Mulberry Plan Area. See Appendix A-1 for more information.
- FALL 2021** ● **Online Survey - 43 Survey Responses**

The East Mulberry Online Visioning Survey received 43 completed surveys. The invitation to participate in the East Mulberry online survey was sent out in a mailer to those in the plan area and via email to everyone who subscribed to the newsletter. See Appendix A-2 for more information.
- OCTOBER 2021- FEBRUARY 2023** ● **Community Advisory Group - 14 members, 6 meetings**

A community advisory group was formed to better understand the needs, concerns and desires of both businesses and community members in the East Mulberry Plan Area to provide in-depth feedback and input at each critical stage of the planning process. See Appendix A-3 for more information.
- JANUARY & FEBRUARY 2022** ● **Business & Community Workshops - 4 Workshops**

These four virtual workshops covered a range of topics including: look and safety of streets, new sidewalks, bike lanes, and connections to the Poudre River Trail, improvements to Internet speed and ways to address flooding, community priorities for businesses and housing. See Appendix A-4 for more information.
- FEBRUARY & MARCH 2023** ● **Annexation Q&A Sessions - 133 Community Participants**

This series of four public meetings were hosted to share information as well as proposed ideas and policies impacting the East Mulberry Plan Area. Four meetings were held with both virtual and in-person options. A presentation covered strategies related to a potential annexation approach and the latest information about the East Mulberry Plan Area update. See Appendix A-5 for more information.
- FEBRUARY 2023** ● **Online Comment Form**

In tandem with the Annexation Q&A Sessions, staff released an online comment and question form for anyone with questions or concerns to be able to reach out with staff directly to have their questions answered or request follow-up phone or in-person meetings. Staff had multiple one-on-one meetings with community members asking to share additional thoughts or ask questions to staff about their specific properties.
- MAY 2023** ● **Nueva Vida Resource Fair**

Planning staff attended the Nueva Vida Resource Fair (a Mobile Home Park community within the East Mulberry Plan Area) to share information with Nueva Vida residents about the update to the East Mulberry Plan and potential annexation. An FAQ document translated into Spanish was distributed to those interested.
- MAY & JUNE 2023** ● **Business Information Sessions - Ongoing Collaboration with Chamber of Commerce**

Staff hosted individual and group informational sessions with business owners from the Mulberry Plan area to address their specific concerns and hear feedback on the plan and annexation thresholds strategy.

iii. East Mulberry Enclave & Annexation

ENCLAVE & ANNEXATION BACKGROUND

An ‘**Enclave**’ refers to unincorporated Larimer County properties surrounded by the City of Fort Collins due to urban growth.

‘**Annexation**’, on the other hand, brings urbanized areas into the City’s jurisdiction. The ‘**Growth Management Area (GMA)**’ helps guide growth and development, ensuring efficiency, contiguity, and consistent standards within the City.

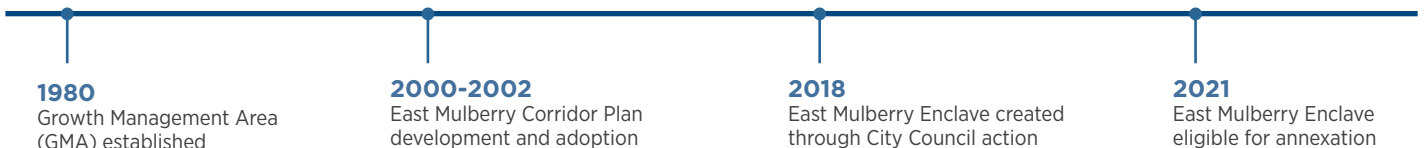
In the 1960s and 1970s, as Fort Collins experienced rapid growth, discussions began between Larimer County and the City of Fort Collins regarding the East Mulberry area. They aimed to establish a formal service-area agreement and explore potential future annexation. This led to the formation of an Intergovernmental Agreement (IGA) in 1980, creating the Growth Management Area (GMA) that defined urban and rural areas. Areas within the GMA are considered more urban, or expected to become more urban in the future as Fort Collins continues to grow in an orderly and responsible way within the GMA boundaries.

By 2018, the East Mulberry Area was completely surrounded by the city limits, forming an enclave of unincorporated Larimer County along Mulberry Street. According to the City-County IGA, the City agreed to pursue annexation of enclaves as they became eligible under state law. The formation of the East Mulberry Enclave was intentional on the part of City Council, and since that time City Staff have planned for annexation of the enclave in the future consistent with the adopted IGA with Larimer County. The creation of the enclave and its eligibility for annexation occurred after the adoption of the 2002 Plan (enclave created in 2018 and became eligible in 2021).

Enclave: An enclave is a property, or group of properties, that are in unincorporated Larimer County but, due to urban growth and development are now surrounded by the City of Fort Collins municipal boundary. An enclave is unincorporated County territory that is surrounded by a municipality. The State Statute gives a municipality the authority to annex an enclave without property owners’ consent at such time that the enclave has been surrounded by the municipality for three or more years.

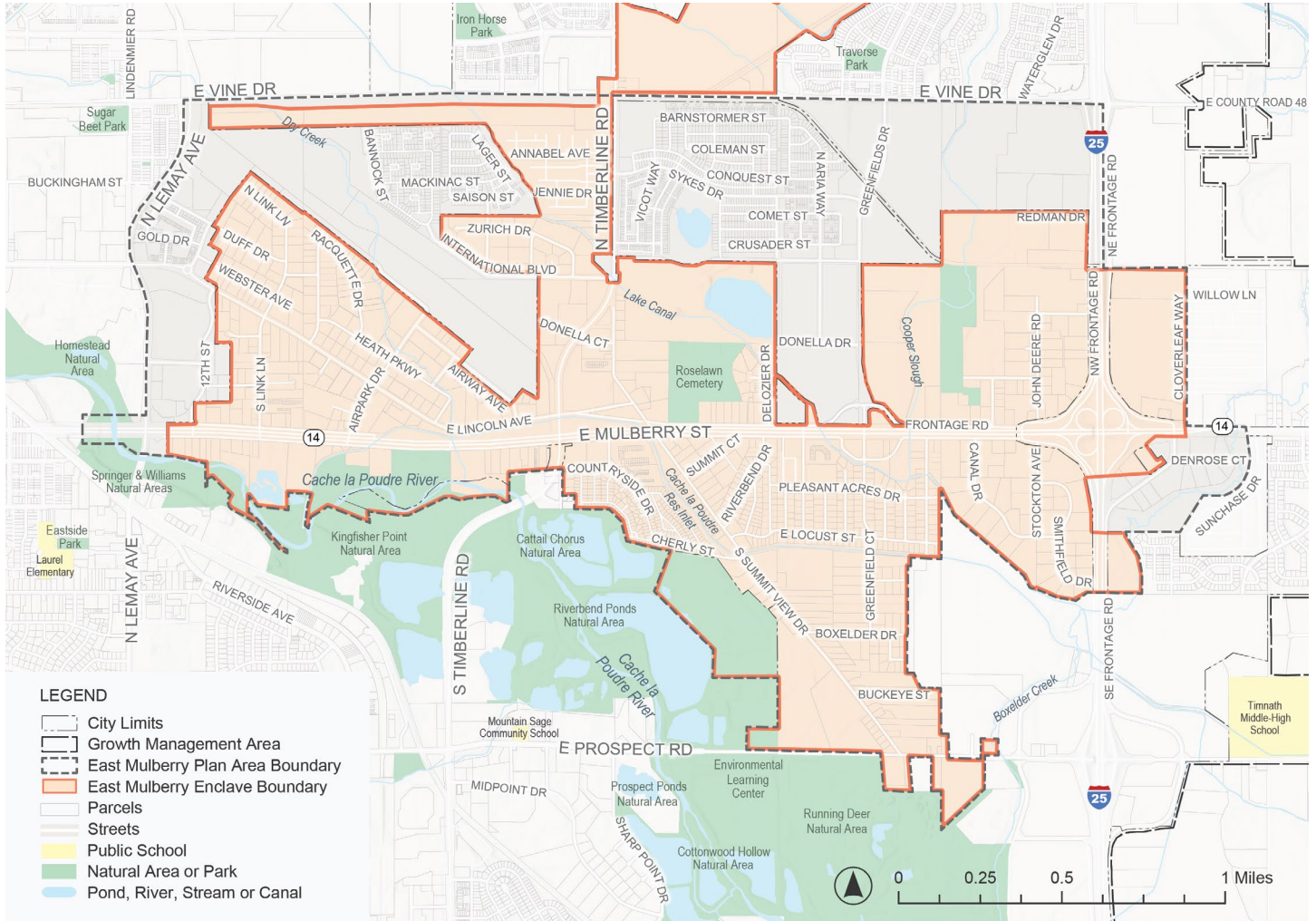
Annexation is used to bring urbanized areas into the urban service jurisdiction of the City of Fort Collins. Annexation can happen both reactively in response to development activity and proactively in response to identified needs, goals and plans.

Growth Management Area (GMA): The Fort Collins Growth Management Area, created in 1980, defines “urban” vs. “rural” areas in and around the City of Fort Collins. It has been an effective tool for intentional, orderly, and responsible growth. The GMA creates a more consistent design vision for future development and serves to help protect rural and agricultural lands outside of urban development areas. Planning within the GMA helps ensure efficiency and contiguity of City programs, services, infrastructure and utilities. It provides consistency for signage, lighting, site design, building code, and natural feature protection to align with community goals.



ANNEXATION AREAS & THE EAST MULBERRY PLAN

The East Mulberry Plan Area overlaps with the enclave and guides future development and policy decisions.



Purpose of Annexations:

- Clear delineation between service provisions of “urban” vs. “rural” standards.
- Allows for the application of a consistent vision for future growth and development.
- Ensure efficiency and contiguity of City programs, services, infrastructure and utilities.
- Allows for regulatory control over signage, lighting, site design, building code, and natural feature protection to align with community goals.
- Grow responsibly, protecting rural and agricultural lands outside of urban development areas.
- Ensure service levels match expectations in City Plan and other adopted plans.

ANNEXATION THRESHOLDS

An annexation thresholds approach bases future annexation decisions on when certain conditions are met within the East Mulberry Enclave. Rather than a phased approach that commits to certain timeframes and geographic boundaries, thresholds provide more flexibility in the size and timing of the areas brought forward for annexation. This can help ensure that the City can adequately serve these areas before annexation occurs. Annexation thresholds fall into various categories. A full description of the thresholds approach and management is contained in Section 3 of this document.

i **Annexation thresholds** are a set of conditions that when reached, may represent an opportune time to consider annexation. Annexation thresholds could relate to maintaining logical boundaries and areas of City or County jurisdiction, advancing important policy goals for an area, or ensuring coordination of similar properties and land for upcoming infrastructure projects.

What Changes in Annexations?

As annexation thresholds are met and portions of the East Mulberry area become annexed, some service providers would change quickly upon annexation, and some would happen over time. Some service providers would remain the same, regardless of annexation.

- In annexing areas, law enforcement would transfer from the Larimer County Sheriff's Office to City of Fort Collins Police Services
- Electric service would transfer from Poudre Valley REA or Xcel Energy (depending on location) to City of Fort Collins Utilities as infrastructure can be built out to support it
- Storm Drainage would transfer from Larimer County to City of Fort Collins stormwater Utility
- Road Maintenance* (in some cases) would transfer from Larimer County Road and Bridge to City of Fort Collins Transportation Services

What doesn't change upon Annexation?

- Water and Wastewater services will still be provided by Eastern Larimer County Water District (ELCO) and the Boxelder Sanitation District
- Fire Protection will still be provided by the Poudre Fire Authority
- Health and Human Services will still be provided by Larimer County
- Animal Control Services will still be provided by the Humane Society

*Note: Annexing streets are accepted for maintenance by the City of Fort Collins at the same level that Larimer County has maintained it. Private streets would remain private and current maintenance responsibilities would continue.

i **Perspectives on Annexations:** Conversations about potential annexation with community members and businesses owners highlighted many differing perspectives. While some residents and business owners favor annexation for the potential benefits, some community members and business owners in the East Mulberry area oppose it due to perceived drawbacks. Proponents voiced that it could improve access to essential services and long-term infrastructure improvements. Conversely, opponents expressed concerns that annexation might lead to increased taxes and fees, causing financial strain, especially on small businesses.

The tension between these perspectives underscores the complexity of annexation's impact.

2

Character Areas

Introduction to Character Areas

Frontage

Airpark

I-25 Interchange

Transitional

Northern Residential (Mixed)

Southern Residential (Estate)

Introduction to Character Areas

At the mention of East Mulberry, several locations or landmarks may come to mind. Some may picture Mulberry Street itself, or possibly the interchange at Mulberry and I-25 and its function as a gateway into Fort Collins. Just beyond the commercial borders of Mulberry Street itself are many more districts and neighborhoods that have their own varied and complex character. For example, there are several areas made up predominantly of industrial businesses that have unique characteristics and needs distinct from those within the residential neighborhoods. Even the characteristics of the residential neighborhoods north of Mulberry Street are quite different from those located south of Mulberry Street. This diversity of land uses is one of the components that makes the East Mulberry Plan Area special, but this diversity also poses challenges for how to plan in such a way that respects the unique context of each area.

Considerations for defining character area boundaries included land uses, the built form, transportation system factors, and other defining aspects within each area. Under the description of each character area in the following sections is a notation of ‘Predominant Place Types’. Place types are land use categories from City Plan. While character areas and place types designations are used for different purposes within this document, they both serve to guide the future land uses and character of the East Mulberry Plan Area. These notations are meant to correlate what place types tend to fit into each character area. For more information on place types, please see Section 4 of this document.

Staff formulated character area boundaries with the help and review of the Community Advisory Group as well as other residents and business owners within the plan area. These defining characteristics influence planning for what is important to preserve, where and what kinds of change and development should be supported, and what kinds of public improvements and maintenance should be prioritized as each area continues to change and grow. These character areas are not intended to create hard edges and boundaries. They are intended to generally define and strengthen their unique or distinct qualities, while simultaneously weaving them into the broader character of the East Mulberry Plan Area and the community of Fort Collins.

To incorporate this complexity and plan comprehensively for the entire East Mulberry Plan Area, six character areas were identified.

Frontage

Airpark

I-25 Interchange

Transitional

Northern Residential

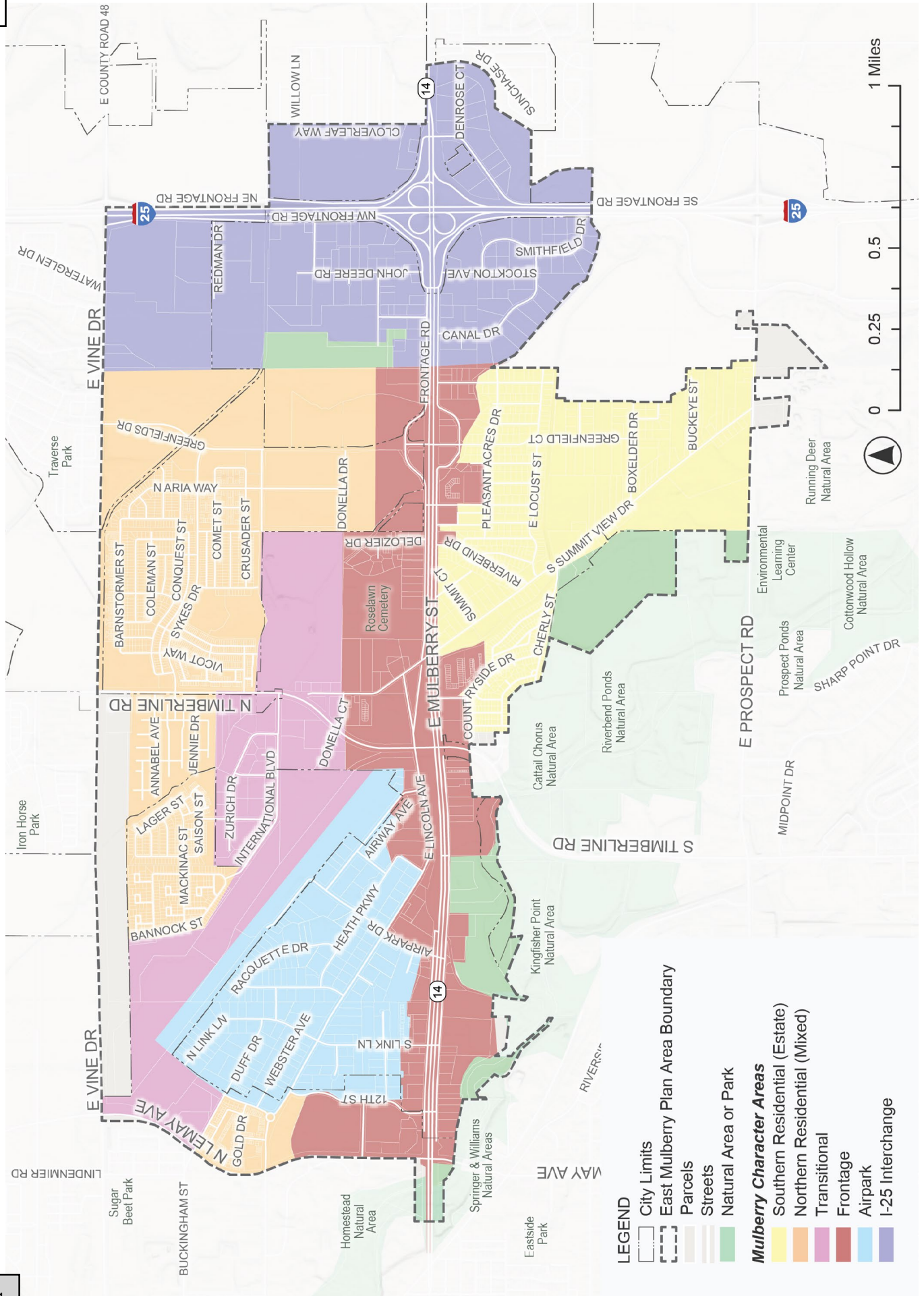
(Mixed)

Southern Residential

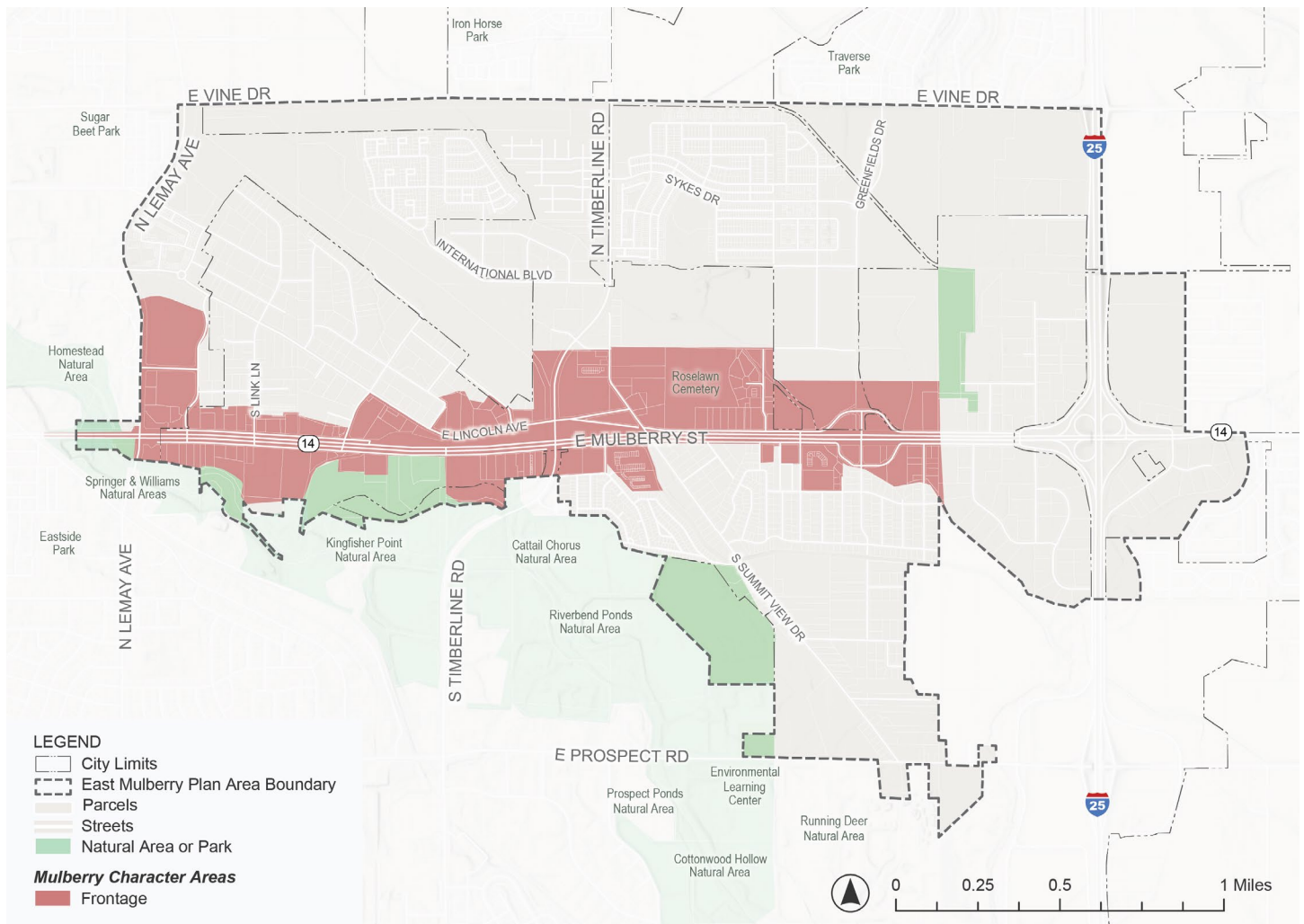
(Estate)

Item 3.

Character Area Map



Frontage



The Mulberry Frontage character area (Frontage) generally hugs the Mulberry Street alignment, beginning at Lemay Avenue on the west side and continuing east until between Sherry Drive and Canal Drive. Originally rural in character with farm and open lands, the area has been transformed into a commercial corridor with a diverse array of service providers, retail stores, and restaurants as the community has grown.

EXISTING CHARACTER

The Frontage serves as a vital hub for both residents and businesses, offering a range of services and products for the corridor and the entire community. The area reflects a mix of building ages and a wide assortment of architectural styles. Many properties are configured with surface parking lots, outdoor storage, and product displays facing or visible from Mulberry Street. Another prominent feature of the Frontage includes a number of billboards and older, highway-oriented, pole-mounted signage that may appear out of



Item 3.

Frontage

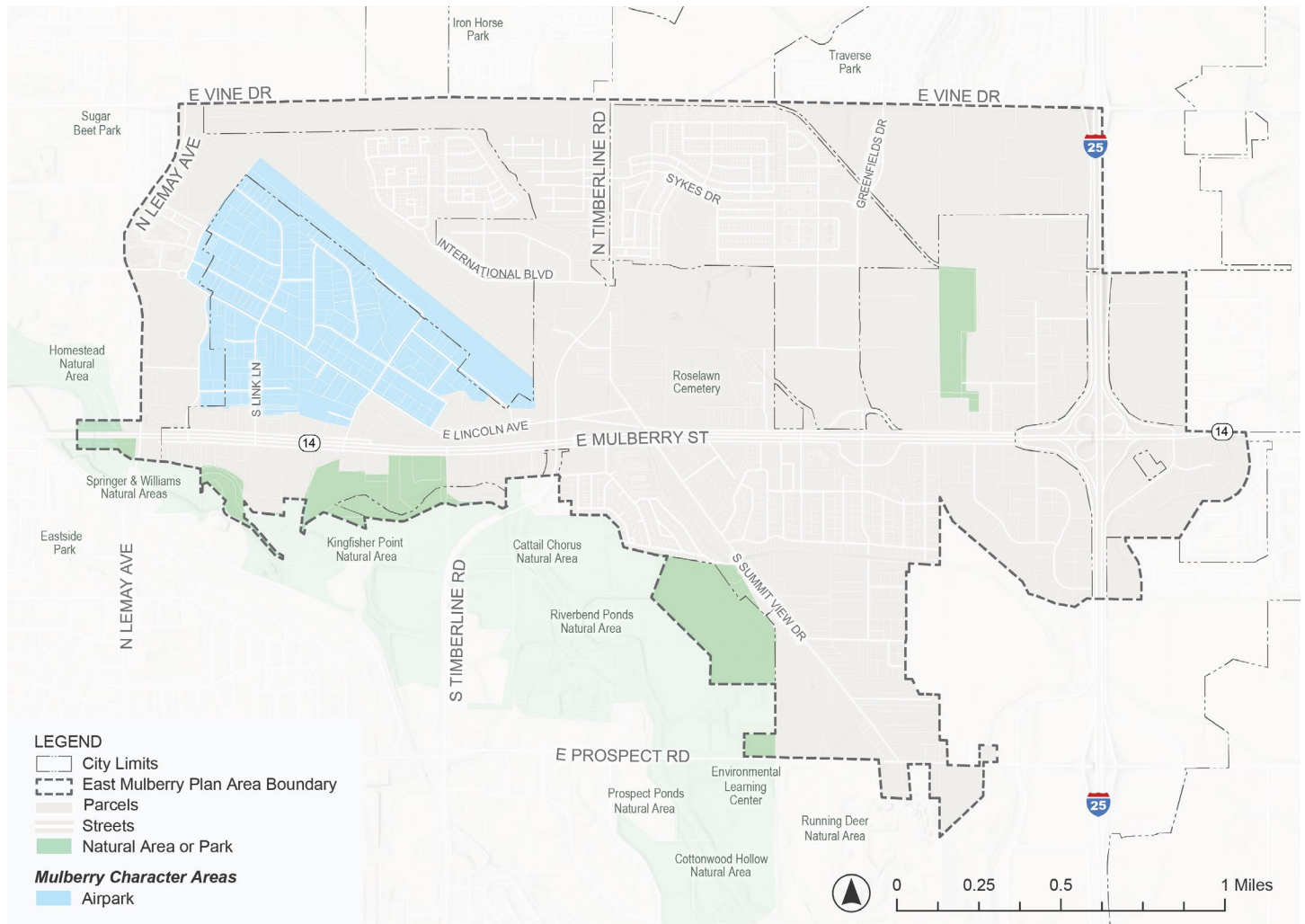
FUTURE CHARACTER

The Frontage is likely to remain primarily commercial in nature. The visibility and accessibility along Mulberry Street will continue to provide commercial support and retail that serves both the immediate plan area and the broader community. Mulberry Street itself should continue to function as a primary entrance to the community and business/truck route, while its expansive right-of-way, including the adjacent Frontage Roads, may lend themselves to unique opportunities to begin to introduce multimodal infrastructure set further away from traffic. Over time, the aesthetics of the frontage may be improved through the application of modern sign standards and the screening of outdoor storage/ parking areas as individual properties redevelop or through a more comprehensive capital project for Mulberry Street itself.

Predominant Place Type:
Suburban Mixed-Use District



Airpark



The Airpark character area is located on the west side of the East Mulberry Plan Area, centered around the intersection of Link Lane and Lincoln Avenue. This area includes a large concentration of industrial and commercial businesses that developed around the former Fort Collins Airpark / Downtown Fort Collins Airport. The Airpark character area has maintained its industrial character for decades and is home to numerous small, local businesses. While many ‘back of house’ industrial businesses operate in the area, there are numerous other land uses, including gyms, breweries, studios, and pockets of residential, including the Nueva Vida Mobile Home Park.

EXISTING CHARACTER

Serving as an industrial hub developed primarily during the mid-20th-century, the design character of the area tends towards simpler, metal buildings. The area generally lacks infrastructure for bicycles, pedestrians, and stormwater management, but the lower traffic volumes, roadway ditches, and wide rights-of-way along local streets can create more comfortable opportunities for walking or biking along the side of the road. The Airpark contains what could be considered two ‘main streets’ along Link Lane and Lincoln Avenue. Link Lane south of Lincoln Avenue tends to contain more retail and service-oriented businesses serving nearby employees and visitors, while Lincoln is a primary connection into and out of the Airpark and features the only transit route

Item 3.

Airpark

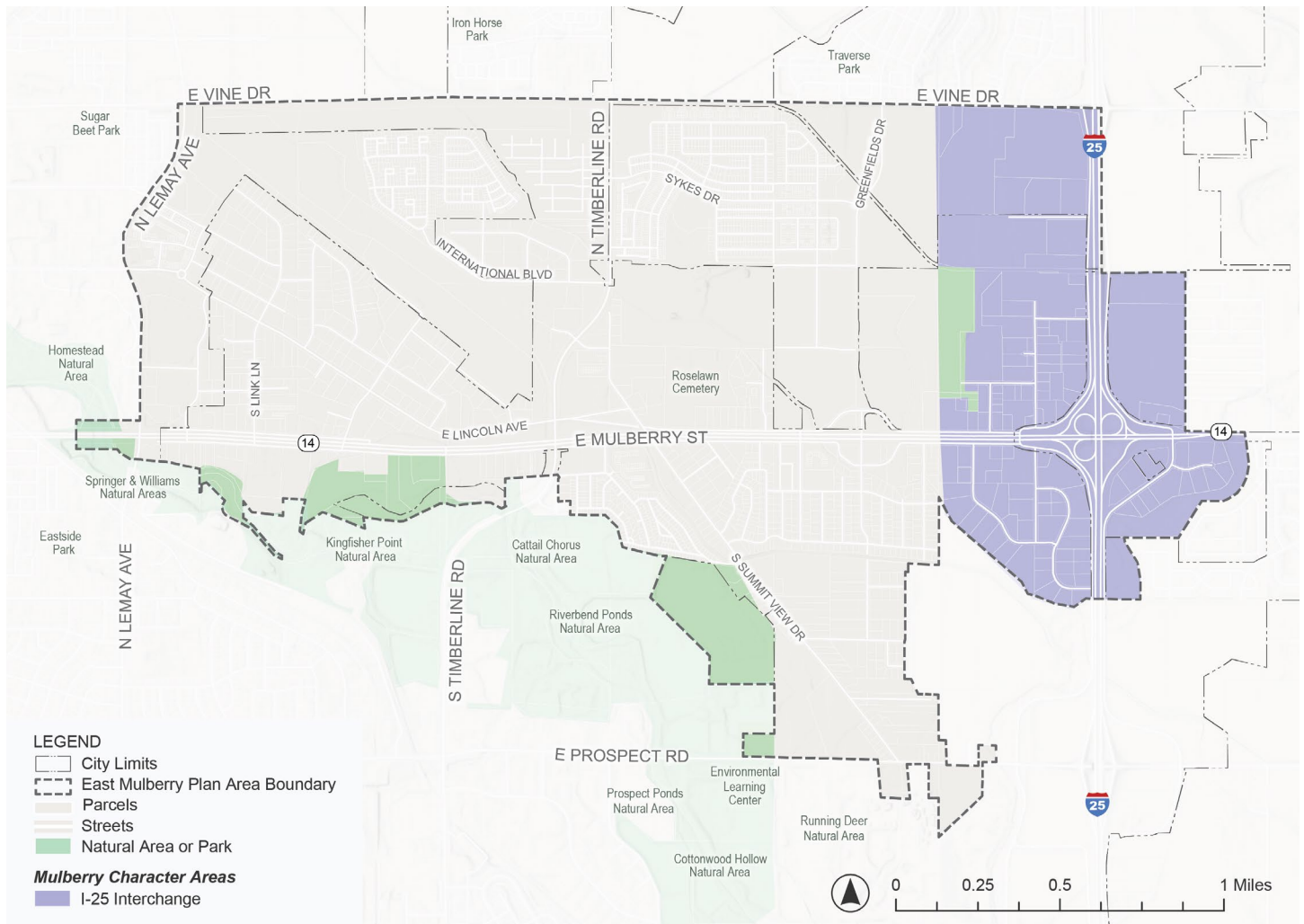
FUTURE CHARACTER

While rooted in industrial land uses, the area is likely to continue to see an increase in other service-oriented and start-up businesses, which has been a growing trend in recent years and may continue as businesses continue to seek out the smaller footprints and relatively cheaper rents found in the area. Addressing multimodal infrastructure needs along Link and Lincoln will be a transportation priority to better serve and support the role of these streets as key transit and connecting corridors. A future stormwater plan for the area could also better address water pooling often experienced in the area by identifying broader stormwater network and outfall opportunities rather than the piecemeal approach currently employed as individual sites redevelop. Finally, there may be additional opportunities from a transportation and urban design perspective to further explore the role of Link Lane south of Lincoln as a main street that continues to serve the needs of businesses and employees in the vicinity.

Predominant Place Type: Industrial District



I-25 Interchange



The I-25 Interchange character area is centered around the I-25 and Mulberry Interchange. This area serves as a significant regional commercial and industrial hub with clusters of lodging establishments, agriculture service and retail businesses, and furniture retail. These clusters of businesses benefit from the visibility and accessibility of being located adjacent to the interstate and proximity to the regional transportation network.

EXISTING CHARACTER

The area does not feature an established design theme due to the mix of land uses and the span of time over which sites have been developed. New construction and redevelopment are an ongoing process in this character area, as some of the remaining vacant lots in the industrial and business parks surrounding the interchange continue developing. Like many other areas of the East Mulberry Plan Area, this character area does not possess strong multimodal and stormwater infrastructure. Adjacent to the interchange, this character area also features the most prominent nonconforming signage in the corridor with tall, pole-mounted signs. Many corridor stakeholders and nearby businesses also frequently express concern about drug and safety issues related to homelessness/transient populations near the interchange. Users of the interchange itself also remark about the inefficient design of the interstate ramps and interaction of the frontage roads with Mulberry Street that decrease safety and efficiency.

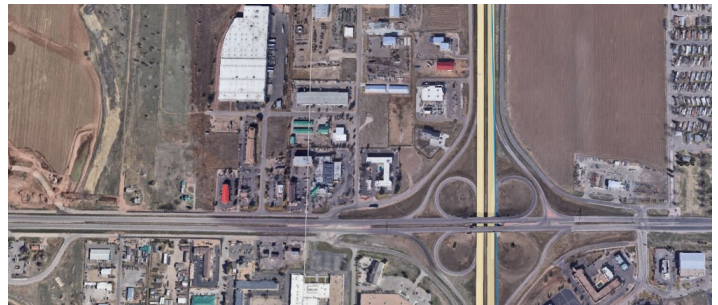
Item 3.

I-25 Interchange

FUTURE CHARACTER

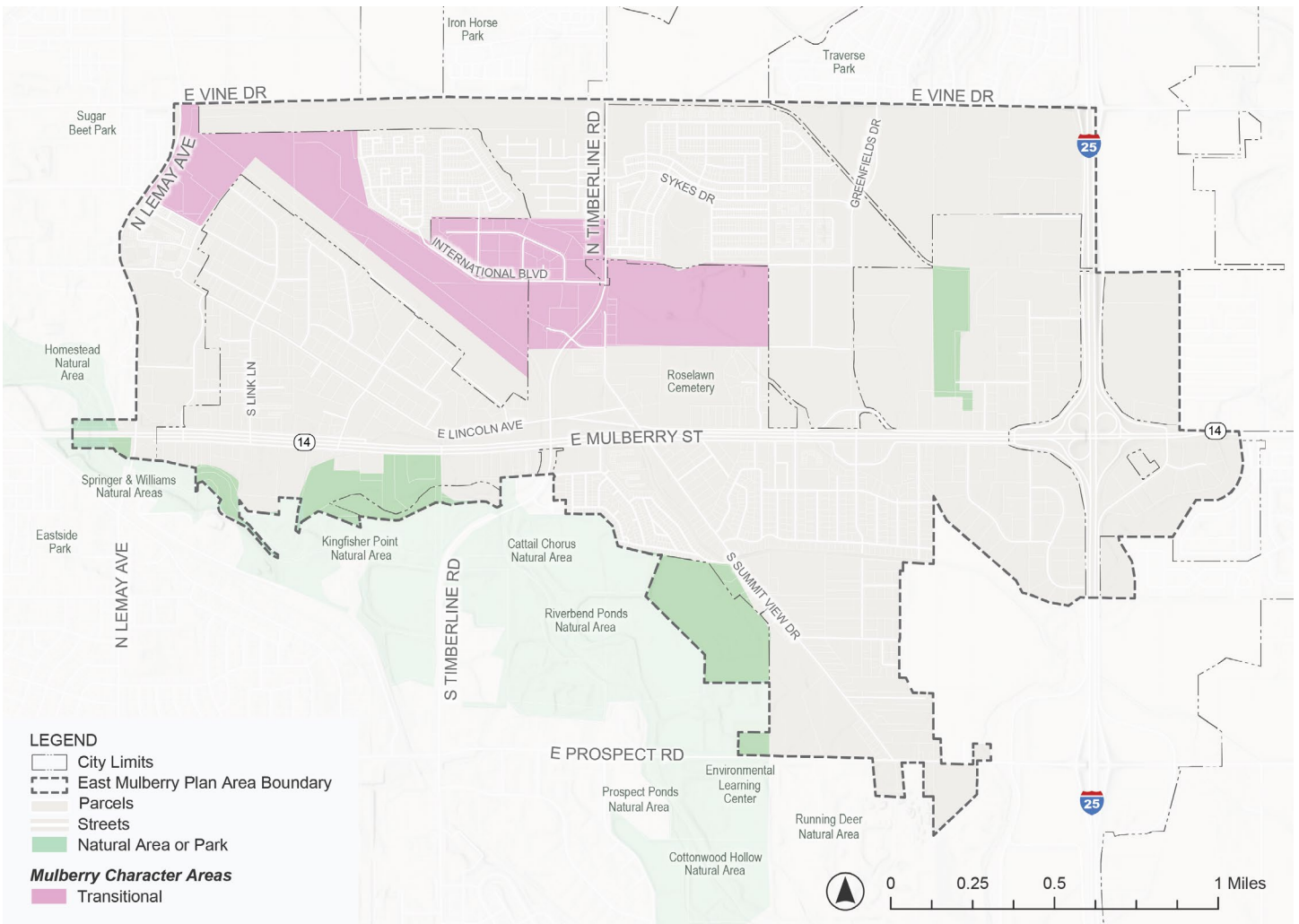
In the mid-term, it is anticipated the interchange itself will be redesigned and reconstructed, which may catalyze additional development and redevelopment in this character area. Simultaneously, this could present opportunities to establish a more consistent design and landscaping palette for the area as well as improve multimodal infrastructure and transportation safety. Both elements could contribute towards goals to establish the interchange area as a more aesthetically pleasing gateway into the community. Land uses around the interchange are expected to remain largely the same with a focus on existing agricultural services and other lodging and regional commercial/retail establishments. Upon annexation, Fort Collins Police Services would take over policing responsibilities for the area and may be better positioned to respond to ongoing safety concerns through the application of established urban-oriented safety and homelessness programs.

Predominant Place Types:
Industrial District, Suburban Mixed-Use District



Item 3.

Transitional



The Transitional character area primarily represents the undeveloped lands situated between the Airpark and the residential neighborhoods south of Vine Drive. This area features prominent natural features and habitat corridors such as the Lake Canal and Dry Creek, and, as a natural low spot in the corridor, many properties are impacted by floodways and floodplains.

EXISTING CHARACTER

Owing to the established natural features and floodplains, the western half of this character area remains undeveloped, while the eastern half features a mix of commercial and industrial businesses, primarily clustered along or near the Timberline Road frontage. Compared with other portions of the plan area, these businesses tend to feature a greater mix of office employment and institutional users and generally features newer buildings or development.



Item 3.

Transitional

FUTURE CHARACTER

In the short term, new development, especially north of the Airpark, is likely to be limited due to floodway restrictions and the protection of sensitive natural features. Outside established floodplains, this character area could play host to a variety of mixed land uses that support the retail needs of both nearby industrial and residential users, or new types of business and industry that can demonstrate compatibility with established residential neighborhoods.

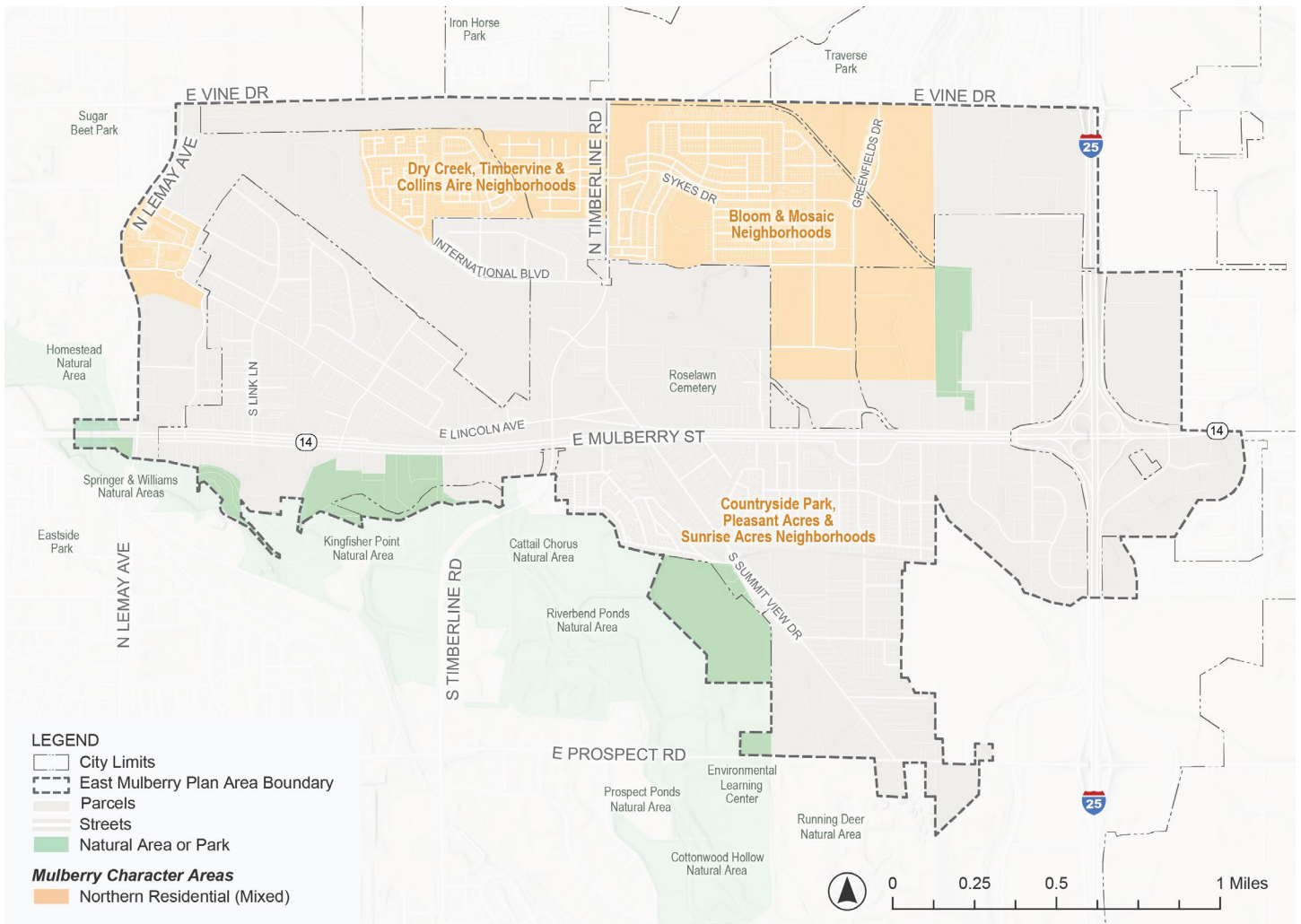
The City may play an important role in this character area in the future through a combination of future capital projects and master planning efforts. The Master Street Plan identifies an extension of International Boulevard to Cordova Road and upcoming studies seek to understand the opportunities and challenges of future trail corridors and stormwater/floodplain improvements in the area.

Predominant Place Type: R&D Flex District



Item 3.

Northern Residential (Mixed)



The Northern Residential character area features a mix of both established and newly developing neighborhoods north of Mulberry Street, many of which have already been annexed and/or were recently developed or approved under the City’s development standards.

EXISTING CHARACTER

Many of the neighborhoods in this character area look and feel like other neighborhoods throughout Fort Collins, owing to their more recent development under City standards, and internally, tend to feature a more consistent local street network with developed stormwater and multimodal infrastructure. Residents in this character area have expressed a desire for better connectivity with the broader corridor and community through nearby street and trail connections, and to address ongoing plan area-wide issues such as undergrounding utilities, addressing flooding and stormwater issues, and encouraging additional neighborhood amenities in the plan area.

Item 3.

Northern Residential (Mixed)

FUTURE CHARACTER

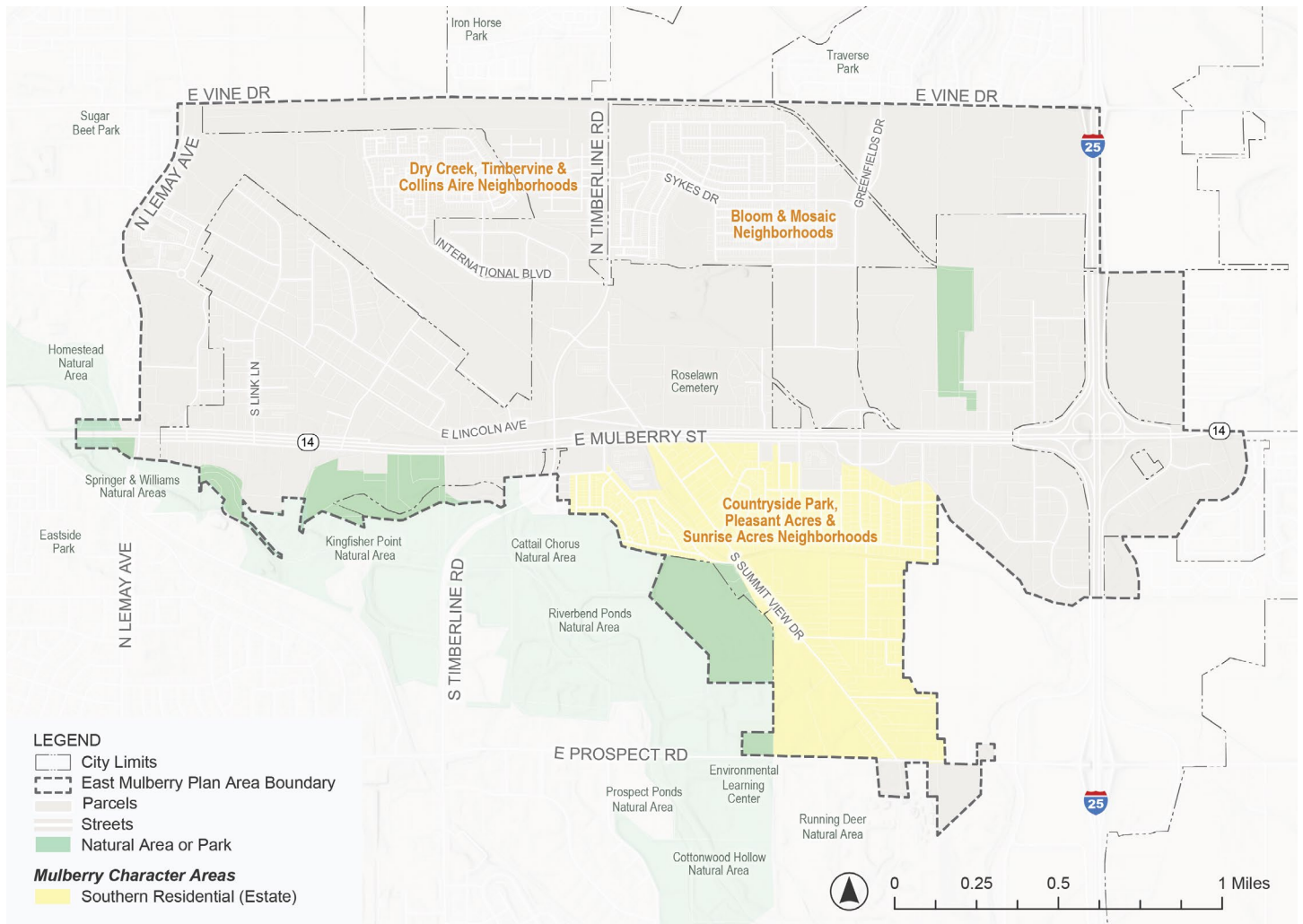
A large majority of the remaining vacant land in this character area has recently been developed or has an approved development plan which is likely to add an additional 1,500 units to the area. As these neighborhoods continue their buildout, the character established in the near and mid-term is likely to remain for the foreseeable future. Both the City and residents should work to improve connectivity to this area and work to advance City preservation and livability support to the Collins Aire Mobile Home Park.

Predominant Place Type: Mixed Neighborhood



Item 3.

Southern Residential (Estate)



The southern residential character area features established neighborhoods south of Mulberry Street, generally around Summit View Drive and Greenfields Court. Many of these neighborhoods have existed for decades as the plan area and broader community have grown up to or surround them.

EXISTING CHARACTER

Nearly all land in this character area has already been developed and features a mix of neighborhoods with single-family dwellings and smaller plexes. The residential areas along Summit View Drive near Prospect Road have a more rural character and feature larger estate lots, some with horses or other farm animals. These rural neighborhoods also generally lack streets with curb and gutter, sidewalks, or other types of more urban-level multimodal infrastructure.



Item 3.

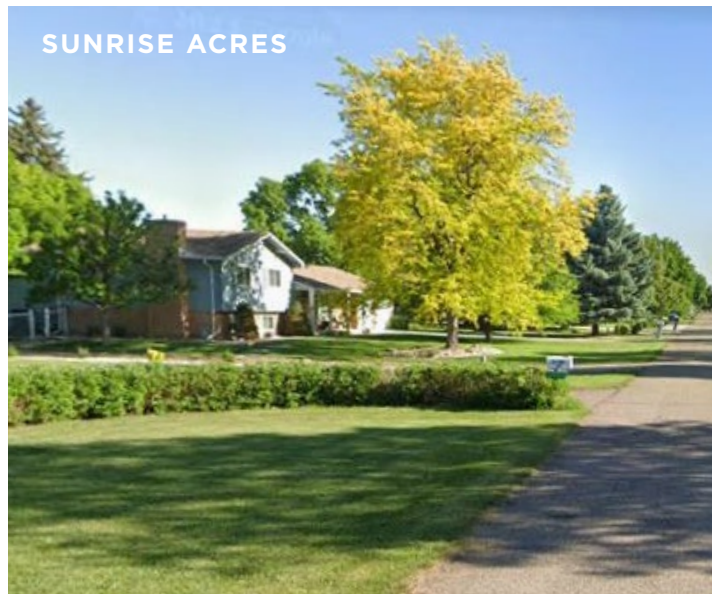
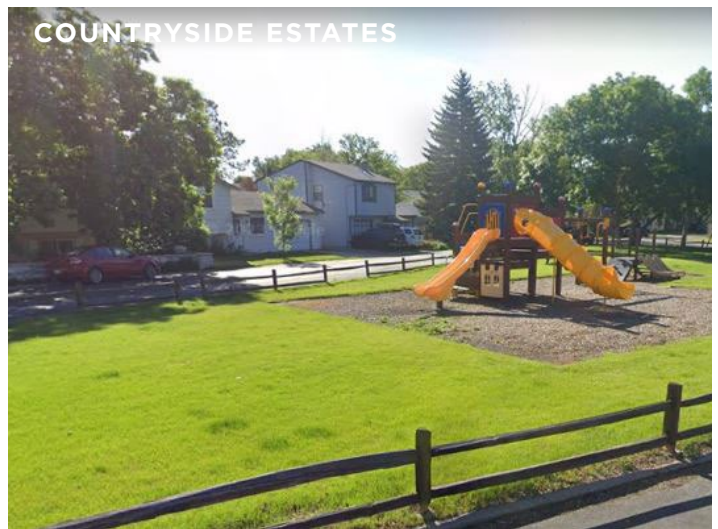
Southern Residential (Estate)

FUTURE CHARACTER

As an established set of neighborhoods, the future character of this area should remain similar to its existing character, while addressing plan area-wide opportunities and deficiencies. This could mean future augmentation to major streets, such as Summit View Drive, to implement some level of multimodal infrastructure while keeping the more rural streetscape in other locations with gravel shoulders. The City should also provide flexibility to help maintain the longstanding ability for the keeping of horses and farm animals on appropriately-sized lots. Upon annexation, the City should also work with neighbors to identify ongoing street maintenance options for some of the neighborhood streets in the character area that are currently failing.

Finally, as little new development is anticipated in this character area, annexation initiated either by the existing Fort Collins-Larimer County Intergovernmental Agreement or a thresholds annexation approach suggest this may be one of the last areas of the corridor to be considered for annexation into the City.

Predominant Place Types: Mixed Neighborhood, Suburban Neighborhood, Rural Neighborhood



3

Goals & Strategies

How to Navigate this Section Plan on a Page

Goals & Strategies:

Goal 1: Commercial & Industrial Hub

Goal 2: Stormwater

Goal 3: Transportation

Goal 4: Community Amenities & Services

Goal 5: Housing

Goal 6: Historic, Cultural, & Natural Features

Goal 7: Mulberry Gateway

Goals & Strategies

The updated East Mulberry Plan has seven goals to guide the future of the East Mulberry Plan Area. The seven goals cover a wide breadth of topics and have been crafted using feedback from the community and stakeholders to reflect continued and future priorities. The following list includes the numbered goal and the topic of each goal. Full goal text appears on the following pages.

Goal 1: Commercial & Industrial Hub

Goal 2: Stormwater

Goal 3: Transportation

Goal 4: Community Amenities & Services

Goal 5: Housing

Goal 6: Historic, Cultural, & Natural Features

Goal 7: Mulberry Gateway

HOW TO NAVIGATE THIS SECTION

GOAL INTENT & PURPOSE

Under each of the seven goals, there is a short explanation of the goal's intent and purpose. This section provides more context on why this goal statement appears in this plan and reflects on how the existing conditions within the East Mulberry Plan area have resulted in these goals. All of the goals strive to strike a balance between preservation of the important characteristics that make this area unique and should continue into the future, while also envisioning how the quality of life in this area could be improved for residents and businesses.

WHAT WE HEARD

Each 'What We Heard' section captures statements synthesized from community and stakeholder engagement that relate to the plan goals. One aspect motivating this plan update is to ensure that the most recent feedback and sentiments collected during conversations with the community are reflected in how goals, strategies, and implementation actions were formulated.

STRATEGIES & IMPLEMENTATION ACTION ITEMS

Below each of the seven plan goals are strategies and implementation action items. Strategies are action-oriented statements that support achievement of the goal. The implementation action items are more specific than the strategy statements and provide more detailed methods for how the strategies may be achieved.

NOTE ON FULFILLMENT OF STRATEGY

Because annexation of the East Mulberry Enclave under a thresholds approach may take a long time, the sections called 'Note on Fulfillment of this Strategy' acknowledge that implementation of these strategies and implementation action items are mostly dependent on when the areas are brought under City jurisdiction. Ongoing coordination and collaboration with Larimer County will continue throughout a threshold annexation strategy.

PRIOR TO ANNEXATION

As mentioned, implementation of most strategies are dependent on when different areas of the East Mulberry Enclave may annex in the future. However, in some cases, there are actions that the City could pursue to prepare to implement these strategies in the future. Some of these may be strengthening or continuing the existing partnerships the City has with Larimer County and other agencies that serve the East Mulberry area. If there are any actions to be completed prior to annexation, those are captured on the 'Prior to Annexation' section.

Plan on a Page

The updated East Mulberry Plan has seven goals to guide the future of the East Mulberry Plan Area. The seven goals cover a wide breadth of topics and have been crafted using feedback from the community and stakeholders to reflect continued and future priorities.

Goal 1

COMMERCIAL & INDUSTRIAL HUB

Foster a healthy and prosperous commercial and industrial hub for the City, while remaining viable for small businesses and industry.

Goal 2

STORMWATER

Master plan, construct and maintain stormwater infrastructure to provide safe conveyance of stormwater flows and reduce flood risk.

Goal 3

TRANSPORTATION

Plan and support safe and comfortable infrastructure for multi-modal transportation.

Goal 4

COMMUNITY AMENITIES & SERVICES

Increase access for residents and businesses to community amenities & services.

Goal 5

HOUSING

Explore mechanisms to maintain housing affordability and existing character of residential neighborhoods.

Goal 6

HISTORIC, CULTURAL, & NATURAL FEATURES

Protect and promote natural, historic, and cultural resources that support a cohesive and resilient community using nature-based solutions.

Goal 7

MULBERRY GATEWAY

Improve the function and visual appearance of the Mulberry & I-25 interchange and Mulberry Street frontage as a gateway into Fort Collins.

Goal 1

COMMERCIAL & INDUSTRIAL HUB

Foster a healthy and prosperous commercial and industrial hub for the City, while remaining viable for small businesses and industry.

GOAL INTENT AND PURPOSE:

East Mulberry has traditionally been an Industrial area with a wide variety of spaces for warehousing, distribution, small office support, engine/vehicle repair, fabrication and many other uses. Many of these businesses serve the Northern Colorado region, while many other businesses are significant nationally and internationally as well. Policies should support the continued operation of such businesses into the future.

WHAT WE HEARD

- *Business owners want to be able to continue operating their businesses and are concerned that new, adjacent uses would not be compatible.*
- *Some business owners are concerned that City standards may be too high regarding “Change of Use” applications and may inhibit business expansion.*

COMMERCIAL BUSINESSES IN AIRPARK



STRATEGY 1 **Customize approach to infill development and business improvements.**

Implementation Action Item:

1.1.1 Where possible, work with City staff to prioritize site improvements based on project size and other site-specific constraints.

See Section 4 of the East Mulberry Plan document for the Development Review Framework and Development Review Spectrum.

Note on Fulfillment of this Strategy: Because much of the East Mulberry area was developed during the 1950s and 1960s and has had limited redevelopment since, many existing streets and lot configurations would not be developed the same today. Therefore, some flexibility in standards will be needed depending on the site and the proposed improvement/expansion.

Prior to Annexation: Larimer County will continue to manage development review applications and refer those within the East Mulberry enclave to City staff for review and comments. Larimer County will continue to have decision-making authority on most projects within the enclave unless they are eligible for immediate annexation.

UNDEVELOPED LAND NORTH OF MULBERRY STREET



STRATEGY 2

Support the retention of existing industrial and agricultural business uses and their future expansion.**Implementation Action Items:**

1.2.1 Market studies have documented the East Mulberry Plan Area as a significant component of the larger Fort Collins business community. Existing businesses, including agricultural and industrial, should be encouraged to remain and expand in the study area. Specific tools to explore to achieve this strategy should include examination of allowable uses in existing zone districts and a consideration of possible changes or additions to zone districts to accommodate a larger number of industrial and agricultural businesses.

1.2.2 Agricultural-related business uses, such as livestock auctions, cooperatives, veterinary supply, implement dealerships and stockyard activities, located within the East Mulberry Plan Area, will be allowed to continue as part of the industrial land use designation and zoning.

Please reference Section 4 of this document to view the Land Use Framework Plan map and further discussion of land uses.

1.2.3 Staff from the Economic Health Office and the Planning Department will continue to work with businesses in the area to understand changing needs and concerns, especially when the area is being examined as a potential “Threshold” for annexation. Staff will continue to communicate with businesses in the area regarding tools available to them and any requirements of them upon annexation should that occur.

1.2.4 Foster innovation and entrepreneurship for commercial and industrial uses by allowing for business incubation and start-up spaces.

1.2.5 As properties redevelop, billboards will generally be required to be removed and nonconforming or outdated signage should be updated to be brought into compliance with City standards. Prior to redevelopment, the City should explore with businesses incentives for voluntary consolidation or removal of billboards in the corridor.

See also Goal 7.

Note on Fulfillment of this Strategy:

Fort Collins does not currently have a major industrial area within city limits. Therefore, some of the zone districts that support industrial operations may need to be altered to better foster a thriving industrial area if the area were to be annexed in the future.

Prior to Annexation: Larimer County will continue to manage development review applications and refer those within the East Mulberry enclave to City staff for review and comments. Larimer County will continue to have decision-making authority on most projects within the enclave unless they are eligible for immediate annexation.



STRATEGY 3 **Recognize interconnectivity of infrastructure and business.**

Implementation Action Items:

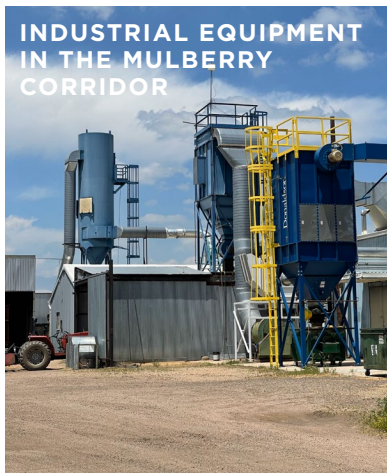
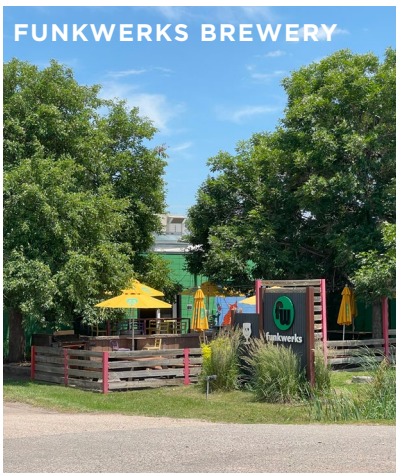
1.3.1 Continue to support East Mulberry Street as a primary travel and freight corridor for travel-related businesses, shopping and employment.

1.3.2 Focus on safe truck access that also accommodates bicycle and pedestrian traffic within and between areas of the enclave.

1.3.3 Bring highly reliable and efficient energy through Fort Collins Light & Power’s underground system.

Note on Fulfillment of this Strategy: The unique nature of industrial businesses, especially those related to manufacturing, warehousing, and shipping often require safe and efficient truck access. This is especially important for access along East Mulberry Street and out to I-25. Safe access to and from I-25 is currently impeded by substandard turning lanes and dangerous circulation patterns near the I-25 and East Mulberry interchange. Ultimately, as future annexed areas become served with the City’s Light & Power system, businesses will have reliable and efficient service.

Prior to Annexation: The Colorado Department of Transportation (CDOT) will continue to manage and will retain decision-making authority regarding improvements of East Mulberry Street from Lemay to I-25 as well as the I-25 interchange. Larimer County will continue to manage development review applications and refer those within the East Mulberry enclave to City staff for review and comments. City staff will focus on creating recommendations to support connectivity for reference by County staff prior to annexation.



Goal 1

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

1.A - Airpark

- 1.A.1 Support the preservation of industrial businesses and functions within the Airpark.
- 1.A.2 Maintain current land designations.

1.F - Frontage

- 1.F.1 Mulberry Street as a travel corridor to support efficient freight access for industrial and commercial functions.
- 1.F.2 Preserve the East Mulberry Frontage character area as commercial through land use guidance and zoning when areas annex into the City of Fort Collins.

1.N - I-25 Interchange

- 1.N.1 Preserve existing agricultural and industrial businesses through land use guidance and zoning upon annexing into the City of Fort Collins. See Section 4 of the Plan for more specific recommendations related to existing agricultural and industrial businesses around the I-25 Interchange.

1. E - Southern Residential (Estate)

Goal 1 pertains primarily to existing commercial and industrial areas within the East Mulberry Plan Area. Neighborhoods within the Southern Residential (Estate) Character Area are intended to be preserved as lower intensity residential zones.

1. M - Northern Residential (Mixed)

Goal 1 pertains primarily to existing commercial and industrial areas within the East Mulberry Plan Area, however, neighborhood centers supporting smaller commercial amenities could be incorporated where appropriate.

1. T - Transitional

- 1.T.1 Maintain flexibility for future land uses that act as a buffer between industrial and residential areas, thereby supporting the continued viability of industrial and commercial areas.
- 1.T.2 Explore the creation of a green infrastructure corridor along Dry Creek. One of the multiple benefits of a green infrastructure corridor could be reduced on-site stormwater burden for industrial and commercial businesses surrounding the Transitional character area.

Goal 2

STORMWATER

Master plan, construct and maintain stormwater infrastructure to provide safe conveyance of stormwater flows and reduce flood risk.

GOAL INTENT AND PURPOSE:

There are longstanding stormwater drainage and floodplain issues in the East Mulberry Enclave, and it will take a coordinated effort to begin to identify, plan, and prioritize necessary repairs, improvements, and maintenance. Enhancements to the stormwater system will be generational in nature and long-term master planning should begin even before annexation fully occurs so public and private stakeholders can begin to understand needs and funding requirements.

WHAT WE HEARD:

- *Community members want to see improvements to ongoing flooding issues in the area.*
- *Some businesses are worried about flooding from local creeks that overflow near business centers in the area.*

RUNWAYS AT THE OLD AIRPARK



STRATEGY 1 **Dedicate funding to prepare an East Mulberry Enclave stormwater master plan.**

Implementation Action Items:

2.1.1 Explore joint master planning of the East Mulberry Plan Area with Larimer County to manage future improvements and maintenance while areas of the plan area remain under split jurisdiction and to reconcile different regulatory approaches to Poudre River floodplain requirements.

2.1.2 Coordinate with Larimer County and private property owners to inspect and clean existing stormwater system infrastructure and identify repairs and improvements in the Master Plan.

2.1.3 The Master Plan should identify storm drainage improvements to Dry Creek, Cooper Slough, and Boxelder Creek to better manage the area's flood flows and adjacent local drainage and prepare funding estimates for future capital project planning and prioritization.

2.1.4 The Plan should coordinate with Larimer County and other services providers for the provision of urban level drainage infrastructure, maintenance, and the timing of future public improvements.

Note on Fulfillment of this Strategy:

Waterways, floodplains, and stormwater conveyance ignore property and jurisdictional boundaries and there is a need to understand deficiencies and opportunities on a plan area-wide scale. While future stormwater improvements and maintenance are not likely to occur until annexation into the City, master planning needs to begin sooner to understand needs and identify and prioritize funding mechanisms and opportunities.

Prior to Annexation: The City should engage with Larimer County and other stakeholders to lay the groundwork for a joint stormwater master plan for the plan area, including consideration of funding to begin the study even before large areas of the plan area have been annexed.



STORMWATER DRAINAGE ON LINCOLN AVENUE

STRATEGY 2 Protect people, property and the environment through floodplain and stormwater regulations.

Implementation Action Items:

2.2.1 Reduce flood risk and floodplain encumbrances on public and private property with improved drainage infrastructure.

2.2.2 Development and redevelopment will be required to follow the City’s stormwater regulations for protection of the project site and neighboring properties by improving localized and substandard storm water conveyances.

2.2.3 Development and re-development activity within the Poudre River corridor shall comply with existing floodplain regulations.

2.2.4 Storm drainage improvements along and adjacent to Dry Creek, Cooper Slough and Boxelder Creek should be designed using nature-based solutions and constructed wetlands to balance flood protection, environmental enhancement, and natural habitat buffering.

Note on Fulfillment of this Strategy:

Older development in the East Mulberry Plan Area lacks modern stormwater conveyance features that can lead to flooding and safety issues. As sites redevelop, they will generally be required to install or incrementally upgrade stormwater infrastructure and begin the long-term process of developing plan area-wide stormwater infrastructure.

Prior to Annexation: City staff will continue collaborating with Larimer County and provide referral comments on stormwater upgrades and floodplain requirements when sites undergo redevelopment through Larimer County’s development review process.



COOPER SLOUGH



STRATEGY 3 **Incorporate or collocate stormwater and floodplain enhancements alongside other East Mulberry Plan Area environmental protection and transportation enhancements.**

Implementation Action Item:

2.3.1 Future transportation and storm drainage projects should be coordinated to assess design opportunities, funding assessments, and impacts to adjacent properties.

2.3.2 Stormwater and floodplain enhancements should incorporate natural features while improving drainage infrastructure by creating/improving natural areas, wetlands, and wildlife corridors.

2.3.3 Storm drainage improvements to Dry Creek, Cooper Slough and Boxelder Creek, will be designed using nature-based solutions and constructed wetlands to balance flood protection and environmental enhancement of Nature Habitat buffering.

Note on Fulfillment of this Strategy: Larger stormwater and floodplain enhancements in the plan area should seek to collocate alongside other planned environmental and transportation improvements identified in the plan area to achieve design and funding efficiencies. Many of the waterways in the East Mulberry Plan Area have been identified for additional environmental protection and possible trail or multimodal corridors that could benefit from joint project planning.



Goal 2

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

2.A - Airpark

2.A.1 Address the lack of stormwater infrastructure available for redevelopment by conducting an inventory, adding it to the maintenance schedule, and planning improvements based on the Citywide prioritization list.

2.F - Frontage

2.F.1 Coordinate with CDOT to improve and maintain stormwater infrastructure between Mulberry Street and the frontage roads.

2.F.2 Reduce flooding along Mulberry Street through future improvements identified through joint stormwater master planning efforts.

2.N - I-25 Interchange

2.N.1 Accommodate improvements identified through stormwater master planning in new developments in the area.

2.N.2 Construct future improvements to reduce flooding along Cooper Slough.

2.E - Residential Estate

2.E.1 Implement improvements identified through stormwater master planning to mitigate flooding in the area.

2.E.2 Prioritize the study of localized drainage issues caused by the lack of stormwater infrastructure and incorporate them into the City's overall project prioritization list.

2.E.3 Add existing stormwater infrastructure within this character area to the maintenance schedule.

2.M - Residential Mixed

2.M.1 Ensure new residential areas have sufficient stormwater infrastructure. Coordinate with Larimer County to determine when maintenance of public infrastructure should be transferred.

2.M.2 Implement improvements through stormwater master planning to mitigate flooding in the area.

2.T - Transitional

2.T.1 Implement recommendations identified in stormwater master planning efforts to reduce flooding in the adjacent Airpark character area.

2.T.2 Develop a green infrastructure corridor through the the Transitional character area along Dry Creek that can serve partially as a flood channel corridor.

2.T.3 Protect and improve the Lake Canal corridor.

Item 3.

Goal 3

TRANSPORTATION

Plan and support safe and comfortable multi-modal transportation infrastructure.

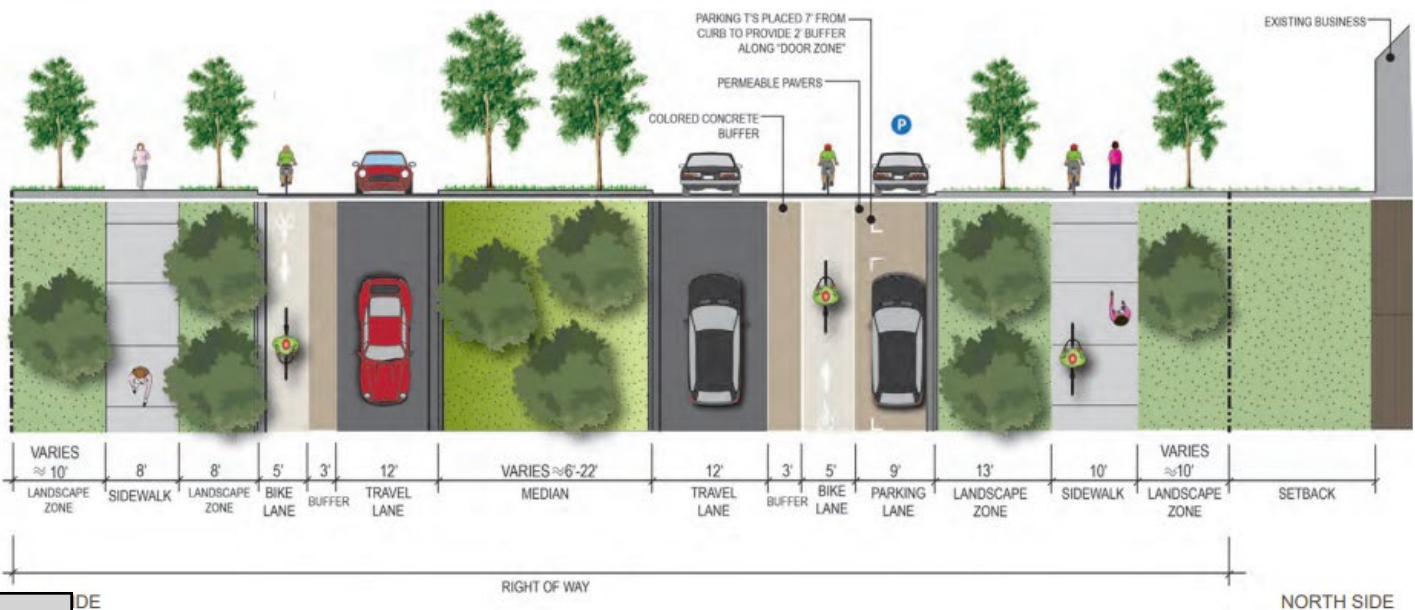
GOAL INTENT AND PURPOSE:

Transportation infrastructure in the East Mulberry Plan Area will support walking, rolling, bicycling, driving, and commercial activities. The connections will focus on safety and comfort, especially for the most vulnerable road users. Infrastructure design will recognize business needs and utilize creative design elements to ensure both efficient and safe travel for all modes.

WHAT WE HEARD:

- Residents who rely on frontage roads know that they are unsafe but worry the city will get rid of the frontage roads entirely.
- Some business owners want to preserve access to key business and manufacturing corridors, like Lincoln Avenue.
- Some business owners are interested in improved connectivity along East Mulberry between I-25 and downtown Fort Collins.
- Transportation related infrastructure is needed for all modes, especially pedestrian and bicycle infrastructure, including improvements at key intersections.
- Many residents voiced a desire for improved bicycle and pedestrian connectivity to nature trails, open green space, and downtown as a priority. Some residents would like to see neighborhood access for cars prioritized over pedestrian and bike access routes.

When considering future improvements to Lincoln Avenue, consult design alternatives and concepts developed as part of the Lincoln Corridor Plan (such as the graphic below).



STRATEGY 1 Augment existing streets to create multi-modal connections that support safe and comfortable mobility and traffic calming prior to improving streets to Larimer County Urban Area Street Standards (LCUASS).

Implementation Action Items:

3.1.1 There are many State and Federal grants that focus on bicycle and pedestrian safety that will be explored to augment currently deficient streets in the East Mulberry Plan Area.



Note on Fulfillment of this Strategy: According to standards adopted by City of Fort Collins and Larimer County, improvements to many streets upon annexation either require resident financial involvement or the street will be added to a long capital improvement list with a several-year wait. However, much of the area currently lacks sidewalks and bike lanes – necessary implements for safe travel. Strategies will be explored to create safe infrastructure by augmenting existing streets with improvements that do not necessarily comply with LCUASS standards. Also, traffic-calming techniques will be explored for streets leading to existing and future neighborhoods used by larger vehicles traveling from commercial and industrial land uses, reducing encroachment of heavy truck traffic and other related traffic through residential neighborhoods.

Prior to Annexation: Identify deficiencies on all streets in the annexation area and prioritize opportunities to augment with safe infrastructure and traffic calming.



STRATEGY 2 Collaborate with CDOT, adjacent business owners and other community stakeholders on the re-design or augmentation of Highway 14 (East Mulberry) and frontage roads for multi-modal transportation.

Implementation Action Items:

- 3.2.1** Coordinate with CDOT to evaluate the existing plan to expand Mulberry to six travel lanes as identified in the Access Management Report and the Master Street Plan.
- 3.2.2** The US 287/SH 14 Access Management Report shall be updated to reflect the goals and strategies in the East Mulberry Plan Area.
- 3.2.3** Continue to support East Mulberry Street as a primary travel and freight corridor for businesses, shopping and employment.
- 3.2.4** The Active Modes Plan calls for side paths (shared-use for bicycles and pedestrians) along East Mulberry. This infrastructure would support bicycle and pedestrian travel on the frontage roads as well. Coordinate with the Active Modes implementation team on design and implementation of side paths on East Mulberry.

Note on Fulfillment of this Strategy:

State Highway 14 (Mulberry Street) is a wide 4-lane arterial street that serves as a CDOT designated trucking route (Denver to Laramie) with frontage roads for business access. Presently there are no sidewalks or bike lanes along this stretch of road. The frontage roads offer an opportunity for bicycle and pedestrian access with creative design solutions on relatively low-speed streets. And the generous size of Mulberry provides opportunities for dedicated transit lanes.

Prior to Annexation:

Coordinate with CDOT about design options and schedule for the next maintenance or resurfacing project for Highway 14.



STRATEGY 3

Create a transportation-specific plan for the East Mulberry Plan Area, analyzing transportation needs – focusing on multi-modal travel, opportunities, and defining strategies for implementation.

Implementation Action Item:

3.3.1 Identify funding and resources for a transportation plan prior to annexation.

3.3.2 Encourage future City transportation plans and studies to incorporate the East Mulberry Plan Area into plan boundaries and evaluation criteria prior to annexation to begin building data capacity and funding/prioritization needs.

Note on Fulfillment of this Strategy:

Annexation of the East Mulberry Plan Area will likely happen in pieces and phases. However, the timeline and extent are unknown. This uncertainty introduces a challenge to creating a transportation plan and its implementation details prior to annexation.

Prior to Annexation: Communicate this intent with decision-makers as they determine schedule and extent of annexation.

STRATEGY 4

Plan and identify strategies, costs, funding, and timelines for City acceptance of public streets for maintenance. This includes CDOT right-of-way, existing and future improvement districts, and all street classifications.

Implementation Action Item:

3.4.1 Identify funding and resources for a transportation plan prior to annexation.

Infrastructure Standards

Developed land, or areas seeking voluntary annexation, must have their infrastructure improved (e.g., streets, utilities and storm drainage systems) to City standards, or must have a mechanism (e.g. a special improvement district, capital improvements program or other type project) in place to upgrade such services and facilities to City standards before the City will assume full responsibility for future maintenance.

*Larimer County Urban Area Street Standards (LCUASS): Appendix G

Note on Fulfillment of this Strategy:

The importance of this strategy is to be transparent with all stakeholders being annexed into the City of Fort Collins with levels of maintenance they can expect. An inter-governmental agreement between Larimer County and the City of Fort Collins generally says that streets need to be built and maintained to City standards upon annexation for the City to perform more than minor maintenance. Some neighborhoods have created Special Improvement Districts to fund the improvement of their streets. (See following page for more details.)

Prior to Annexation: The City of Fort Collins will work with CDOT and Larimer County to evaluate existing streets and understand existing maintenance activities.

Mechanism of Public Improvements

Ongoing deterioration, maintenance, and repair of infrastructure has been a critical topic for the plan area since before the 2002 East Mulberry Plan was adopted. Timing for updates to aging infrastructure, maintenance responsibility, and what changes with annexation often raises questions for residents and business owners.

One solution for adding clarity around these issues is the implementation of Improvement Districts. There are various improvement districts that can be explored and established within the City: **Special Improvement Districts (SID)**, **Business Improvement Districts (BID)**, **General Improvement Districts (GID)**, and **Metropolitan Districts (Metro Districts)**.

1 Special Improvement Districts

A Special Improvement District (SIDs) is used for one-time projects that will serve a particular area. The City Council can establish SIDs on its own initiative without the affected property owners' consent. However, their participation encouraging the City Council to establish the SID is advisable. The cost to build the improvements are funded with "special assessments" imposed on the adjacent properties that are expected to increase in value by the proposed improvement rather than funded with property taxes. SID special assessments can therefore be imposed by the Council without a TABOR election. SIDs do not have a maintenance aspect, so the expectation is that once the improvement is built, such as a street, the City accepts the improvement for future maintenance, repair and replacement. SIDs should be initiated only when the adjacent properties are sufficiently developed to support the property owners' payment of the special assessments. Also, if the improvement is to be oversized to serve more than just the adjacent properties, such as oversizing a street, this may require the City to separately fund the oversized portion.

1 General Improvement Districts (GIDs) can be set up to not only construct public improvements, but also to operate and maintain them. GIDs can construct pretty much any public improvement the City can construct. A GID can only be established if a significant percentage of the property owners within the boundaries of the proposed GID have signed a petition requesting creation of the GID and then the creation must be approved in an election approved by the GID's voters. Also, any taxes imposed by the GID to fund its projects must be approved by the GID's voters in a TABOR election. The Council is the governing board of the GID. GIDs can include residential, commercial and industrial zoned properties.

1 Business Improvement Districts (BIDs) are organized in a similar manner as GIDs, and they can impose property taxes after a TABOR election. They can also impose special assessments without an election. BIDs can construct, maintain and operate its public improvements like a GID can. However, BIDs are intended to be used for public improvements to serve commercial business areas, so the boundaries of BIDs cannot include residentially zoned properties. The governing board of BIDs can either be the Council or the Council can appoint electors from the BID to serve on the board, which are usually owners of commercial properties within the BID.

1 Metro Districts are not established by the City, but typically by the developers of large developments and used by them to help fund the public infrastructure for those developments. Metro Districts have a separate governing body, and their powers are governed by a Service Plan that must be approved by the City Council. Service Plans approved by the Council typically limit the Metro District's authority and define the scope of its operation. A Metro District's improvements are usually funded with a property tax imposed on the properties and future development within the District. Some Metro Districts are dissolved after construction of the public infrastructure has been completed and all related debt has been paid. However, some have a perpetual existence if needed to fund the future operation, maintenance, or replacement of such infrastructure.

STRATEGY 5 Establish safe and direct multi-modal connections between destinations/character areas within the East Mulberry Plan Area, as well as primary travel corridors and to adjoining areas within the City of Fort Collins such as Downtown, natural areas, and the Mulberry & Lemay Crossings commercial area.

Implementation Action Items:

3.5.1 Prioritize capital improvement for Lincoln Avenue to Timberline Street consistent with improvements west of Lemay to serve as a multimodal connection between the core of East Mulberry and the heart of Downtown.

3.5.2 Incorporate the existing and proposed bikeway and pedestrian networks, as part of the transportation system, along roadways as well as multi-use trails (off-street) just outside of the natural habitat and features buffers along Cooper Slough, Lake Canal, and other ditches.

3.5.3 Plan and design multi-use trails to function as both recreational and transportation facilities for all skill and user types, with well-connected trail access points to surrounding developments, such as the adjacent Mountain Vista and Poudre River areas.

3.5.4 Review and update the city’s Master Street Plan consistent with the goals of this plan, City Plan, and newly established development patterns.

3.5.5 Land use development will provide and allow for a well-connected direct pedestrian / sidewalk system and bike network from points of origin to destinations, including transit stops along East Mulberry Street.

3.5.6 Lessen potential accidents between various transportation modes by reducing points of conflict by utilizing grade separated crossings at major roadways such as the multi-use trail underpasses of East Mulberry Street and by utilizing access management techniques. Update the City’s Trails Strategic Plan accordingly.

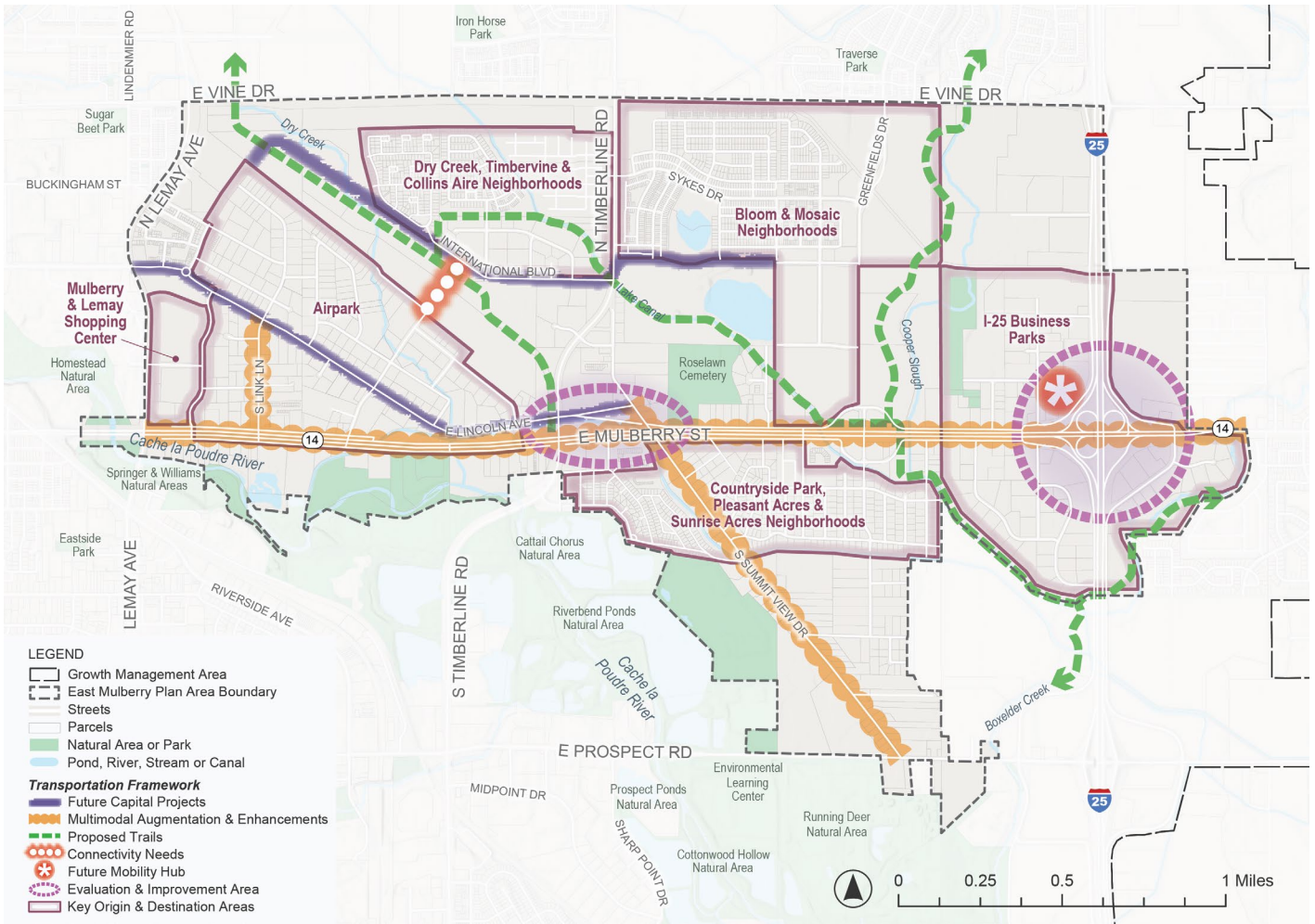
3.5.7 Utilize the Active Modes Plan as a guide for all new multi-modal infrastructure in the East Mulberry Plan Area.

Note on Fulfillment of this Strategy: This plan provides a high-level view of intended multi-modal transportation connections. A more detailed transportation plan will provide specific infrastructure and funding recommendations.

Prior to Annexation: The city will identify opportunities for improvements consistent with jurisdictional boundaries such as transit improvements, new development improvements, and land owned by the City of Fort Collins such as parks and natural areas.



Transportation Framework Map



Full description and discussion of the Transportation Framework Map can be found in [Section 4](#) of the Plan.

STRATEGY 6

Improve transit service to the East Mulberry Plan Area consistent with goals in the Transit Master Plan.

Implementation Action Items:

3.6.1 A mobility hub with a park-n-ride should be located near the I-25/SH 14 Interchange and should be integrated with transit service connections.

3.6.2 Improve existing bus stops to ensure safe ADA access.

3.6.3 Include transit planning in the transportation-specific plan for the East Mulberry Plan Area. Consider opportunities for high-frequency/BRT service and bus-only lanes.

Note on Fulfillment of this Strategy:

Transfort already serves this area with Route 14 at 1 hour increments. The Transit Master Plan calls for 30-minute local service on East Mulberry. However, the plan area represents an opportunity for regional commuters to either park their vehicles or transfer from regional transit to local service bringing them to and from Downtown and other employment destinations.

Please note that the implementation of transit service is typically based on demand which is created from housing and jobs. The Transit Master Plan outlines densities needed to provide various levels of service. However, this is not always the case when it comes to park-n-rides and regional service so commuting patterns and opportunities to provide service to commuters will continue to be monitored.

Prior to Annexation: Transfort will continue to evaluate opportunities to implement the Transit Master Plan as it relates to East Mulberry.



Future Transit Network

- Regional Service
- Bus Rapid Transit
- High Frequency Service (15 min all day)
- Frequent Peak Service (15 min peak/30 min off peak)
- Local Service (30 min all day)
- Transit Center/Mobility Hub
- Park-and-Ride
- Mobility Innovation Zone
- City Limit
- Growth Management Area
- Park



Goal 3

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

1.A - Airpark

- a. Plan for safe pedestrian and bicycle infrastructure in an area that continues to cater to industrial and commercial vehicles.
- b. Connect the Airpark character area with the rest of the community by prioritizing capital improvements on Lincoln Avenue, following the design model of Lincoln Avenue east of Lemay Avenue.
- c. Evaluate and amend the Master Street Plan to prioritize connections within this character area and to surrounding areas.
- d. Prioritize pedestrian-friendly infrastructure such as landscaping, trees, and sidewalks, along Link Lane and Lincoln Avenue.

1.F - Frontage

- a. Identify opportunities to enhance Mulberry Street and its frontage roads for safe bicycle and pedestrian infrastructure.
- b. Plan for future enhanced transit service in the corridor, including potential bus-only lanes for Bus Rapid Transit (BRT) service.

1.N - I-25 Interchange

- a. Collaborate with CDOT to redesign and reconstruct the I-25 & Mulberry interchange, incorporating design enhancements that align with Fort Collins' character.
- b. Improve safety, multimodal options, and efficiency for accessing and crossing I-25.
- c. Establish a Park & Ride / Mobility Hub for regional services at the I-25 & Mulberry interchange.

1. E - Residential Estate

- a. Ensure safe, comfortable, and convenient connections for pedestrians, cyclists, and other modes of transportation between residential areas, commercial areas, and natural areas.
- b. Enhance or expand multimodal options along Summit View Drive.
- c. Evaluate and work with neighborhoods on desired frontage improvements (sidewalks, curb & gutter) along rural residential streets.

1. M - Residential Mixed

- a. Ensure safe, comfortable, and convenient multimodal connections between residential areas, commercial areas, and natural areas.
- b. Establish a trail corridor along Dry Creek or Lake Canal to Vine Drive and continuing north, in alignment with the future Strategic Trails Plan in 2024.

1. T - Transitional

- a. Extend International Boulevard to Cordova Road.
- b. Extend Airpark Drive to International Boulevard and amend the Master Street Plan accordingly.
- c. Establish a trail corridor along Dry Creek or Lake Canal to Vine Drive and continuing north, in alignment with the future Strategic Trails Plan in 2024.

Goal 4

COMMUNITY AMENITIES & SERVICES

Increase access for residents and businesses to community amenities & services.

GOAL INTENT AND PURPOSE:

There is a need for increased availability and access to amenities and services within the East Mulberry Area. This includes access to daily needs such as a grocery store, but also the types of services that can assist in making this area safer and more connected to the rest of Fort Collins.

WHAT WE HEARD:

- Many residents want a closer grocery store and access to more community amenities such as parks, schools, and trails.
- There are safety concerns with drug use, vandalism, and some instances of homelessness.
- Some residents are interested in having more options for affordable and stable internet connectivity including broadband.

E LINCOLN AVENUE



STRATEGY 1 **Increase community policing resources and safety within the East Mulberry Enclave.**

Implementation Action Items:

4.1.1 To prepare for annexation, ideally Fort Collins Police Services (FCPS) will have 18 to 24 months of lead time to hire and train officers to adequately cover the newly annexed area. As soon as the geographic area of a potential annexation is determined, FCPS analysts will determine the number of officers needed to serve the area. It has been determined that full annexation of the entire East Mulberry Enclave would lead to a 10% increase in calls for service (2022 data). That increase will require 23 police officers supported by 12 varied professional staff members.

Hiring processes take six (6) months with an additional twelve (12) months of training. Therefore, a full annexation of the entire East Mulberry Enclave would require FCPS to have authorization for 35 employees. As previously stated, FCPS requires 18 to 24 months from the moment an annexation is certified until officers can be in place to serve a newly annexed area. This timeframe is also influenced by alignment with basic training academy cycles.

4.1.2 The staffing needs of a threshold annexation must be evaluated by the call data in the areas/zones proposed for annexation. Staffing increases will be based upon that percentage increase.

4.1.3 Annexation (full or phased in threshold annexations) may be supported by later introduction of police services if FCPS is able to enter into mutually beneficial agreements with Larimer County Sheriff's Office (LCSO) and Colorado State Patrol (CSP) for their continued corridor responsibility during FCPS' hiring and training of new personnel. However, no funding exists to pay such contracts and would need to be added to the FCPS budget in addition to the funding for the personnel. That "contract" funding would expire as the new FCPS personnel took over responsibility for any annexed area/zone.



Note on Fulfillment of this Strategy:

When any portions of the East Mulberry Enclave annex into the City of Fort Collins, they may be immediately served by Fort Collins Police Services, or depending on the size and anticipated call volume of the potential annexation area, may require a transition over time. Therefore, fulfillment of this strategy depends on annexation and potential agreements with other law enforcement agencies. This is explored further in the Implementation Action Items for this strategy. The City's policing programs such as the Patrol, Traffic Unit, detectives, Homeless Outreach and Proactive Engagement Team (HOPE), Neighborhood Engagement Team (NET), and Mental Health Response Team (MHRT) can be deployed to help address safety issues in this area once new personnel are hired and trained.

Prior to Annexation: Fort Collins Police Services (FCPS) will continue to partner with the Larimer County Sheriff's Department (LCSO) and the Colorado State Patrol (CSP) to understand the safety concerns and response needs of this area.

STRATEGY 2

Increase access and availability of public amenities that contribute to the wellbeing and quality of life for individuals and neighborhoods, including but not limited to green spaces, recreational parks, schools, pedestrian and bike trails, and natural areas.

Implementation Action Item:

4.2.1 Incorporate the East Mulberry Enclave into future parks, recreation, and trails master planning and encourage Poudre School District and new developments to incorporate schools and other amenities that are accessible to plan area residents.

Note on Fulfillment of this Strategy:

While future City parks and trails require annexation prior to development, proactive master planning and identification of potential locations will continue before annexation occurs as City policy plans are updated.



In the Mosaic Neighborhood, future parks have been identified to facilitate amenities for the local neighborhood

STRATEGY 3

The East Mulberry Area will designate areas for commercial development that serve both the broader community and region and support the daily needs of residents and businesses.

Implementation Action Item:

4.3.1 When annexation of an area is planned, the zoning designation in the County will generally match the zone district applied upon annexation into the City. Existing businesses within the enclave will generally be able to continue to operate no matter the zoning designation applied upon annexation.

4.3.2 The City will continue to support Neighborhood Commercial (NC) zoning near the Mulberry and Greenfields intersection to encourage a central location in the corridor for a grocery store. Staff and decision-makers should also look favorably upon other non-residential areas of the East Mulberry Plan Area for opportunities for grocery stores, pharmacies, and other neighborhood supporting retail.

4.3.3 Prior to any annexation, staff will communicate regularly with affected businesses and residents within and surrounding the area to offer ample time to discuss any effects of annexation. Staff can also be available to discuss any potential changes prior to any annexation decisions to allow businesses to plan for changes that may affect them upon annexation. The annexation threshold process, including communication strategies in advance of any potential annexations, are described in Section 5 of this document.

Note on Fulfillment of this Strategy:

When portions of the East Mulberry Enclave annex into the City, a zoning district will be assigned to annexing parcels. The Framework Plan within this document (Section 4 of this document) outlines a series of Place Types that will preserve existing commercial uses and ensure future commercial uses, such as a grocery store, can be accommodated.

Prior to Annexation: The Framework Plan will be used by both the City and Larimer County to influence referral comments and land use decisions regarding development in Larimer County that do not yet trigger annexation into the City.

STRATEGY 4 **Provide residents and businesses with upgraded levels of service over time and as annexation occurs.**

Implementation Action Items:

4.4.1 On public roads, the City of Fort Collins will maintain roadways at the same level they are maintained by Larimer County at the time of annexation. That means there may be roads that receive very minimal improvements. For these areas, Special Improvement Districts may be formed proactively by property owners or required by the City or County to reconstruct failing streets. The primary goal of an improvement district would be to improve existing streets to Larimer County Urban Area Street Standards, at which point the City would begin and continue to provide full street maintenance.

4.4.2 Implement Light & Power infrastructure and service in newly annexed areas as expeditiously as feasible. When areas are identified for potential annexation, the land use composition and potential service requirements of the area will be evaluated to determine service needs. Each potential annexation area will be evaluated based on proximity to existing Light & Power Infrastructure within City Limits and if there is the ability to tie into existing infrastructure or if build-out of new infrastructure is required.

The time required to assess service needs of a potential annexation area can be completed during the analysis period after an annexation threshold has been identified. Once an area or zone has been established for annexation and service needs are understood, a detailed assessment of the area will require at least six months to develop a plan for infrastructure layout and installation. Coordination of infrastructure with Platte River Power Authority (PRPA), the public power utility that serves Fort Collins, may require additional time before service can begin. The coordination required with PRPA and any implications on the timeline will be discovered and explored during the analysis period when infrastructure needs are under study. Coordination with external agencies such as PRPA may require between 2 to 4 years to assure coordination of electric transmission facilities. Evaluation of new infrastructure needs will ensure that any newly served areas meet Light & Power service standards at the time service begins.

Note on Fulfillment of this Strategy:

Like other strategies contained within this plan, fulfillment is dependent on annexation into the City of Fort Collins. Specifically related to this strategy, it is important to distinguish between new development occurring within newly annexed areas and existing, established areas. Newly developing areas, or areas where a site will be totally redeveloped will be required to meet full development standards required by the City, including constructing/reconstructing roadways that meet full LCUASS (Larimer County Urban Area Street Standards) establishing other electric and stormwater infrastructure that meets City standards at the time of development. The areas of the East Mulberry Enclave impacted by new development or total site redevelopment will receive upgraded levels of service through the development process. Existing neighborhoods and other areas where new development or redevelopment may not occur will take longer to receive upgraded levels of service as those areas are annexed into City Limits.

STRATEGY 4

CONTINUED

Implementation Action Items:

4.4.2 (continued) Once the evaluation of infrastructure needs assessment is complete, it may take several years before service is transferred to Fort Collins Light & Power. With a plan developed, an associated budget must be approved as part of the normal two-year financial cycle for necessary capital projects. For service lines that are above ground, moving these lines underground may take additional time after service is transferred.

When an area is set to be annexed and following study of infrastructure service requirements and timelines, staff will update residents and businesses impacted by annexation with an estimate of when their property will be served by Light & Power. This communication will be important in establishing realistic expectations for when service can be provided.

4.4.3 Expand Connexion broadband services to the East Mulberry Area as annexation occurs and infrastructure connections are possible.

4.4.4 Reduce flood risk and other floodplain encumbrances on both public and private property through improved drainage infrastructure. Future storm drainage projects that minimize ongoing flooding issues within the East Mulberry Area will reduce impacts to property and over time can provide an increase in service compared to current conditions. (See Goal 2)



Goal 4

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

4.A - Airpark

- a. Maintain the diversity of businesses and services along Link Lane to continue serving as an activity center.
- b. Address and work to mitigate floodplain encumbrances on individual property owners.

4.F - Frontage

- a. Encourage grocery stores or other neighborhood-serving retail to locate in the East Mulberry Plan Area, supporting daily needs of residents and businesses.
- b. Implement principles of 15-minute cities along this corridor.

4.N - I-25 Interchange

- a. Increase availability of specialized and general police services to enhance safety, improve response times, and provide proactive and community-based law enforcement services.

4.E - Residential Estate

- a. Improve the quality of services over time, including street infrastructure, utilities, and broadband availability.
- b. Provide education on Code Compliance and City incentive programs to the community.
- c. Increase access to existing natural areas, trails, schools, and other nearby amenities, while also encouraging new amenities where contextually appropriate.

4.M - Residential Mixed

- a. Improve the quality of services over time, including street infrastructure, utilities, and broadband availability.
- b. Provide education and resources to neighborhoods about Code Compliance and City incentive programs.
- c. Increase access to existing natural areas, trails, schools, and other surrounding amenities while also encouraging new amenities where contextually appropriate.

4.T - Transitional

- a. Continue engaging community members to help formulate the vision for this area, including the possibility of event/convention spaces, including the possibility of event/convention spaces, based on feedback received during Staff outreach efforts.
- b. Explore the potential for institutional services and amenities, such as trails, roadway connections, utilities, natural areas, and gathering spaces, along the Dry Creek corridor.

Goal 5

HOUSING

Explore mechanisms to maintain housing affordability and existing character of residential neighborhoods.

GOAL INTENT AND PURPOSE:

The East Mulberry Plan Area features a diverse assortment of housing with varying styles, ages, and price points. From areas with a mix of single-family homes, duplexes, and triplexes, to manufactured housing communities, apartment complexes, and large acreages with farm animals, the plan area is home to a wide variety of neighborhoods.

As new development, infrastructure investment, and potential annexation occurs within the East Mulberry Plan Area, it is important to establish strategies to promote livability and the unique characteristics that originally drew residents to live in the plan area, whether due to its relative affordability, opportunity for a more rural or relaxed county lifestyle, or the proximity to employment opportunities and other nearby City amenities.

WHAT WE HEARD:

- *Many residents moved to the plan area for a more relaxed feel and rural lifestyle and feel annexation and City rules & enforcement may jeopardize this lifestyle.*
- *Residents in manufactured housing communities are interested in the City's mobile home parking zoning to discourage redevelopment and displacement of their mobile home parks.*
- *Neighbors are simultaneously concerned about deteriorating infrastructure and road maintenance in certain neighborhoods as well as the costs to fix these issues.*



STRATEGY 1

Utilize character area designations to maintain similar land use and streetscape character in established neighborhoods.**Implementation Action Items:**

5.1.1 Upon annexation, designate City zone districts and land uses that closely resemble development patterns originally established in Larimer County. Staff and decision makers should be especially mindful to maintain similar intensity and character in neighborhoods with an established rural setting.

5.1.2 Staff and decision-makers should favorably consider additional flexibility to maintain or compatibly expand the keeping of farm animals in neighborhoods with a rural setting or demonstrated livestock history.

5.1.3 Unless otherwise required for safety and accessibility, frontage improvements such as tree lawns, curb and gutter, and sidewalks should not be required in more rural neighborhoods along low traffic roadways to maintain the established streetscape.

Note on Fulfillment of this Strategy:

For established Larimer County neighborhoods, this strategy is contingent upon annexation into the City. In the interim, land use regulations, code enforcement responsibilities, and infrastructure and streetscape requirements are determined by Larimer County. While small changes and natural neighborhood evolution over time is expected, large changes to intensity or appearance of established neighborhoods should be minimized.

Prior to Annexation: Work proactively with Larimer County to provide input and referral comments that would limit larger changes to the look and feel of existing neighborhoods.



STRATEGY 2

Preserve and enhance existing mobile home parks.**Implementation Action Items:**

5.2.1 Upon annexation, zone existing mobile home parks into the Manufactured Housing zone district to discourage redevelopment and the displacement of residents.

5.2.2 Connect and educate park owners and residents to City resources such as neighborhood mini-grants and the City's mobile home park liaison that can help address infrastructure and livability needs.

Note on Fulfillment of this Strategy:

City land use controls and certain City mobile home park program and grant funding are only available after annexation occurs.

Prior to Annexation: Continue to partner with Larimer County and community organizations to extend grant opportunities, neighborhood programs, and infrastructure planning to mobile home park owners and residents.

Manufactured Housing Preservation

Manufactured or mobile homes feature many of the benefits of stick-built single unit dwellings such as first floor living and entries, the privacy of an individual unit, and smaller semi-private yards and garden areas. In addition, manufactured housing communities are often considered a natural source of affordable housing with comparable costs to deed-restricted affordable housing units.

While manufactured housing communities feature many benefits, they can also create uncertainty for residents who may own their units but lease the land underneath, which could result in displacement if a mobile home park unexpectedly closes or is redeveloped.

The City of Fort Collins supports and encourages the retention of existing mobile home parks to help preserve this unique and limited form of housing and as a strategy to support naturally occurring affordable housing in the community. Local efforts include grant support and resident organizing/training through the City's Neighborhood Services department and land use controls through zoning.



Manufactured Housing (MH) Zoning

The City's Manufactured Housing (MH) zone district was developed to discourage redevelopment of existing parks by limiting opportunities for redevelopment into other competing land uses, such as commercial or multifamily development. Manufactured housing communities are the primary land use permitted in the MH zone district and sends a strong policy signal to current and future landowners and residents that the City encourages this type of land use.

i Mobile Home Park Resources: Beyond preservation, the City of Fort Collins' Neighborhood Services department provides support for enhanced livability and support for park or individual unit upgrades through grant opportunities. Visit the Neighborhood Services website to learn more about:

- Mobile Home Park Residents' Handbook
- Dispute & Complaint Resolution Services
- Neighborhood Mini-Grant Opportunities
- Training & Legal Advice from Partner Agencies



STRATEGY 3 **Educate and promote City services, programs, and code enforcement expectations to neighbors.**

Implementation Action Items:

5.3.1 Perform outreach prior to and after annexation to educate residents and neighborhoods about Neighborhood Services programs and services such as mediation, neighborhood mini-grants, Adopt-A-Neighbor, and more.



5.3.2 Educate and promote City code enforcement standards with residents and neighbors prior to beginning proactive and graduated enforcement activities.

Note on Fulfillment of this Strategy:

The City has many different programs, grants, and neighborhood resources as well as code enforcement opportunities which are generally only available or enforced upon annexation.

Prior to Annexation: Before annexation occurs, the City can begin to educate neighbors on upcoming services and code enforcement expectations. For programs, grants, and other services that are available to the Growth Management Area, greater promotion should be directed towards the East Mulberry Plan Area.

Improvement Districts: As part of educating neighbors prior to and after annexation, the City and Larimer County can work proactively with neighborhoods to educate and/or promote Improvement Districts as a potential long-term maintenance structure for neighborhood infrastructure and amenities. See information about various types of Improvement Districts under Goal 3.

STRATEGY 4 **Periodically evaluate mitigation and redevelopment strategies for existing sources of attainable and affordable housing.**

Implementation Action Items:

5.4.1 Periodically update the 'Equity and Opportunity Analysis' with East Mulberry Plan Area data to evaluate gentrification and redevelopment risks.

5.4.2 Use a data-driven approach to apply counter-displacement strategies, as appropriate, after annexation of vulnerable neighborhoods. Counter-displacement strategies could include strategies such as preservation of mobile home parks and other naturally-occurring sources of affordable housing.

Note on Fulfillment of this Strategy:

Many neighborhoods in the East Mulberry Plan Area feature a range of affordable and attainable housing options, from mobile home parks deed-restricted rental options in developing neighborhoods. Over time and as residential areas are annexed into the City, a periodic review of housing options and price points should take place to better understand and evaluate the full spectrum of housing options, prices, and redevelopment and displacement risk in the plan area. The specific application of any strategies may only be possible once an area is annexed into the City.

Prior to Annexation: Continue to include the East Mulberry Plan Area into relevant City housing data monitoring and policy updates.

STRATEGY 5 Implement 15-Minute City strategies to promote complete neighborhoods with improved access to neighborhood supporting amenities and destinations.

Implementation Action Items:

5.5.1 As community-wide policy plans are updated, identify locations in the East Mulberry Plan Area for public and institutional amenities such as parks, recreation facilities, and satellite government offices/services.

5.5.2 Preserve supportive land use opportunities in the plan area that allow for mixed-use and retail development near existing and future neighborhoods. Maintain a focus on opportunities for a grocer to locate within the plan area.

5.5.3 Utilize the plan area’s existing and future public lands (parks, regional stormwater detention, natural areas, etc.) to promote greater multimodal connectivity and access to amenities and destinations internal to the plan area and externally to the remainder of the community.

Note on Fulfillment of this Strategy:

As new development occurs in the East Mulberry Plan Area there will be opportunities to promote strategic locations for neighborhood services such as grocery stores and childcare or to create and enhance transportation connections to existing amenities. Fulfillment of this strategy will partially depend upon annexation and (re) development opportunities in the plan area.

Prior to Annexation: Staff should provide referral comments to Larimer County when new development is proposed outside city limits so as to achieve connectivity and amenity-driven goals.



*15-Minute Cities Graphic from 15-Minute City Analysis
E-Micromobility refers to electric transportation like scooters or bikes.*

Goal 5

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

5.A - Airpark

- a. Preserve the existing Nueva Vida mobile home park through land use guidance and zoning upon annexation into the City.
- b. Support the existing Nueva Vida mobile home community in pursuing necessary upgrades and services.

5.F - Frontage

- a. Not applicable.

5.N - I-25 Interchange

- a. Not applicable.

5.E - Residential Estate

- a. Maintain the Southern Residential (Estate) character area as neighborhoods with lower development intensity and a rural look and character.
- b. Preserve the existing Villas mobile home park through land use guidance and zoning upon annexation into the City.

5.M - Residential Mixed

- a. Preserve the “missing middle” housing that already exists in this area and encourage inclusion of diverse housing types in new developments.
- b. Preserve the existing Collins Aire mobile home park through land use guidance and zoning upon annexation into the City.

5.T - Transitional

- a. Not applicable.

Goal 6

HISTORIC, CULTURAL, & NATURAL FEATURES

Protect and promote natural, historic, and cultural resources that support a cohesive and resilient community using nature-based solutions.

GOAL INTENT AND PURPOSE:

Fort Collins has a long history of protecting and enhancing existing natural and cultural resources, and the community's leadership continues to reinforce environmental stewardship and conservation as core values. From areas with natural habitat characteristics, and cultural assets, these areas can be found throughout the East Mulberry Plan Area, including, along the Cooper Slough, the Poudre River watershed, as well as adjacent ditches, wetlands, and undeveloped greenfield.

As new development, infrastructure investment, and potential annexation occurs within the East Mulberry Plan Area, it is important to establish strategies that support Fort Collins' commitment to natural and cultural resources conservation. Recognizing that the East Mulberry Plan Area's long history of development has had unintended impacts to existing natural resources, the Plan's strategies seek solutions that utilize nature-based solutions and protection of existing natural and cultural assets.

WHAT WE HEARD:

- Residents would like to preserve natural space and promote outdoor recreation.
- The community has a concern about loss of natural resources and cultural spaces to development.

i Nature Based Solutions

refer to actions that incorporate natural features or processes into the built environment. Nature-based solutions can be implemented within design, planning, and environmental management practices to improve resilience and achieve other benefits such as reducing flood risk, restoring wetlands, creating new recreational spaces, improving water quality, and more.

COOPER SLOUGH



STRATEGY 1 **Protect and enhance existing natural habitats and features (including the Poudre River, Dry Creek, Cooper Slough, and Boxelder Creek) and significant historic and cultural resources through buffer standards and nature-based design.**

Implementation Action Items:

6.1.1 Protect and enhance existing wetlands, naturalized stormwater features, and associated natural habitat buffers zones using nature-based solutions and green infrastructure design principles that build community resilience to climate change. Proposed development must not negatively impact the integrity of these existing features.

6.1.2 Improve water quality and reduce flooding by restoring, enhancing, and protecting the ecological function of natural habitats and features within the East Mulberry Plan Area to the maximum extent feasible.

6.1.3 Where a multi-use trail underpass is identified, the design of the facility should also consider such underpass to be a potential wildlife movement corridor and should be designed to accommodate such habitat value.

Note on Fulfillment of this Strategy:

This strategy aligns with existing Land Use Code sections, and contingent upon annexation, staff will establish predictable linkages with stormwater goals/strategies to clearly define nature-based design strategies.

Prior to Annexation: Work proactively with Larimer County to provide input and referral comments that would limit larger changes to the look and feel of existing neighborhoods.



STRATEGY 2 **Preserve, enhance, and improve connections of the existing natural and manmade open lands system to provide a comprehensive system for drainage, habitat, transportation, and recreational purposes.**

Implementation Action Items:

6.2.1 Enhance existing drainageways and natural areas to create an interconnected system of open lands and Greenways.

6.2.2 Enhance linkages to existing natural features and manmade infrastructure providing a comprehensive system for drainage, habitat, transportation and recreational purposes.

6.2.3 Based on both the current travel demand modeling results and existing natural resources within the Cooper Slough drainageway, Weicker Drive will not extend across the Cooper Slough from the industrial park to the east, to the planned extension of Greenfields Court to the west.

Note on Fulfillment of this Strategy:

Spending time outdoors can contribute to improved physical health, emotional well-being, and cognitive function. By enhancing natural and manmade open areas the Plan aims to create habitats for biodiversity, providing not only buffering in-between development but also places where people can feel a sense of wonder. The City will be able to apply best practice strategies to the resources within the East Mulberry Plan Area as future annexations occur.

Prior to Annexation: Work proactively with Larimer County to provide input and referral comments that would limit larger changes and impacts to existing natural resources and open spaces.



Greenways are corridors of protected open space managed for both conservation and recreation. Greenways often follow rivers or other natural features. They link habitats and provide networks of open space for people to explore and enjoy.



Stormwater parks are recreational spaces that are designed to flood during extreme events and to withstand flooding. By storing and treating floodwaters, stormwater parks can reduce flooding elsewhere and improve water quality.

STRATEGY 3

Provide a vital connection to the Poudre River and regional trail system, while protecting the recognized sensitive natural areas by maintaining responsible public access.

Implementation Action Items:

6.3.1 Involve property owners, ditch companies and railroads in the planning of park and trail facilities.

6.3.2 The interface, between the Poudre River riparian habitat and development along East Mulberry Street, should be coordinated to retain environmental quality, encourage wildlife habitat and, where impacts can be appropriately buffered, provide recreational use.

Note on Fulfillment of this Strategy:

Preserving and enhancing equitable access to the Poudre River recognizes the essential role that Poudre River has in creating and maintaining a thriving and healthy community. Prior to additional portions of the Poudre River annexing into the City of Fort Collins, continue to collaborate with stakeholders to manage this resource.

Prior to Annexation: Work proactively with Larimer County to provide input and referral comments to prevent any decrease in access to the Poudre River beyond the existing conditions.



STRATEGY 4 **Improve and increase appropriate public access to open spaces and natural features.**

Implementation Action Items:

6.4.1 Continue to provide environmental, recreational and transportation benefits to the community through the existing system of open lands.

6.4.2 Proposed parks and trails should be integrated with the Citywide system, including facilities in the adjacent Mountain Vista and Poudre River areas.



Note on Fulfillment of this Strategy:

Preserving and enhancing appropriate and equitable access to open spaces and natural features recognizes the essential role that natural habitat buffers have in creating and maintaining thriving communities. Like other strategies in the Plan, fulfillment depends upon annexation to apply the City's preferred management strategies.

Prior to Annexation: Work proactively with Larimer County to provide input and referral comments to prevent any decrease in access to the open spaces and natural features beyond the existing conditions.

STRATEGY 5 **Identify new areas for parks and natural areas to purchase.**

Implementation Action Items:

6.5.1 Prioritize land conservation as a way of preserving and improving interconnected systems of open space that sustain healthy communities. As an example, the Cooper Slough's natural drainageways, wetlands, and wildlife habitat will be preserved and protected.

6.5.2 The East Mulberry Plan Area will be served by parks, multi-use trails, and other recreational facilities to support existing and planned neighborhoods, and to integrate with other facilities within the community.

Note on Fulfillment of this Strategy:

Urban natural areas help to meet the need for increasing everyone's access to nature. Urban natural areas provide islands of habitat in the urban environment that benefit wildlife as well as people seeking a close-to-home connection with nature. All urban natural areas serve a stormwater function to reduce flooding in nearby neighborhoods. Full realization of this strategy depends on annexation.

Prior to Annexation: Time, location, and cost were the three greatest barriers to increasing access to nature identified in the "Plug in to Nature Study," conducted in Larimer County (Design Workshop 2012).

STRATEGY 6 **Increase urban tree canopy.****Implementation Action Items:**

6.6.1 Protect and preserve trees wherever possible and mitigate and/or plant trees beyond the minimum requirements stipulated by the Fort Collins Municipal Land Use Codes and Larimer County Street Standards to create healthy and resilient people and tree populations.

**Note on Fulfillment of this Strategy:**

Although the City can continue to work proactively with Larimer County on referral comments for projects within the East Mulberry Plan Area, full implementation of this strategy depends on when areas are annexed and under City jurisdiction to implement them.

Prior to Annexation: Work proactively with Larimer County to provide input and referral comments that would limit larger changes to the quantity and quality of the existing urban tree canopy.

i Trees as Community Infrastructure - Trees are essential ecological, cultural and socioeconomic resources for the City, its residents and visitors. The benefits provided by a diversified and abundant community forest are many and include:

- Releasing oxygen and capturing air pollutants and carbon dioxide;
- Maintaining slope stability and preventing erosion;
- Filtering stormwater and reducing stormwater runoff;
- Reducing energy demand and the urban heat island effect through shading of buildings and impervious areas;
- Providing visual screening and buffering from wind, light, and noise;
- Sustaining habitat for birds and other wildlife;
- Providing a source of food for wildlife and people;
- Maintaining property values; and
- Contributing to the community health, appeal, beauty, character, and heritage of the City.

STRATEGY 7

Support the persistence, visibility, and physical integrity of significant historic places and cultural features that maintain a continuous sense of place throughout the ongoing evolution of the plan area.

Implementation Action Items:

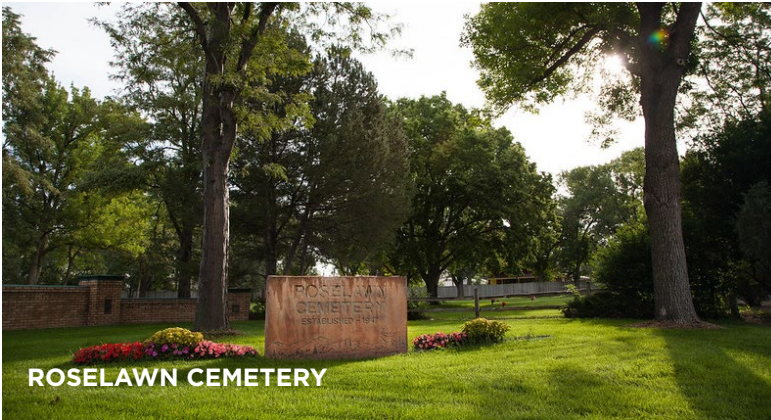
6.7.1 Existing man-made irrigation ditches and canals, should be enhanced to provide multi-use trails where feasible; including preservation of existing native vegetation, addition of new native landscaping and trails, and utilization of other site amenities to create an open lands system.

6.7.2 Identify historic resources of primary importance and anticipate strategies for adaptive reuse while working closely with and using input from community members to identify cultural resources for preservation.

Note on Fulfillment of this Strategy:

Application of the City’s Municipal Code, Land Use Code, and Design Standards and Guidelines pertaining to historic buildings and structures is dependent on areas being under City jurisdiction.

Prior to Annexation: Work proactively with Larimer County to provide input and referral comments that would limit larger changes to the look and feel of existing neighborhoods.



ROSELAWN CEMETERY



SUPERMARKET LIQUORS



CHARCO BROILER

Goal 6

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

6.A - Airpark

- a. Incorporate naturalized stormwater features that align with the spirit of protecting natural habitats as specified in the Land Use Code.
- b. Promote nature-based solutions at the neighborhood level, including along parkways, trail systems, and common areas.
- c. Celebrate and enhance the history of the Airpark and its significance in the development of Northern Colorado by recognizing and preserving remaining historic resources.
- d. Support and incentivize urban design elements that create a cohesive character identity based on the history of the Airpark area.

6.F - Frontage

- a. Enhance the urban tree canopy and establish tree buffer zones along I-25 to mitigate noise and improve aesthetics.
- b. Promote the use of green infrastructure approaches, such as bioswales, rain gardens, and urban forests, in public and private development projects.
- c. Preserve recognizable historic buildings, site features, and signage of legacy businesses that have contributed to the corridor's commercial success.

6.N - I-25 Interchange

- a. Maintain the existing 300-foot Natural Habitat Buffer Zone (NHBZ) along Cooper Slough.
- b. Consider aligning future Urban Area Zones and stormwater master plans with the Natural Areas department.
- c. Enhance the urban tree canopy and establish tree buffer zones to reduce noise and enhance aesthetic features.
- d. Promote nature-based solutions at the neighborhood level along parkways, trail systems, and common areas.
- e. Use interpretive signage to recognize the agricultural, industrial, and commercial history of the corridor as travelers enter from the highway.

Goal 6

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

6.E - Residential Estate

- a. Ensure equitable access to natural areas in the western extent of this character area.
- b. Continue to protect and buffer the remaining pockets of habitat features along the Cooper Slough.
- c. Enhance the tree canopy in this character area.

6.M - Residential Mixed

- a. Continue to buffer and enhance Natural Habitat Buffer Zones in new development.
- b. Promote nature-based solutions at the neighborhood level, such as along parkways, trail systems, and common areas.
- c. Ensure equitable access to natural areas along Cooper Slough.

6.T - Transitional

- a. Incorporate nature-based solutions, such as greenways or stormwater features, with naturalized and nature-based designs. Explore the creation of a green infrastructure corridor along Dry Creek.
- b. Consider equitable access to natural features and improve connectivity of trails.
- c. Preserve and enhance natural habitat corridors along ditches and adjacent wetland features to promote wildlife connectivity throughout this character area.

Goal 7

MULBERRY GATEWAY

Improve the function and visual appearance of the Mulberry & I-25 interchange and Mulberry Street frontage as a gateway into Fort Collins.

GOAL INTENT AND PURPOSE:

As a prominent entrance to the community and a primary route to Downtown, Colorado State University, and the Poudre Canyon many stakeholders expressed a desire to create a better first impression for the plan area and broader community – one that is visually attractive, functional, and safe. The current I-25 & Mulberry Interchange and the surrounding area features a mix of jurisdictional authority between the City, County, and Colorado Department of Transportation that could benefit from a broader vision and standards to promote aesthetic, transportation, and safety improvements.

WHAT WE HEARD:

- Residents and businesses inside and outside the East Mulberry Plan Area voiced a desire for aesthetic improvements to the gateway area around I-25 and along the Mulberry Street frontage. A lack of formal landscaping, sign clutter, and material stockpiling and outdoor storage were often cited as conditions that lowered visual quality.
- Businesses want to ensure Mulberry Street remains functional as a logistics and supply route for businesses.
- Some residents and businesses share concerns about the safety and efficiency of navigating the corridor and the interchange at I-25. Safety and ease-of-use of the frontage roads and interchange ramps should be improved or redesigned.

MULBERRY STREET



STRATEGY 1

Develop design standards and funding strategies for enhancements to emphasize the I-25 interchange and Mulberry Street corridor frontage.**Implementation Action Items:**

7.1.1 Develop an urban design and streetscape program to provide design standards and guidance for future enhancements within the Mulberry Street right-of-way and for improvements along private property frontages abutting Mulberry Street and the I-25 interchange.

7.1.2 Actively partner with CDOT, Larimer County, and other stakeholders on the redesign of the I-25/Mulberry interchange. Similar to other gateway interchanges, safety, multimodal connectivity, and aesthetic/design enhancements should be emphasized in preliminary design.

As a baseline, draw upon input provided by the community regarding future gateway design elements. Based on 2019 community workshops on gateways, the future gateway design elements should consider the design priorities described on the following page.

7.1.3 In coordination with CDOT and the National Scenic Byway program, enhance wayfinding and signage along the corridor to identify important destinations such as Downtown, the Poudre Canyon, and important local delivery routes serving Mulberry businesses.

7.1.4 New development abutting the I-25/Mulberry interchange will be required to meet the land use, transportation, and design standards adopted as part of the I-25 Subarea Plan and the Mulberry Activity Center.

Note on Fulfillment of this Strategy:

While the City recently annexed the I-25 right of way, the majority of Mulberry Street remains outside Fort Collins jurisdiction which will limit the application of City-specific goals and standards.

Prior to Annexation: Prior to full annexation, the City should begin to identify and budget resources for design work and key aesthetic enhancements to the interchange and Mulberry Street frontage for anticipated future reconstruction and capital projects.

MOUNTAIN OPENINGS PUBLIC ART

See the Gateway Character Area in Section 2 for further guidance on priority gateway design characteristics.

Design Priorities

One of the largest opportunities for the I-25 Gateway will be the future reconstruction of the Mulberry & I-25 interchange. Similar to other major gateways into the community, the City should participate alongside CDOT and other corridor stakeholders to enhance the design of the transportation infrastructure and surrounding streetscapes and landscapes. Based on 2019 community workshops on gateways, the future gateway design elements should consider the following characteristics:

- **Naturalized grading** – Community members expressed a strong preference to prioritize naturalistic qualities over more structural components, e.g., berming versus retaining walls. Where structural elements are required, they should use natural materials such as stone.
- **Landscaping** – The gateway design and surrounding streetscapes should rely primarily on landscaping elements to create a positive impression. Native landscaping and green edges of the right-of-way with the potential for more formal plantings near interchange and street infrastructure, reminiscent of the planters and flowers installed at the Mulberry Street bridge over the Poudre River.
- **Welcome Signage** – Community members voiced a preference for muted welcome signage similar to what was constructed at the I-25/CO392 interchange that complements rather than competes with other landscaping and design elements.
- **Artwork & Sculpture** – Artwork, patterns, and sculpture all received positive mentions by community members as appropriate localized features within a gateway design.
- **Themes** – Additional outreach should be completed at the time the future interchange design is underway. While naturalistic qualities are desired on a community-wide basis, there may be additional opportunities to reflect Mulberry's unique cultural and economic history as a center for industry, aviation, agriculture, or the gateway to the Poudre Canyon as a scenic byway.

STRATEGY 2 **Implement interim enhancements to improve the attractiveness of the gateway and Mulberry Street frontage.**

Implementation Action Items:

7.2.1 When minor redevelopment and changes of use occur along the interchange or Mulberry Street frontages, staff should prioritize and emphasize aesthetic improvements as part of the review process and site upgrade requirements. The most impactful site enhancements will typically include new/replacement canopy trees, replacing nonconforming signage, and relocating or screening low visual quality site areas like outdoor storage.

7.2.2 Replace or modify nonconforming or outdated signage in the plan area to ensure compliance with City standards and reduce visual clutter. Strictly enforce the City's 7-year sign amortization period after annexations occurs to transition nonconforming signage to City standards.

7.2.3 As properties redevelop, billboards will generally be required to be removed. Prior to redevelopment, the City should explore incentives for the voluntary consolidation or removal of billboards in the plan area.

7.2.4 Expand the offering of City landscaping and beautification programs to businesses and properties along the Mulberry frontage prior to annexation. Programs such as free mulch and the community canopy program provide free resources to property owners to enhance on-site landscaping and improve tree canopies.

7.2.5 When new development or catalyst projects occur along the Mulberry Street frontage, encourage high quality building and site design to set an enhanced style for future development. New developments should focus on frontage landscaping design, implementing an appropriate tree canopy in an industrial/commercial context and building/roof design variation and other design standards articulated in the I-25 Subarea Plan for the Mulberry Activity Center.

Note on Fulfillment of this Strategy:

A functional and attractive gateway will be the result of actions taken on by both private property owners and businesses, and the public sector and in the public right-of-way. Incremental enhancements are likely to occur over a number of years as private properties (re)develop, while larger functional changes to roadways and interchanges are likely to require catalyst capital projects, such as rebuilding the Mulberry and I-25 interchange. Enhancements in the right-of-way such as landscaping, street furniture, urban design elements, and public art may require annexation into the City or special funding partnerships with overseeing jurisdictions prior to annexation.

Prior to Annexation: The City should continue advocating and partnering with Larimer County and CDOT to align site, building, and landscaping requirements towards City standards along Mulberry Street and the I-25 gateway prior to annexation.

STRATEGY 3

Balance desires for aesthetic improvements with the ongoing role of the East Mulberry Plan Area as an industrial and commercial hub with unique business needs and requirements.

Implementation Action Item:

7.3.1 In new or redeveloping properties, shift lower quality aesthetic site functions such as outdoor storage to the back of properties when possible. In lieu of relocation, ensure screening of lower quality visual areas on the front, public-facing half of properties.

Note on Fulfillment of this Strategy:

Areas within the East Mulberry Plan Area feature a variety of industrial businesses that may include outdoor storage yards, material stockpiling, and other less attractive lower quality visual but otherwise vital functions that support the entire community. Aesthetics are just one important component of an overall gateway strategy and should be provided with enough flexibility so as not to compromise the plan area's role for industrial and commercial development.

Prior to Annexation: City and County staff and decision makers should consider flexibility in adapting community-wide development standards and requirements to the context of the East Mulberry Plan Area and its industrial and commercial businesses and development history.

Goal 7

SPECIFIC IMPLEMENTATION ACTION ITEMS BY CHARACTER AREA

7.A - Airpark

- a. Not Applicable

7.F - Frontage

- a. Create and establish a healthy tree canopy and improve other landscaping.
- b. Consider providing incentives for the removal of billboards on private property.
- c. To achieve goals related to aesthetic improvements for the Mulberry Street frontage, consider enhanced screening for uses that involve outdoor storage.
- d. Implement wayfinding to improve navigation.

7.N - I-25 Interchange

- a. Improve wayfinding, signage, and landscaping to indicate the entrance to Fort Collins.
- b. Remove pole signs.
- c. Enhance the safety, aesthetics, and functionality of the I-25 interchange.
- d. Create a healthy tree canopy and improve other landscaping.
- e. Provide incentives for the removal of billboards on private property.
- f. To achieve goals related to aesthetic improvements for the I-25 Gateway, consider enhanced screening for uses that involve outdoor storage.**

7. E - Residential Estate

- a. Not Applicable

7. M - Residential Mixed

- a. Not Applicable

7. T - Transitional

- a. Not Applicable

4

Implementation

Place Type Framework

Transportation Framework

Development Review Framework

Implementation Introduction

The Implementation Section explores more practically how the goals, strategies, and implementation action items recommended within this plan could be accomplished. Within this section, there is a Place Type Framework map that depicts future land uses, a Transportation Framework map that explores a potential transportation network, a Development Review Spectrum to guide future development activity in the East Mulberry Plan Area.

Place Type Framework

The Place Type Framework will help guide land use and development/redevelopment activity within the East Mulberry Plan Area. The Place Type Framework depicts place types for the entire plan area. Place types are land use categories that are designated in the City Plan, Fort Collins' comprehensive plan. These place types provide a framework for the ultimate buildout of Fort Collins and help guide future land use decisions, such as initial zoning when areas of the East Mulberry Enclave are annexed. Place types are not zoning districts but instead broader categories that focus on the types of land uses and development intensities to encourage.

However, place types can be correlated to City zoning districts. The table within this section called "Current City Zoning Districts and Corresponding Structure Plan Place Types" further depicts the alignment between Fort Collins zoning districts and City Plan Place Types.

The 2002 EMCP includes a Framework Plan that is based primarily on zone districts that exist under City zoning. Though this map has served well in guiding land use decisions for the plan area, place type designations can offer additional flexibility with an annexation thresholds strategy where the timing of annexation is unknown. In most cases, place types closely align with existing land uses and, in some cases, may better align with existing uses. When areas are annexed in the future, upon annexation they will be assigned one of the City's zoning district designations. Staff will consider both the underlying Larimer County zoning designation as well as the place type guidance to apply a City zoning designation.

In general, the key land use philosophies for the East Mulberry Plan Area remain largely the same as they are both in the 2002 EMCP as well as the 2019 City Plan. This includes retaining the Mulberry commercial frontage, preserving areas of industrial use, and highlighting buffers that protect natural resources.

PLACE TYPES IN THE EAST MULBERRY PLAN AREA

This section describes the recommended composition of place types throughout the East Mulberry Plan Area. Overall, the plan area is comprised of many place types, again reflecting the diversity of land uses found within this area. The residential neighborhoods north of Mulberry, including Mosaic, Dry Creek, Buffalo Run, and others are designated as Mixed Neighborhood. Mixed Neighborhoods have principal land uses of single-

family homes, duplexes, triplexes, and townhomes in a compact neighborhood setting. The three existing Mobile Home Parks within the plan area (Nueva Vida, Collins Aire, and the Villas) are included under the Mixed Neighborhoods place type. Note that it is a recommendation of this plan to designate Nueva Vida as the Mixed Neighborhoods place type, as previously stated.

Place Type Framework



Suburban Neighborhood and Rural Neighborhood

The majority of the neighborhoods south of Mulberry Street are designated as either Suburban Neighborhood or Rural Neighborhood place types. The Pleasant Acres and Boxelder Estates neighborhoods fall within the Rural Neighborhoods place type. Note that it is a recommendation of this plan to reassign Pleasant Acres and Boxelder Estates to the Rural Neighborhoods place type. Rural Neighborhoods have a principal land use of single-family homes and agricultural uses. This place type supports opportunities for rural lifestyles and connectivity to open spaces. Use of this place type supports and aligns with feedback collected from residents within these neighborhoods who shared that they most value the existing rural character of their communities. The Suburban place type also has a principal land use of single-family homes, but supports suburban intensity levels as well as additional amenities such as parks, recreational facilities and schools.



Suburban and Neighborhood Mixed-Use

Preservation of the commercial frontage along Mulberry Street is a key element of the Place Type Framework map. On the Place Type Framework map, the areas along and immediately surrounding Mulberry Street are designated as the Suburban Mixed-Use place type. This place type primarily supports retail, restaurants, and commercial services. The Suburban Mixed-Use place type can include lower-intensity, auto-oriented uses, which is the case for much of Mulberry Street frontage. However, as infill/redevelopment occurs in the long-term future of Mulberry Street, this place type is also supportive of transit-oriented development pattern if a high-frequency transit service were to be implemented along Mulberry Street. Of note is a small area near Mulberry Street and Greenfield Court designated as the Neighborhood Mixed-Use District place type. This place type principal land uses include grocery stores, supermarkets, or other types of retail like drug stores and neighborhood-serving uses. The 2002 EMCP had also designated a Neighborhood Commercial land use around this area, with the aim of attracting a grocery store or other neighborhood-serving retail function in this location. As described in other sections of this plan, the plan area lacks retail options that serve the daily needs of residents. By designating this area as a Neighborhood Mixed-Use District, it is still the intent of this plan to encourage and attract retail uses such as a grocery store to serve the growing residential population in the plan area.

Place Type Framework



Industrial and Research & Development (R&D) Flex

Other key place types that comprise the East Mulberry Plan Area include the Industrial and Research & Development (R&D) Flex Districts. As shown on the Place Type Framework map, the Industrial District is applied to the Airpark area as well as surrounding the Mulberry and I-25 Interchange. The R&D Flex place type is applied to the area northeast of the Airpark, including the former runway/taxiways and the areas near Timberline and International Boulevard. The Industrial District place type supports land uses such as manufacturing, assembly plants, warehouses, outdoor storage yards, distribution facilities, as well as flex space for smaller, local start-ups. Transportation facilities in the Industrial District should promote the efficient movement of commercial truck traffic that supports and facilitates industrial function.

The R&D Flex District is one of the most flexible place type designations and supports a wide range of light industrial, employment, and commercial/retail land uses. Application of the R&D place type is supportive of Plan goals to remain a viable place for business and industry and promote additional neighborhood services and retail. This is particularly relevant for large portions of the transitional Character Area which forms a bridge between established industrial development and new residential neighborhoods. The flexibility and range of uses within this place type make it ideal to accommodate a variety of future functions and land uses serving the needs of industrial and residential users while applying more modern buffering and

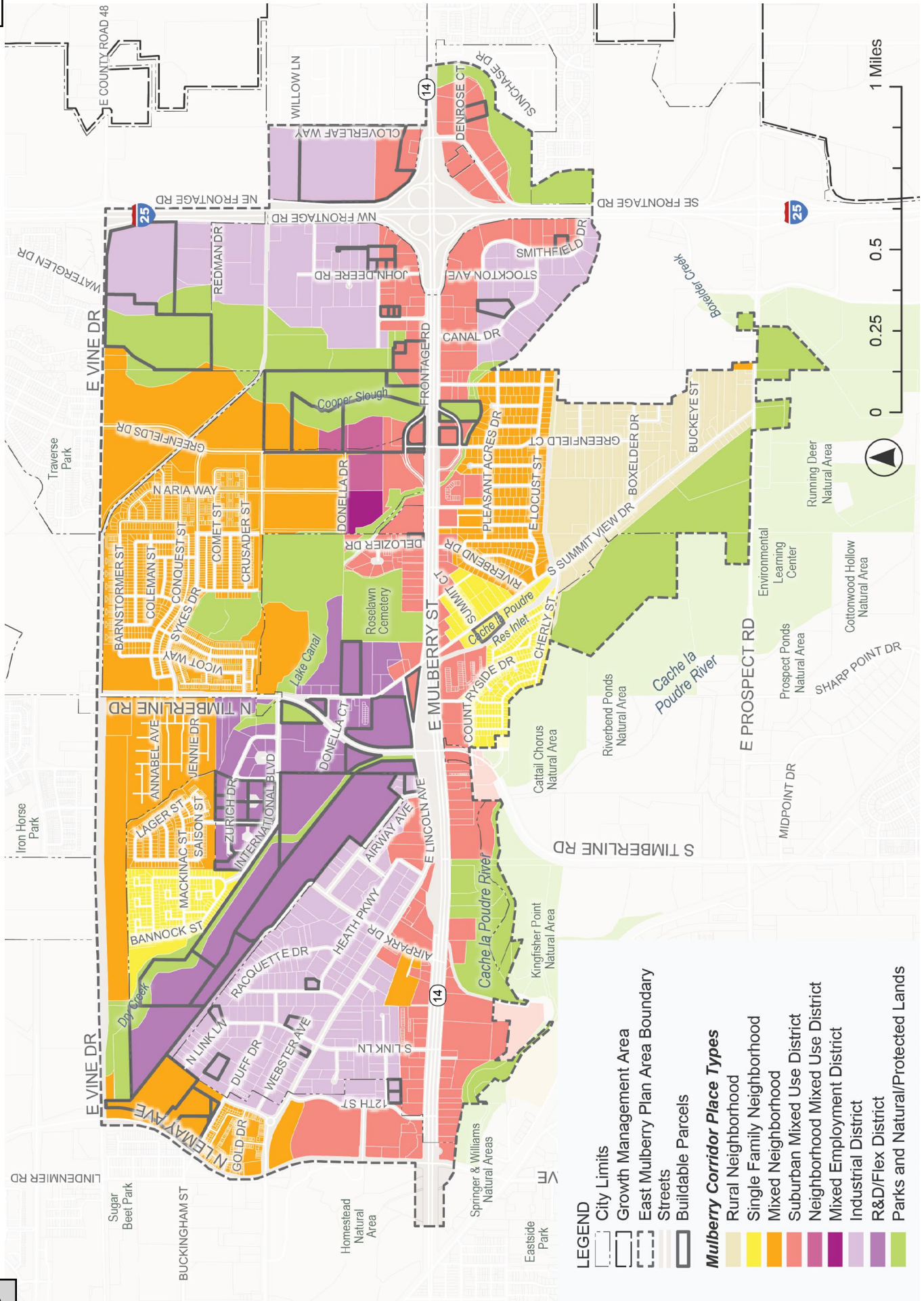


Parks: Natural or Protected Lands

The Parks; Natural/Protected Lands place type is applied to many areas of the East Mulberry Plan Area as shown on the Place Type Framework map. This place type is used where the City has already established ownership of land as an existing or future park, natural area or green space, and in areas bordering sensitive natural features and resources where buffering standards in future development will be required, such as along the Cooper Slough or Poudre River. The principal land uses within this place type as stated in City Plan include parks, open space, greenways, natural areas, spaces for outdoor recreation, agriculture, or community separators. South of Vine Drive and northeast of the Airpark is Dry Creek. The Airpark generally is located within the floodplain, but the area surrounding Dry Creek is designated as a high floodway. Designating the portion of the area surrounding Dry Creek, as the Parks and Natural/Protected Lands place type, is supportive of integrating future stormwater/floodplain enhancements along with environmental protection and transportation enhancements. Multiple strategies in this plan speak to incorporating natural features with floodplain enhancement (See Goal 2).

Item 3.

PLACE TYPE FRAMEWORK MAP



Place Type Framework

RECOMMENDED PLACE TYPE CHANGES FROM CITY PLAN

The East Mulberry Plan is recommending several changes to place type designations within the plan area that will require updates to the City Plan Structure Plan map. A recommended action item emerging from the adoption of this plan is to update the Structure Plan map in City Plan to be consistent with these changes.

Most recommended changes to place types are minor and reflect changes such as:

- Project-specific rezonings or annexations occurring since the last Structure Plan Map update in 2019
- City-purchased properties for future natural areas

Other minor changes to place type designations include the following:

- Increase in commercial designations fronting the I-25 Interchange to better reflect existing uses in place. It is recommended that these areas change from the Industrial place type designation to Suburban Mixed-Use District place type designation.
- Reassign the areas north of the Kingfisher Point Natural Area bordering Mulberry Street from Suburban Mixed-Use District to Parks; Natural/Protected Lands.
- Assign the Nueva Vida Mobile Home Park to the Mixed Neighborhood place type (change from Suburban Mixed-Use District).
- Reassign the Pleasant Acres and Boxelder Estates Neighborhoods from Suburban Neighborhood place type to Rural Neighborhood place type to better reflect the established large lot residential character of these neighborhoods.

The most substantial change recommended as part of this plan update is to reassign a large portion of the area surrounding the Airpark from the Industrial place type to the Research and Development/Flex District place type.

PLACE TYPES AND PLAN GOALS

Place type designations, as guided by City Plan, are intended to help realize the ultimate desired character and land use for all areas within the Fort Collins Growth Management Area. The place types assigned to the East Mulberry Plan Area closely align with the goals of this plan. Place type assignments are supportive of the strategies outlined in Section 2 of this plan and collectively will serve in tandem to implement the vision of this plan.

Place Type Assignment or Recommended Place Type Change	Alignment with Plan Goals and Strategies
Reassign the areas north of the Kingfisher Point Natural Area bordering Mulberry Street from Suburban Mixed-Use District to Parks; Natural/Protected Lands place type	Goal 6, Strategy 1 and 3 Protect and enhance existing natural habitats and features like the Poudre River and the areas that surround it.
Assign the Nueva Vida Mobile Home Park to the Mixed Neighborhoods place type	Goal 5, Strategy 2 Preserve and enhance existing mobile home parks.
Reassign the Pleasant Acres and Boxelder Estates Neighborhoods from Suburban Neighborhood place type to Rural Neighborhood place type	Goal 5, Strategy 1 Maintain similar land use and streetscape character in established neighborhoods.
Apply the R&D Flex place type designation to portions of the plan area near the Airpark	Goal 1, Strategy 2 Support the retention of existing industrial and agricultural business uses.
Maintain the Neighborhood Mixed-Use District place type near the Mulberry Street and Greenfield Court intersection	Goal 4, Strategy 3 Designate areas for commercial development that support the daily needs of residents and businesses.

Place Type Framework

CURRENT CITY ZONING DISTRICTS AND CORRESPONDING STRUCTURE PLAN PACE TYPES

The table below illustrates the general alignment between current Fort Collins zoning districts and the Place Types found in the City Plan Structure Plan Map. In some instances, there is a one-to-one relationship between the current zoning districts and the corresponding Structure Plan place types (i.e., the Industrial zoning district and the Industrial District place type). In other instances, there are multiple zoning districts that may correspond with the purpose and intent of a particular Structure Plan place type (i.e., there are four zoning districts that correspond to the Mixed-Neighborhood place type), or multiple place types that correspond with a zoning district. Place Types represent a broader approach to future land use guidance compared to zoning alone.

CURRENT CITY ZONING DISTRICTS	CORRESPONDING STRUCTURE PLAN PLACE TYPES
Residential	
Rural Lands District (RUL)	Rural Neighborhood
Residential Foothills District	
Urban Estate District	Rural Neighborhood or Suburban Neighborhood depending on development context
Low Density Residential District (RL)	Suburban Neighborhood
Low Density Mixed-Use Neighborhood (LMN)	Suburban Neighborhood or Mixed- Neighborhood depending on development context
Neighborhood Conservation, Low Density District (NCL)	Suburban Neighborhood
Medium Density Mixed-Use Neighborhood District (MMN)	Mixed Neighborhood
Neighborhood Conservation, Medium Density District (NCM)	
Neighborhood Conservation, Medium Density District (NCM)	
Neighborhood Conservation, Buffer District (NCB)	
Commercial and Mixed Use	
Downtown	Downtown
Community Commercial District (CC)	Suburban Mixed-Use
Community Commercial District- North College District (CCN)	
Community Commercial District- Poudre River District (CCR)	
Service Commercial District (CS)	
General Commercial District (CG)	Urban Mixed-Use
Neighborhood Commercial District (NC)	Neighborhood Mixed-Use
Limited Commercial District (CL)	Downtown; Suburban Mixed-Use
Employment and Industrial	
Employment and Industrial	Mixed Employment; R&D Flex
Employment District (E)	
Industrial District (I)	Industrial, R&D Flex

Place Type Framework

PLACE TYPES AND UNIQUE USES WITHIN THE EAST MULBERRY PLAN AREA

As previously mentioned, this plan has assigned place types rather than prescribing Fort Collins zone districts to the East Mulberry Plan Area, namely because the broader place type categories are better suited to flexibly accommodate the diversity of unique land use types that already exist in the plan area. Also, place types can help guide general land use decisions as the plan area grows and changes over time, particularly for places where new development or redevelopment is expected. In these areas that will evolve and change, it does not make sense to assign a zone district until a more concrete vision for land use is known.

It was also previously noted that as areas of the East Mulberry Plan Area may be annexed through threshold annexations, they will be assigned to a City zone district upon annexation. It is anticipated that zone districts will remain aligned with existing Larimer County zoning and with a zone district consistent with the assigned place type. This is particularly important in meeting this plan's goal to preserve existing industrial areas by zoning them appropriately when they come into the City through annexation. However, there are some existing uses within the East Mulberry Plan Area that are not currently allowed within the City's industrial zone district, or any other City zone district. These include many of the long-standing agricultural service businesses located around the Mulberry and I-25 Interchange such as livestock auctions or livestock meat processing. If these areas were to be annexed into the City, they would receive a 'lawful, non-conforming' status.

Future Viability of the Agricultural Service Uses

The Fort Collins Land Use Code defines nonconforming uses as a use which was lawful immediately before annexation, but which does not conform to the use regulations for the zone district in which such use is located at the time of annexation. Nonconforming uses have limitations as directed in the Land Use Code, including that the expansion or enlargement of existing buildings shall not add more than 25% of



new floor area. To preserve and support the future viability of the agricultural service uses surrounding the interchange that would be non-conforming, it is the recommendation of this plan that additional permitted uses be added to the City's Industrial zone designation. At the time that these areas surrounding the interchange experience a threshold annexation, a simultaneous amendment to the Land Use Code should be put forward to add these uses within the Industrial zone district, the zone designation that would likely be applied to these areas.

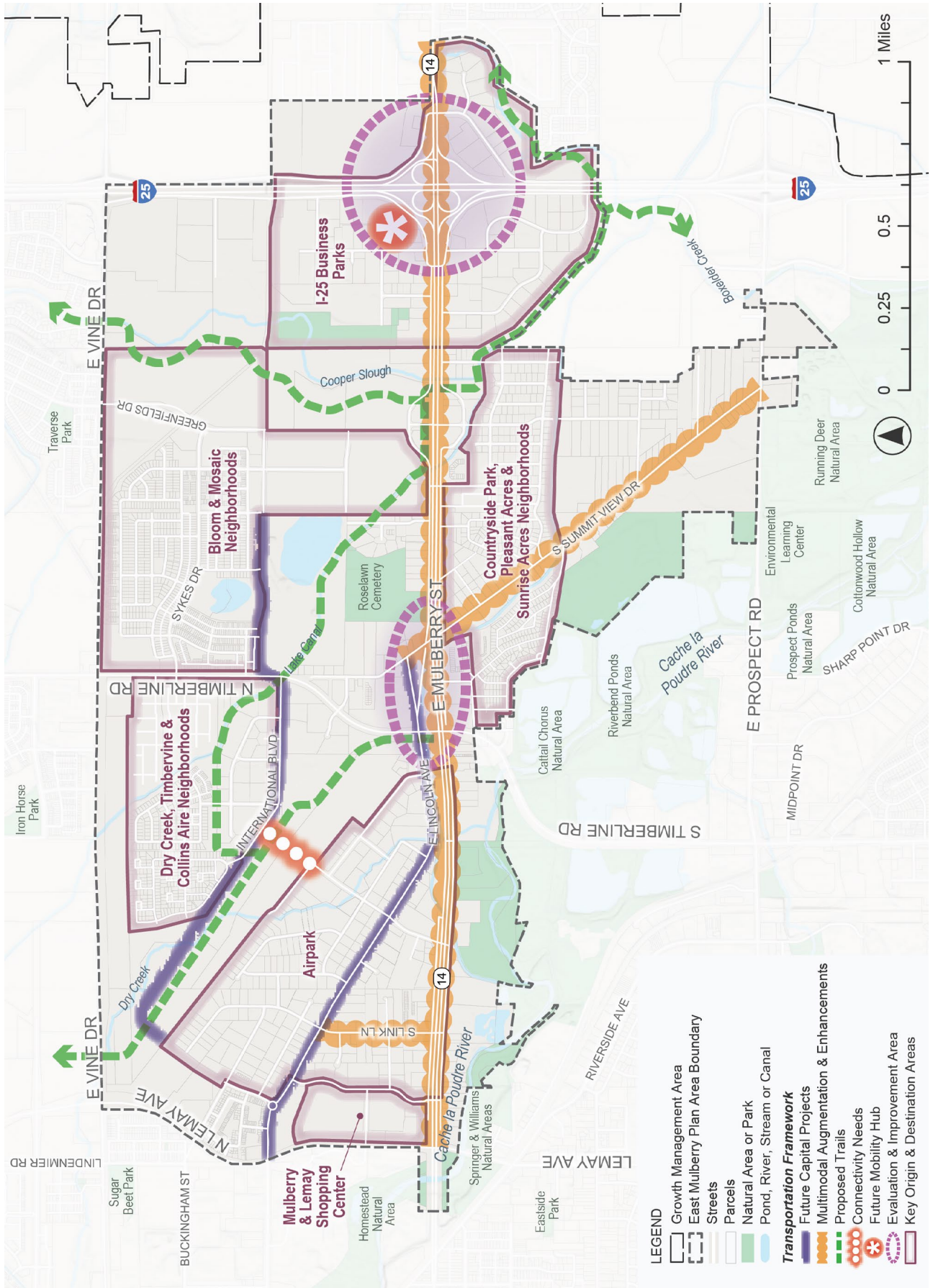
Proximity Based Standards

It is recommended that this addition of uses to the Industrial zone district be accompanied by proximity-based standards. Proximity-based standards are a tool that can be used to allow uses only in the industrially zoned land within a certain specified geographic area. In this case, these uses are concentrated in the northwest quadrant of the interchange. Therefore, the proximity-based standards could specify that certain additional uses be allowed in the Industrial zone district within a certain distance from the I-25 and Mulberry Interchange. The exact uses to be added and the appropriate distance determination should be evaluated at the time of annexation. This can help ensure that existing businesses offering meat processing, livestock auctioning, and other agricultural service uses remain in their current locations near the interchange without a non-conforming status following annexation. The proximity-based standards can also ensure that these types of uses, which are appropriate in their current context, but may not be appropriate in other areas, are not allowed within other parcels across Fort Collins with an Industrial zone designation.

Item 3.

Transportation Framework

TRANSPORTATION FRAMEWORK MAP

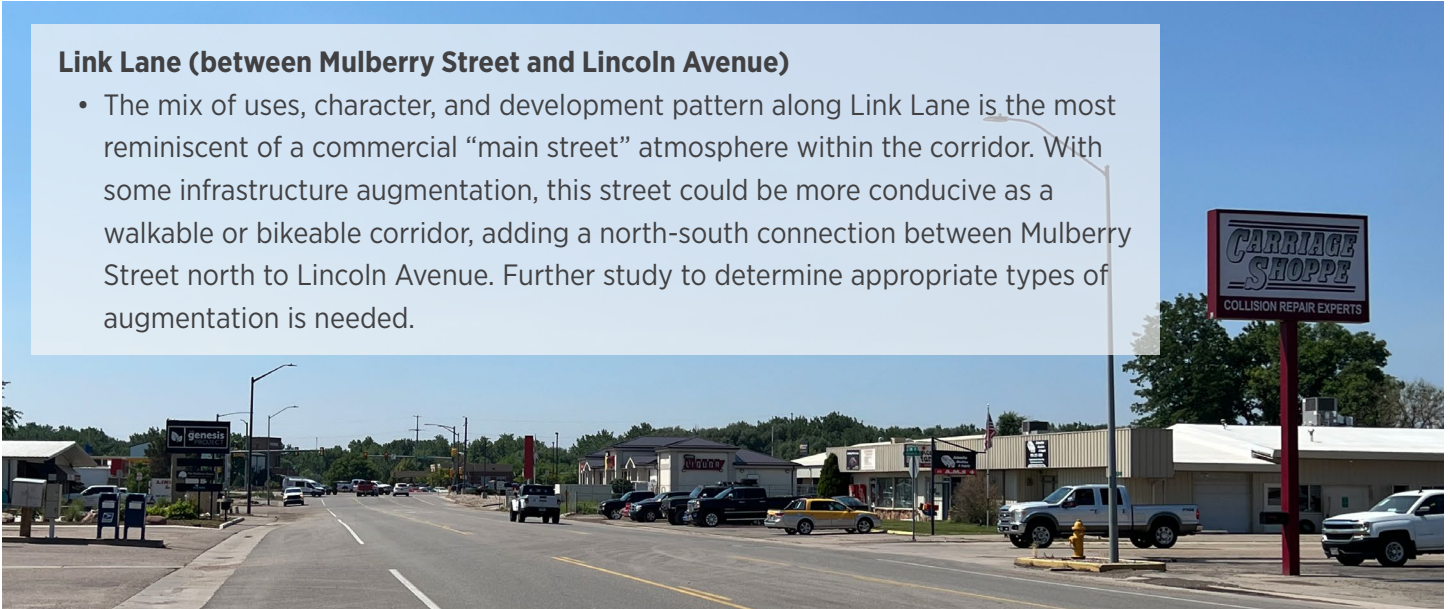


Item 3. **Transportation Framework**

The Transportation Framework map depicts connectivity needs, proposed streets for augmentation, and areas that require future evaluation and improvement. Like other aspects of the Plan, the timing and implementation of many of these proposed strategies are dependent on annexation and available resources at that time. Because the existing streets in this area are deficient both in condition and multimodal infrastructure (see the Surface Conditions of Roads Map in Section 1 of the Plan), the general philosophy of the Transportation Framework is to address priority and interim needs. In the long-term, it is assumed that streets in the plan area will meet Larimer County Urban Area Street Standards (LCUASS). To reach full LCUASS standards represents a substantial investment of resources, therefore, many of the improvements captured on the Transportation Framework map represent augmentation opportunities that may not meet full LCUASS standards but offer a way to enhance streets with safe and convenient multimodal connections in a more interim capacity. This approach is further described under Goal 3, Strategy 1 within Section 2 of the Plan. Some of the areas identified on the Transportation Framework map in the “**Multimodal Augmentation & Enhancements**” category include:

Link Lane (between Mulberry Street and Lincoln Avenue)

- The mix of uses, character, and development pattern along Link Lane is the most reminiscent of a commercial “main street” atmosphere within the corridor. With some infrastructure augmentation, this street could be more conducive as a walkable or bikeable corridor, adding a north-south connection between Mulberry Street north to Lincoln Avenue. Further study to determine appropriate types of augmentation is needed.



Summit View Drive

Summit View Drive is an important connection between Prospect Road and Mulberry Street. It is indicated on the Transportation Framework map as a potential area for multimodal augmentation or enhancement from Prospect northwest across Mulberry to Lincoln Avenue. Summit View Drive currently has no sidewalks or bike lanes. Inclusion of some infrastructure that could safely accommodate other modes without compromising the rural character of this street should be explored.



Mulberry Frontage Roads

- One concept that requires further analysis and collaboration with CDOT and other stakeholders would be to explore building shared use paths along the medians between Mulberry Street and the adjacent frontage roads. If feasible, this concept could offer a way to integrate multimodal infrastructure that is separated from the fast-moving traffic of Mulberry Street. This concept is included in the Active Modes Plan. See also Implementation Action Item 3.2.4 under Goal 3.



The Transportation Framework map also indicates Future Capital Projects. Capital Projects in this case would be larger scale infrastructure enhancements that would be permanent changes to the characteristics and function of these roadways. One potential future Capital Project identified would be to continue the same street cross section on Lincoln Avenue from Lemay to Summit View. The City of Fort Collins improved the Lincoln Avenue Corridor between Riverside and Lemay, incorporating a buffered bike lane, landscaped medians, improved sidewalks, and integrated transit stops with bus pull-outs. These conditions do not continue beyond the roundabout near Cordova Road and there are no sidewalks or designated bicycle infrastructure on Lincoln Avenue through the remainder of the plan area. When considering future improvements to Lincoln Avenue east of Cordova Road, the design alternatives and concepts explored in the Lincoln Corridor Plan should be consulted so that continuous conditions from Lincoln Avenue to the west can be maintained as much as feasible. Future improvements to the segment of Lincoln Avenue within the plan area as well as other streets containing transit stops should consider transit stop improvements or enhancements.

The continuation of International Boulevard is identified on the Transportation Framework map as another Future Capital Project. At the time of this plan's publication, International Boulevard currently exists in a short segment between Timberline and Bannock/Toronto Street in the Dry Creek neighborhood. From the Dry Creek neighborhood, the ultimate alignment of International Boulevard would connect with Cordova Road at the most northwest corner of the Airpark area. International Boulevard from Timberline Road would then jog slightly north and continue eastwards just below the Bloom and Mosaic neighborhoods. A direct connection northeast from Airpark Drive across the former runways/taxiways to International Boulevard should be considered during future Master Street Plan updates to improve connectivity to/from the Airpark. The Dry Creek, Timbervine, and Collins Aire neighborhoods have no access to the Airpark without first traveling east to Timberline, then into the Airpark via Lincoln Avenue. This potential connection is indicated on the map as **"Connectivity Needs"** and should be evaluated through further study.

Transportation Framework

Also overlaid on the Transportation Framework map is a network of **proposed trails**. Many of the proposed trails shown are consistent both with what was previously depicted on the 2002 East Mulberry Corridor Plan Framework Map, as well as with the City's Trails Master Plan. Following publication of this plan, the City will be performing an update to the Strategic Trails Plan. That plan will include the East Mulberry Plan Area and should be consulted for guidance on integration of future trails within this area.

Many of the concepts put forward on the Transportation Framework map represent opportunities and ideas to further augment the transportation network of the East Mulberry Plan Area. These concepts would represent substantial change and would be accompanied by substantial costs to implement. The depth and breadth of analysis required to evaluate and explore these concepts cannot be accomplished through just this plan. Therefore, a key recommendation of the East Mulberry Plan is to complete a transportation-specific plan for the East Mulberry Plan Area to understand and address the full

set of needs. Part of this effort would be to identify funding and resources for a transportation-focused plan prior to when this area may be annexed in the future. See Goal 3, Strategy 3.

Specific areas within the East Mulberry Plan Area that will require additional evaluation are indicated on the Transportation Framework map as "**Evaluation & Improvement Areas**". A few specifically identified areas for further study include the intersection around Mulberry Street, Lincoln Avenue, Timberline Road, and Summit View Drive. The Mulberry and I-25 Interchange is another area identified for further study, including the evaluation of this area for a future mobility hub. Mobility hubs are meant to provide a seamless connection between transit and other modes of transportation and are intentionally located in key areas where the transit network intersects with other components of the transportation system. **Mobility hubs** can combine features like park-and-rides, bike parking, microtransit such as scooters, and enhanced transit shelters, amongst other elements.



Development Review Framework

EXISTING CHALLENGES TO DEVELOPMENT

The Mulberry Corridor's built environment spans multiple jurisdictions and over 70 years of varying development standards. The corridor still lacks a consistent pattern of development, and in many locations, basic health and safety infrastructure such as sidewalks, curb and gutter, and drainage networks. While new greenfield development in the corridor is expected to meet all modern development standards, as existing sites undergo changes in business activity or partial redevelopment, challenges remain in determining and prioritizing site upgrades. While the overarching goal is to bring properties closer to modern standards, this must be balanced against both a proportionate level of change to the site and while being mindful of corridor goals to maintain a unique and affordable location in the community for industrial and commercial businesses. With these goals and challenges in mind, the Development Review Spectrum was developed to guide future development and redevelopment activity for annexed properties within the plan area.



BILLBOARDS



NEIGHBORHOOD FLOODING



SIDEWALK DEVELOPMENT

DEVELOPMENT REVIEW SPECTRUM

The Development Review Spectrum highlights typical requirements and areas of flexibility for site upgrades within the City of Fort Collins' development review process. It is called a spectrum because it is organized by the level of review for different configurations of site and building upgrades, from lowest level of requirement to highest level of requirement. The purpose of the Development Review Spectrum (the spectrum) is to provide a structured and strategic approach for revitalizing and improving properties over time as they come through the City's Development Review process. It serves as an informational guide or roadmap for stakeholders involved in the redevelopment process, such as staff and decision-makers, developers, community organizations, and residents. The intent of the spectrum is to respond to context-specific needs by taking into account unique characteristics, challenges, and opportunities of the specific area being developed. The spectrum should be used alongside Plan strategies and a site's character area to identify priorities and flexibility for incremental site upgrades when appropriate based on site context and the proposed level of review.

Key objectives of the spectrum include:

- 1. Establish Priorities:** It establishes clear goals for the redevelopment of the area, outlining what the desired outcome and future state of the area should be.
- 2. Preserve Flexibility:** The spectrum recognizes that different contexts may require different implementation strategies. It outlines land use strategies that help shape the physical layout and character of the redevelopment area. By utilizing the place-types approach, the framework allows for adjustments and adaptations as needed to ensure future annexation projects align with changing conditions and can respond to current needs.
- 3. Respond to Context Specific Needs:** The spectrum considers strategies and character area priorities to identify priority enhancements in the Corridor (e.g. parking, urban design, and aesthetic improvements along the Mulberry Frontage or near the I-25 gateway).
- 4. Identify Infrastructure and Service Needs:** The spectrum identifies the infrastructure and service requirements that are specific to the area. It considers gaps, and potential requirements under interim conditions to ensure infrastructure and services can meet immediate and long term goals of the corridor.

By providing a structured framework, site improvements can be carried out in a coordinated and cohesive manner, maximizing the positive impact on the area while addressing community needs and aspirations.

Development Review Framework

Development Review Spectrum

<<< **Lowest Requirement**

Highest Requirement >>>

Change of Use (and/or Change of Business)	Minor additions and site enhancements ((i.e. <1,500 sf building addition, changing parking lot)	Significant change in character to site (i.e. building addition or reconfiguration)	Greenfield development, total site redevelopment
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STORMWATER, FLOODPLAIN, EROSION CONTROL

Adding or modifying 1,000 sf or more of impervious surfaces requires meeting stormwater detention, water quality, and low impact development standards.	<ul style="list-style-type: none"> Adding or modifying 1,000 sf or more of impervious surfaces requires meeting stormwater detention, water quality, and low impact development standards. Additional requirements may be linked to other site plan requirements or standards (e.g. paving parking areas). If there is lack of an adequate outfall, the site may need to over-detain. 	Meets all Development Code Standards for stormwater quality, detention, erosion control, and floodplain management.	Meets all Development Code Standards for stormwater quality, detention, erosion control, and floodplain management.
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LANDSCAPING & FORESTRY

Inventory onsite trees	<ul style="list-style-type: none"> Replace any dead trees. Mitigation for any removed trees. Install new/missing trees in street parkways. Soil amendments and water conservation considerations. 	Full tree stocking throughout the site.	Meets all Development Code Standards
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PARKING & WALKWAY CONFIGURATION

<ul style="list-style-type: none"> Ensure required amount of general, handicap parking spaces. Add bicycle parking. 	<ul style="list-style-type: none"> Reconfigure and delineate parking areas. Augment parking lot landscaping and screening. Ensure adequate covered bike parking. Create formal or informal on-site walkway connections. 	<ul style="list-style-type: none"> Direct walkway connection from building to the street. Interior and perimeter parking lot landscaping standards met. May require moving parking areas on site. 	Meets all Development Code Standards
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ENVIRONMENTAL & HISTORIC RESOURCE PROTECTION

Survey onsite resources as pre-submittal requirement, if data is missing.	<ul style="list-style-type: none"> New lighting fixtures meet lighting standards (4 more fixtures requires full site lighting review). Establish any required natural habitat buffer zones and considerations for mitigation. New development abutting historic resources meets design compatibility requirements. Enhance the natural ecological characteristics of the site by focusing native seed mixes and weed management plans based on site specific conditions. 	<ul style="list-style-type: none"> Ecological Characterization study. Replace/ensure all lighting meets lighting standards. Onsite Historic Resources comply with alternative mitigation requirements if not adaptively reused. 	<ul style="list-style-type: none"> Meets all Development Code Standards Onsite Historic Resources are adaptively reused, and design compatibility requirements met
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TRANSPORTATION & FRONTAGE IMPROVEMENTS

Repair or replace damage to any existing frontage improvements (e.g. sidewalks)	<ul style="list-style-type: none"> Dedicate any necessary right-of-way. Traffic Study or Memo may be required. Minor frontage improvements (Replacing sidewalks, curb & gutter). 	<ul style="list-style-type: none"> Full frontage improvements: curb & gutter, sidewalk, parkway. Traffic Study or Memo may be required. 	Meets all Development Code Standards
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SITE DESIGN & AESTHETICS

<ul style="list-style-type: none"> Replace nonconforming signage. Replace dead landscaping. Screened trash/recycling enclosure. 	<ul style="list-style-type: none"> Define/reconfigure parking areas. Parking paving may be required (front, publicly visible, or high-use areas). Parking lot landscaping/screening. Building addition meets LUC building design standards. 	<ul style="list-style-type: none"> Walkways out to public right of way. Parking lot meets LUC standards. New buildings/additions meets LUC building standards. 	Meets all Development Code Standards
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UTILITIES & DEDICATIONS

Utility easement behind sidewalk/street right-of-way may be required.	<ul style="list-style-type: none"> Additional utility easements may be required for new utility installations. Ensure fire separation and emergency access requirements met. Ensure proper utility separation requirements met for newly installed utilities. 	New tap or capital expansion fees for additional utility services needed (e.g. new dwelling units).	Meets all Development Code Standards
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UNDERSTANDING POTENTIAL SITE UPGRADES AND ENHANCEMENTS

There are many types of development activity which may prompt the development review process and potential site upgrades. This spectrum of development intensity spans from simple changes of use as one business moves into a new space all the way to total site redevelopment or new greenfield development. Between both ends are more common types of proposals that may involve site reconfiguration or building expansions. In these middle scenarios there are often areas where staff and decision-makers can apply flexibility and or alternative prioritization of site upgrades that are more appropriate to the context of the East Mulberry Plan Area or which further Plan goals.

The table on the previous page highlights some of the common site upgrades and enhancements that may be required based on different levels of proposed development or redevelopment intensity. Each site and type of development proposal is unique, and the spectrum is meant as a guide to help property and business owners understand potential requirements when a site enters the development review process. For staff and decision-makers, both the spectrum and the priority section for each character area include high priority enhancements that are recommended based on a site's location within a specific Mulberry Character Area. Given the plan area's lack of consistent development patterns and need to prioritize different site upgrades based on character areas, this plan encourages future staff and decision-makers to collaborate with property and business owners on incremental site improvements that help maintain the plan area's unique and affordable role in the community.

The Development Review Spectrum and the requirements contained within would be applied when the City has annexed an area into City jurisdiction and a property has entered the City's development review process. These requirements would not apply to established sites that are not making changes to their properties or performing any of the types of activities contained in the Development Review Spectrum.

The spectrum provides policy guidance for how development review may be performed within the East Mulberry Plan Area. In many cases, requirements must meet existing code standards as prescribed in the Land Use Code, but code changes that would assist in enacting these standards should be considered following adoption of this plan. City staff and decision makers should also use the spectrum to support flexibility for redeveloping sites in the plan area through prioritizing certain site upgrades or deferments when allowed by the Land Use Code or through modification or variance procedures when it can be demonstrated the proposal advances goals and strategies of this plan.

Sites within the East Mulberry Plan Area that develop or redevelop in Larimer County and do not initiate an annexation threshold will likely still be referred from the County to the City for comment. City staff will continue to coordinate review on development activity with Larimer County staff.

Item 3.

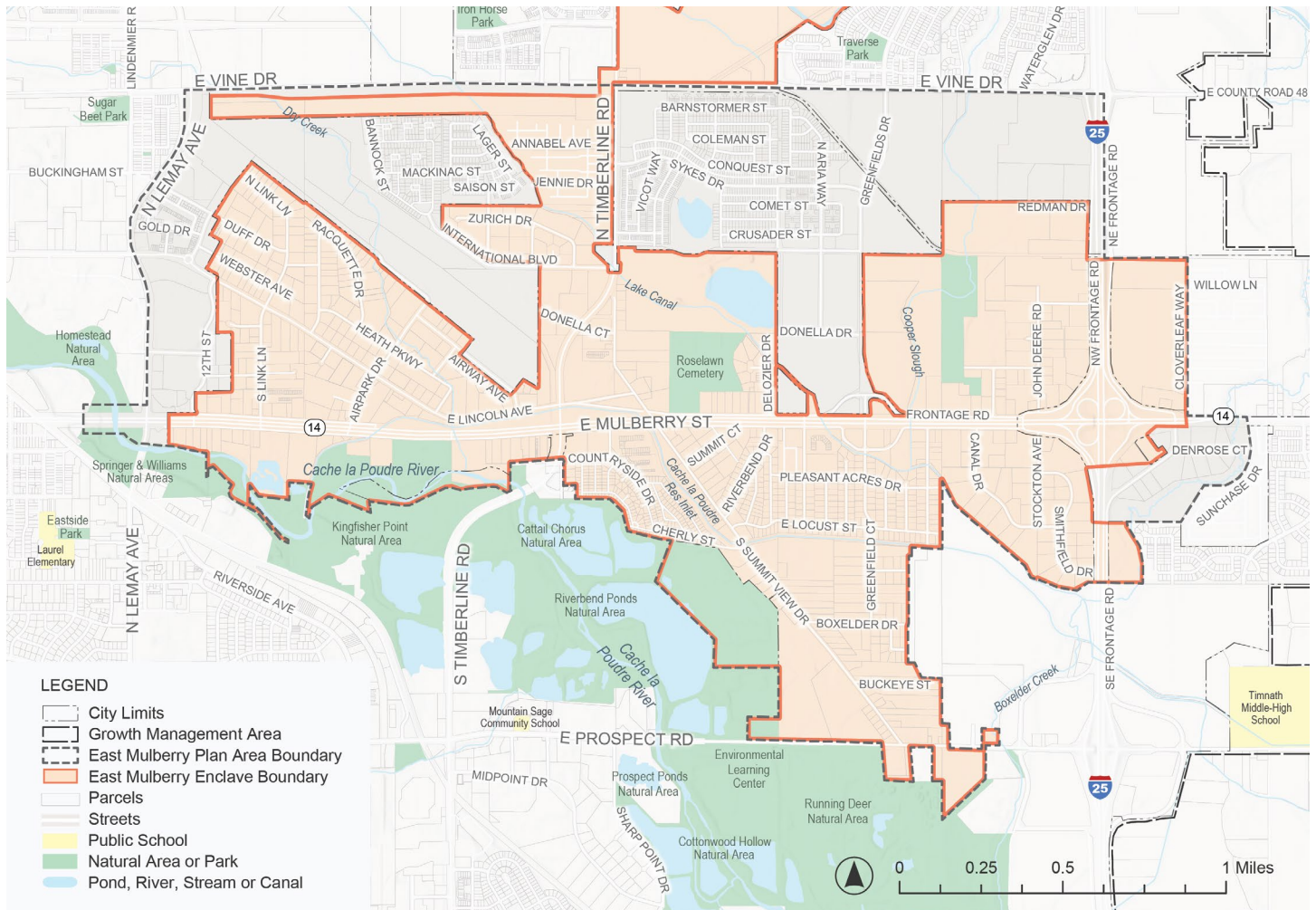
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Annexation Thresholds

**Annexation Thresholds Framework
Annexation Overview**



Annexation Thresholds Framework



INTRODUCTION AND ANNEXATION SUMMARY

The source of annexation law in the state of Colorado is the Colorado Revised Statutes (C.R.S.). C.R.S Title 31 Legislative Declaration states that the policies and procedures contained within are necessary and desirable for the orderly growth of urban communities in the state of Colorado.

Annexation in Colorado can take place in three ways:

1. **Petition for annexation by landowners** (voluntary annexation): If more than 50% of the landowners owning more than 50% of the area petition the governing body for annexation or in association with a serial annexation.
2. **Petition for annexation election** (voluntary annexation): Registered electors may petition the governing body of any municipality to commence proceedings for an annexation election in the area proposed to be annexed.
3. **Annexation of Enclaves** (involuntary annexation): An enclave is formed when an unincorporated area becomes entirely contained within the boundaries of a municipality. A municipality may initiate involuntary annexation of an enclave three years after it is formed.

Annexation Thresholds Framework

Both petition for annexation by landowners and petition for annexation election are forms of voluntary annexation, meaning that if a majority of landowners or a certain number of electors within the area to be annexed are in favor of the annexation, they may initiate annexation. Involuntary annexation means that the annexing municipality is utilizing its authority pursuant to the C.R.S. to annex enclaves when eligible with or without the consent of the landowners or electors within an enclave.

The East Mulberry Enclave was officially formed on August 31, 2018, when the East Gateway Annexation became effective (annexing land into the City of Fort Collins from unincorporated Larimer County). Therefore, three years from that date on August 31, 2021, the East Mulberry Enclave was eligible for involuntary annexation by the City of Fort Collins. However, once an enclave is eligible for annexation, the C.R.S. does not require the City to annex the enclave unless either of the following occur:

- A petition is received by the City signed by more than fifty percent of the property owners owning more than fifty percent of the property in the enclave.
- At least 75 electors that reside in or own property within the enclave petition for an annexation election.

If either of the two above occur, the City has to initiate enclave annexation proceedings within one year.

Intergovernmental Agreement with Larimer County:

The City of Fort Collins and Larimer County have an intergovernmental agreement (IGA) between the two local agencies to help guide matters of annexation and growth, including management of the Fort Collins Growth Management Area (GMA). The IGA also facilitates coordination in other matters of joint planning

and management of public services and facilities. This IGA (Regarding Cooperation on Managing Urban Development) between Fort Collins and Larimer County specifically outlines how annexation is to occur within the GMA and how the City and Larimer County will coordinate these agreements.

Approaches to Annexation - Financial Considerations

The City partnered with consultant Economic & Planning Systems (EPS) in 2020 to provide a fiscal impact evaluation of the potential annexation of the East Mulberry Enclave. EPS developed an Excel-based scenario modeling tool to assist in measuring the fiscal impacts resulting from alternative phasing, sequencing and potential funding options related to annexation of the enclave area. An overview of the EPS work is included as Appendix B.

The fiscal model is structured to evaluate the impacts of providing a full suite of City services within the annexation area. Core assumptions include providing all existing governmental services and electric, stormwater and broadband utility services. Water and wastewater services are excluded from the analysis and will continue to be delivered by the incumbent providers. The modeling is structured to capture all expected ongoing revenues and expenses (sales taxes, property taxes, street maintenance, police patrol services, etc.). On the capital side, one-time revenues such as capital expansion fees (CEF) and plant investment fees (PIF) are modeled, as are required expenditures (stormwater infrastructure, new parks, etc.). The difference between expected revenues and expenses is the Net Fiscal Impact, an indication of whether new sources of revenue will be required.

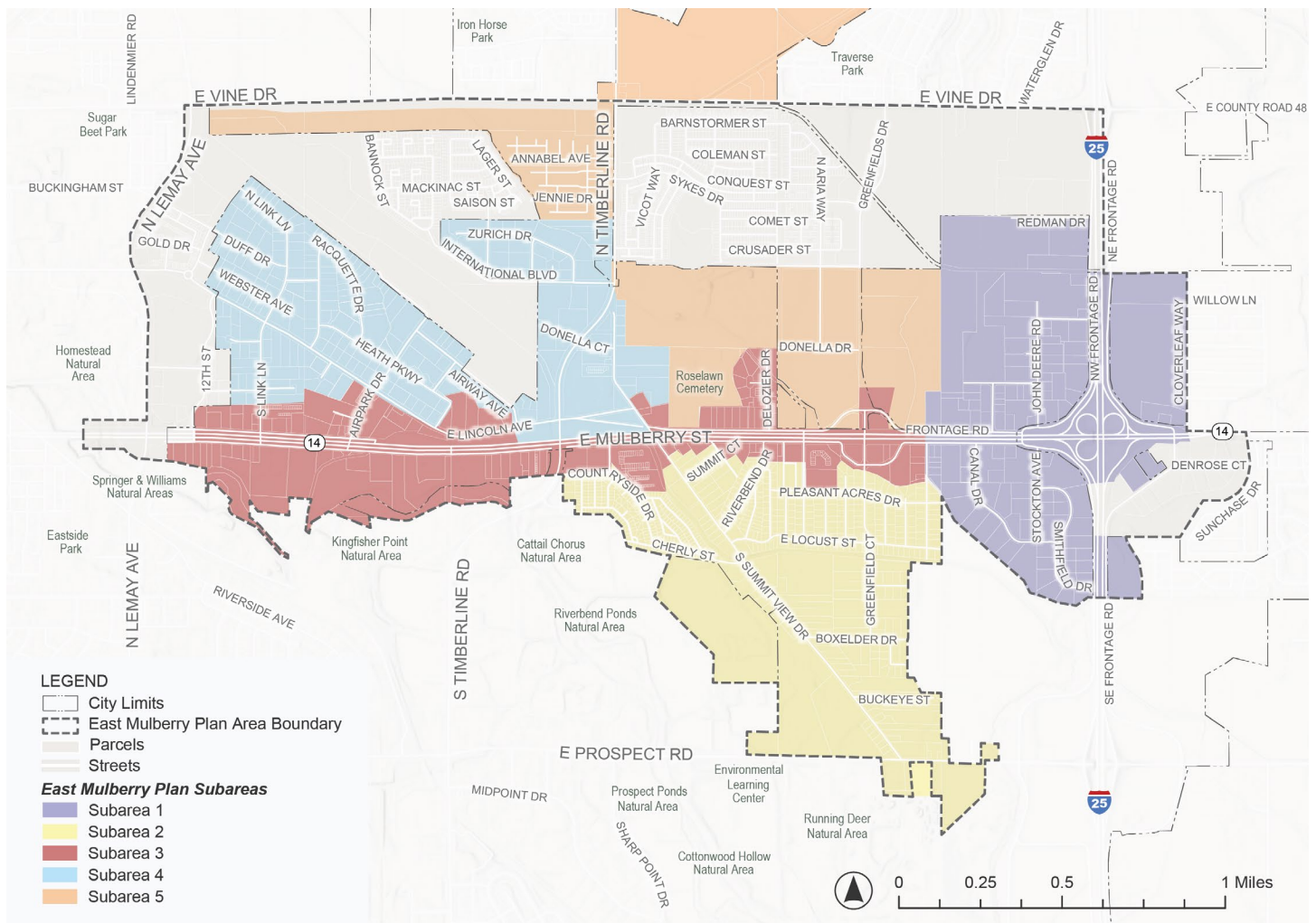
Item 3.

Annexation Thresholds Framework

The potential annexation area was mapped using GIS data to break out the land parcels into logical planning units (following existing land use designations, historical area characterizations, City Plan guideposts, etc.) that allowed for comparison of sequencing and phasing alternatives. These “boundaries” were not specific recommendations but a tool to establish a set of different potential annexation options. The enclave area currently has an inventory of approximately 1,100 housing units and 500 businesses. Significant growth in both segments is likely to occur over the next 20 to 30 years. Several projects are already in the early development stages. The mapping of these subareas is highlighted below:

The initial modeling assumed full absorption of all five subareas at the onset of the annexation and concurrent development growth and activity over a 20-year evaluation period. Prioritization, timing and phasing/sequencing were not explicitly addressed in this preliminary effort in order to determine the total financial impact from the enclave.

Subsequent efforts entailed the development of five phasing lenses to articulate and depict the priorities, assumptions, and potential “benefits” or “drawbacks” to each scenario based on previously stated priorities and analysis by Council, community members, and City staff. Each of the scenarios includes a different



Annexation Thresholds Framework

sequencing and timing of all five subareas but ultimately includes all land area within the enclave.

1. **Economic Opportunity** - Emphasizes economic development and vitality in the area
2. **Residential Enhancement** - Emphasizes connectivity, utilities, and other social priorities
3. **Environment & Hazard Protection** - Emphasizes environmental buffers, flood mitigation
4. **Fiscal Health for City** - Emphasizes fiscal impact to City of annexation, including existing priorities, risks, and timing
5. **Community Gateway** - Emphasizes improvements and reinvestment potential for the Mulberry Corridor, including the highway and frontage roads

These five scenarios each depict a slightly different emphasis of priority but all of them consider the City’s Triple Bottom Line (TBL) approach to evaluations. Sustainability advocates use the TBL in decision-making to bring the global concept of sustainability to action at the local level. Essentially, that means projects are evaluated based on their social, economic and environmental impacts. Rather than make decisions solely on the basis of profit or the economic bottom line, three bottom lines (social, economic, and environmental) are considered. The City is able to use TBL in both longer-term planning evaluations, as well as in daily decision making.

These scenarios are theoretical and assume annexation within given periods of time. They can be adjusted by changing the underlying assumptions to produce different results. None of these scenarios are meant to be “staff recommendations” given the uncertain timing and velocity of threshold annexation and are instead a starting point for conversation and analysis. The results of these modeling efforts were presented at the August 1, 2022, Council Finance Committee meeting, as well as summarized at the December 13, 2022 Council Work session.

Governmental: 20-year View		
(\$M)	Range	Avg. / Yr.
Revenue	\$80 - \$210	\$4 - \$10
Expense	(\$115) – (\$265)	(\$6) – (\$13)
Margin	(\$35) – (\$55)	(\$2) – (\$3)

Utilities: 20-year View		
(\$M)	Range	Avg. / Yr.
Revenue*	\$75 - \$240	\$4 - \$12
Expense	(\$200) – (\$325)	(\$10) – (\$16)
Margin	(\$85) – (\$125)	(\$4) – (\$6)

The range of estimates above includes both ongoing revenue and expenses, as well as one-time capital expenditures and impact fee revenues. Primary expenditure drivers are highlighted below:

- **Police Services:** Analysis of existing activity in the annexation area suggests that up to 35 additional FTE (23 sworn officers; 12 professional support) would be required at an annual cost in excess of \$5 million.
- **Streets / Traffic:** The annexation area encompasses nearly 46 miles of roadways, of which approximately 30 miles would be envisioned to come under City maintenance and upkeep. Annual estimate of maintaining is around \$750,000. Potential additions of up to 14 miles of roadway w/ new developments would increase this figure.
- **Light & Power:** Capital expenditure estimate for connectivity and sub-station buildout requirements is \$90 - \$100 million. This figure may change depending on availability of land upon which to locate a proposed substation to serve eastern portions of the plan area.
- **Stormwater:** Capital improvements primarily related to the Cooper Slough and Dry Creek/Lincoln channel areas are approximately \$40 million.

Annexation Thresholds Framework

The analysis assumes existing city rates, fees and cost structures will be applied to the potential annexation areas. No new fees, increases in rates or inflationary impacts are included in the base analysis. The timing and need for services will be dependent on the types of services provided (police services, for example, would be required up front upon annexation; parks maintenance needs would be ramped up with the potential development of new facilities). On the governmental side, new capital expansion fees and grants could help offset the increased operating costs needed for providing incremental services. Timing and sequencing of potential annexation areas would determine if additional funding sources would be required. On the utility side, there is an expectation of heavier infrastructure requirements up front (both to acquire assets from existing providers and to build out and connect to existing City systems). Offsets would be available from new development fees and potential rate adjustments to the customer base.

Additionally, the scenarios above were also evaluated by accelerating or de-accelerating the potential annexation timeframes. While the annual, average bottom line impacts are not much different than the above estimates, accelerating the timeframes does increase risks by committing to larger expenditure outlays upfront (police, street maintenance, L&P infrastructure) with revenues dependent on development activity and increased revenue (sales tax) generation to come.

The governmental side will require additional funding upon any potential annexation option. No specific identified source of funding is currently available, and while tax and fee revenue would increase from the annexed areas, council priorities and existing needs will inform the extent to which additional funding may be assigned. The Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) may provide some opportunity for federal funding assistance. On the utility side, mechanisms are in place to pay for additional requirements brought on by potential annexations, subject to impacts to existing projects and funding requirements, and the resulting impact to ratepayers.

In response to Council feedback and further community engagement, city staff has continued to update the analysis frameworks. Staff has provided additional input to council centered around opportunities and trade-offs. In December 2022, staff provided a framework for evaluation of the enclave area centered on a “thresholds” concept. While no specific additional financial scenarios have been developed to date around a specific threshold event given the multitude of annexation scenarios under threshold annexation, the basic process for further evaluation will utilize the same general approach as has been done to date and is addressed in the sections that follow.

Thresholds Overview

What are thresholds?

Thresholds are a set of conditions that when reached, may represent an opportune time to consider annexation. Threshold annexations provide more flexibility in the size and timing of annexation rather than annexing the entire enclave all at once or over time using a fixed, phased schedule. The rationales for thresholds are varied and may be based on the ability to achieve Citywide policies, or to ensure that service provision continues in a logical way between jurisdictions.

Threshold Categories

The following table describes some of the potential threshold categories that the East Mulberry Enclave may experience. These were formulated through study of previous development patterns within the enclave and to align with citywide priorities and goals. Additional categories of thresholds may need to be considered as the East Mulberry Enclave changes over time. The magnitude and scale of thresholds may vary and therefore warrant careful analysis and consideration. Additional thresholds could be put

forward for consideration and evaluated through the process described in subsequent sections of this plan document.

Threshold Alignment with Citywide Priority or Goal

The third column provides information about how each category of threshold is aligned with adopted Citywide priorities and goals. The items reflected in this column are sourced from City Plan (2019) and from the 2022 Strategic Plan. Citywide priorities and community priorities may change as the City and region continue to grow and evolve and therefore threshold alignment with those priorities should be continually monitored over time.

Threshold Types

Thresholds may be driven by conditions that accrue over time or met through a one-time event or change in condition. For this reason, they are categorized below as either incremental or catalytic. Incremental thresholds will require agreement on what will amount to that threshold being reached so that monitoring over time can accurately evaluate changes and determine if action is warranted.



Item 3. Thresholds Overview

The table below describes the categories and types of thresholds that have been identified as part of the plan update.

ANNEXATION THRESHOLD CATEGORIES AND TYPES

THRESHOLD CATEGORY	ALIGNMENT WITH CITYWIDE PRIORITY OR GOAL	THRESHOLD TYPE
Maintenance of Logical Boundaries	<ul style="list-style-type: none"> • City Plan Principle LIV 1: Maintain a compact pattern of growth that is well served by public facilities and encourages the efficient use of land. • Strategic Plan Strategy 1.7: Advance planning efforts in the Growth Management Area, including holistic considerations for potential annexations. 	Incremental (condition accrues over time)
Achievement of Citywide Policy Priorities		
Proactive Resource Protection	<ul style="list-style-type: none"> • City Plan Principle LIV 9: Encourage development that reduces impacts on natural ecosystems and promotes sustainability and resilience. • City Plan Principle ENV 1: Conserve, create and enhance ecosystems and natural spaces within Fort Collins, the GMA and the region. • Strategic Plan Strategy 4.6: Sustain and improve health of the Cache la Poudre River and all watersheds within Fort Collins. 	Primarily Catalytic (one-time event)
Redevelopment Risk	<ul style="list-style-type: none"> • City Plan Principle LIV 4: Enhance neighborhood livability. • City Plan Principle LIV 5: Create more opportunities for housing choices. • City Plan Principle LIV 6: Improve access to housing that meets the needs of residents regardless of their race, ethnicity, income, age, ability or background. • Strategic Plan Strategy 1.8: Preserve and enhance mobile home parks as a source of affordable housing and create a safe and equitable environment for residents. 	
Other Proactive/ Strategic Goal Alignment	<ul style="list-style-type: none"> • City Plan Principle EH 3: Support local, unique, and creative business. • City Plan Principle EH 4: Ensure that an adequate and competitive supply of space and/or land is available to support the needs of businesses and employers of all sizes. • City Plan Principle T12: Build and maintain high-quality infrastructure that supports all modes of travel. • City Plan Principle T4: Pursue regional transportation solutions. • City Plan Principle T9: Utilize the transportation system to support a healthy and equitable community. • City Plan Principle T10: Support and enhance safety for all modes. • City Plan Principle LIV 10: Recognize, protect and enhance historic resources. 	
External Funding and Capital Project Alignment	<ul style="list-style-type: none"> • City Principle EH 5: Engage and help shape regional economic efforts. • Strategic Plan Strategy 6.4: Support and invest in regional transportation connections. 	Catalytic (one-time event)

Criteria Needed for Annexation to Proceed

There are criteria set forth in Section 31-12-104, of the C.R.S. that determine eligibility for annexation. While these criteria do not apply to an enclave annexation pursuant to Section 31-12-106, C.R.S., to ensure orderly development patterns and logical service boundaries, these criteria should still be considered as part of evaluating thresholds and whether to pursue annexation. Specifically, these criteria include:

- A minimum of one-sixth boundary contiguity with the annexing municipality. This means that areas of the enclave that have met a threshold shall still meet requirements pertaining to establishing contiguity.
- The area of interest to be annexed is integrated or capable of being integrated with the annexing municipality and said area is urban or will be urbanized in the near future.

Per the C.R.S, the governing body of the annexing municipality (the City of Fort Collins) must create an annexation transition committee. This is required in cases of enclaves in which the population exceeds 100 persons and contains more than 50 acres. The annexation transition committee shall be composed of nine members, five of whom shall reside, operate a business, or own real property within the enclave. The additional four committee members shall represent the annexing municipality (two members) and the county in which the enclave is situated (two members). Published notice of the creation and existence of the committee is required as part of communications related to enclave annexation. The duties of the annexation committee include serving as a means of communication regarding public meetings on the proposed annexation between the annexing municipality, county in which the enclave is situated, and those who operate businesses or own property within the enclave. The annexation transition committee also provides the mechanism by which

residents, business operators, or other property owners can communicate through electronic mail, telephonic communication, regular mail, or public meetings with the annexing municipality or the county within which the enclave is located.

Under the annexation thresholds approach, it is possible that there may be extended periods of time between annexation activity, making it difficult to retain committee membership over this duration. For this reason, it is recommended that an annexation transition committee be formulated following the first threshold annexation. The committee members representing the annexing municipality (City of Fort Collins) should be qualified staff representatives selected by the director of the Community Development and Neighborhood Services department. The Larimer County Community Development Director should select qualified staff representatives from Larimer County to represent the county. The remaining five required committee members should represent residents, business owners, or property owners from within the potential annexation area. These representatives could be selected through an application process collectively by the staff representatives from the City of Fort Collins and Larimer County. If there is not sufficient interest in serving on the committee from within the potential annexation area, representatives from other parts of the East Mulberry Enclave could be invited to participate.

As stated, the annexation transition committee should be formulated concurrently to the first annexation threshold regardless of the size of area to be potentially annexed and the size of the population within this area. Following the first threshold annexation, the committee members representing the City of Fort Collins and Larimer County should continue to serve on the committee, even if there are no immediate subsequent threshold annexations. If any City or County staff representatives are no longer able to fulfill their

Item 3. **Thresholds Overview**

committee role for subsequent annexations, new staff representatives should be designated. Committee members representing those that live, work, or own property within the potential annexation area will be excused from the committee upon completion and recording of each annexation.

It is recommended that future annexation thresholds that meet the specified parameters of 100 persons and containing more than 50 acres formulate annexation transition committees per annexation. Subsequent smaller threshold annexations in which the potential annexation areas do not meet the parameters of 100 persons and 50 acres will not formulate committees that include the five community members. However, the City and County committee members should continue to coordinate, particularly on appropriate notification strategies to maintain communication with the residents and businesses within the potential annexation area. As described in the Actions After a Threshold Has Been Identified section, a neighborhood meeting is still recommended to be held with the residents and businesses within the potential annexation area in the case of every potential threshold annexation. This will offer a means of communication for those impacted by smaller threshold annexations without an annexation transition committee.

The first annexation transition committee should take responsibility to establish additional guidelines for the role of the committee and how to establish the application process for other committee members. The formulation of this committee is discussed further in the section 'Actions After a Threshold has been Identified'.

Other indicators of annexation readiness:

In addition to the criteria needed for annexation to proceed as previously described, there are other factors that may indicate readiness for annexation. These factors of readiness can contribute towards

a threshold and should be evaluated to determine whether any individual or combination of readiness factors amounts to a threshold and annexation consideration. Examination of these criteria can be evaluated in Monitoring Reports, a way to track and monitor thresholds described in the subsequent sections of this document. This includes the following factors:

- **Street Contiguity:** In some instances, there are portions of streets within the enclave that cross between City of Fort Collins and unincorporated Larimer County. This means that the segments passing through each jurisdiction must be maintained by that jurisdiction rather than the street facility in its entirety. Although similar to a 'Maintenance of Logical Boundaries' threshold, instances where street segmentation could be consolidated might be an indicator of readiness for annexation.
- **City of Fort Collins owned properties:** Parcels already owned by the City within the enclave may also represent opportunities for building thresholds. There are multiple areas within the enclave owned by the City of Fort Collins (such as the areas between the Poudre River and East Mulberry Street near the Kingfisher Point Natural Area, Roselawn Cemetery, and an area surrounding the Cooper Slough on the east side of the East Mulberry Plan Area). Annexation consideration for these areas should still evaluate contiguity criteria and other requirements as outlined in the C.R.S.
- **Development Activity:** Sites that have proposals for development or sites that are developable but have not yet may also require consideration as a threshold. As outlined in Section 1 of this document, the East Mulberry Enclave is continuing to experience significant development. The catalytic effect of nearby development may result in the undeveloped portions of the enclave experiencing development interest.
- **Availability of City Resources:** The City has made a determination or evaluation of the necessary financial and personnel resources are available and ready to begin providing services and enforcement capabilities in newly annexed areas for municipal responsibilities that immediately begin upon annexation (e.g., policing, land use approvals and development review).

IDENTIFICATION OF THRESHOLDS AND SUBSEQUENT ACTIVITIES

This section identifies ways that thresholds may be identified and the subsequent steps that will occur following identification.

Maintenance of Logical Boundaries:

A threshold annexation based on maintaining logical boundaries seeks to streamline the provisions of services and enforcement responsibilities by uniting an area that is split between City and County jurisdiction. Depending on how portions of the Mulberry Corridor continue to annex organically, a threshold to maintain logical boundaries could occur in an area as small as a few blocks or represent something larger if the City and County begin to experience issues serving a larger fragmented area. The following factors could indicate a threshold has been reached:

- There are multiple, individual properties under both City and Larimer County jurisdiction in close proximity.
- Properties in one jurisdiction may be partially or mostly surrounded by properties in the other jurisdiction.
- Primary access to properties occurs through/from the other jurisdiction.
- Isolated parcels in one jurisdiction occur across logical demarcation points, such as streets, ditches, and natural areas.

Achievement of Citywide Policy Priorities:

The City may elect to pursue annexation in portions of the enclave to advance important community policy priorities which require properties to be located within City boundaries in order to enforce standards and receive funding. Examples may include:

- Applying the City's zoning authority to help preserve and protect manufactured housing communities or other naturally occurring affordable housing from potential redevelopment and resident displacement.
- Protecting sensitive natural features such as the Poudre River or Cooper Slough by applying the City's buffering standards.
- Forming an urban renewal authority to catalyze development and infrastructure.
- Purchasing property for City amenities and services (e.g., parks, natural areas, recreational facilities, water detention, and more).

It is important to note that there is a desire to simultaneously preserve existing natural features and affordable housing while also leveraging future development to help improve infrastructure and quality of life for residents and businesses in the East Mulberry enclave. These may sometimes seem in conflict with one another, but the recommendations and strategies in this plan strive to achieve both. As thresholds are implemented, staff will continually evaluate that a balance is achieved.

External Funding and Capital Project Alignment:

Threshold annexation based on external funding and capital project alignment could prompt the City to pursue annexation in the case that external funding awarded through grants or other means would alleviate some costs associated with annexation. Projects that might be eligible for funding opportunities may include:

- Transportation or pedestrian/bicycle planning and infrastructure improvements
- Stormwater infrastructure improvements

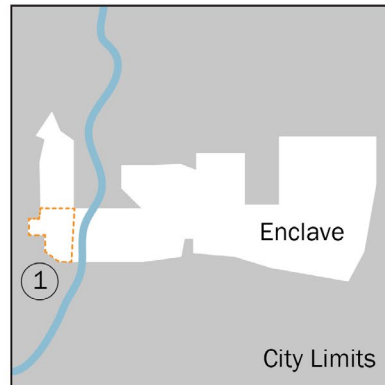
There could also be Federal funding opportunities where the City could coordinate or partner on a grant application with the County and agree to annexation upon award or completion of the project depending on the goals of each agency.

The East Mulberry area also falls within a “**qualifying census tract**” that may exempt projects from requiring matching funds. This is an important consideration for Capital Projects since that is often the limiting factor in grant applications.

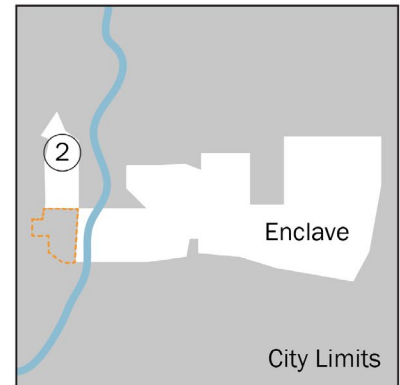
Also, in cases where multiple capital projects either within or directly impacting the East Mulberry corridor are able to be consolidated into one logical geographic annexation action.

THRESHOLDS DIAGRAMS

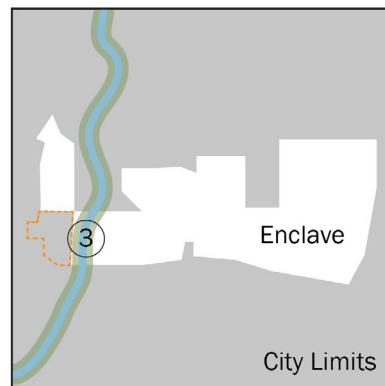
Thresholds may occur independently, or some thresholds may be logically combined together when appropriate. For example, a voluntary annexation that occurs through development activity within the enclave may contribute towards creating illogical jurisdictional boundaries that make provision of services and enforcement responsibility challenging (Maintenance of Logical Boundaries Threshold). When examining that threshold and the potential annexation area, it could be determined that a nearby property with sensitive natural features could also be studied for inclusion in the annexation area. Inclusion of this sensitive natural feature would advance City policy priorities for preservation and protection of natural features and their associated buffers (Achievement of Citywide Policy Priorities Threshold). This hypothetical example of how multiple thresholds can be combined to determine the potential annexation boundaries is depicted in the series of diagrams below.



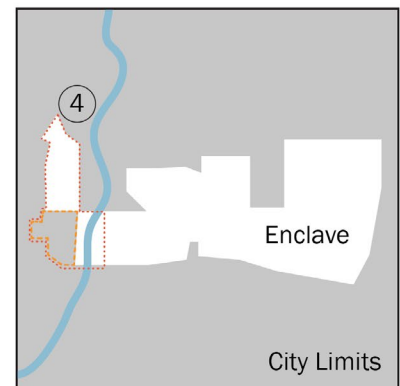
① Development proposal contiguous with City Limits initiates annexation



② "Island" is created (Maintenance of Logical Boundaries Threshold)



③ Ability to apply City's buffer standards to high-priority natural resource



④ Potential annexation boundary for analysis (Maintenance of Logical Boundaries Threshold & Achievement of Citywide Policy Priorities Threshold)

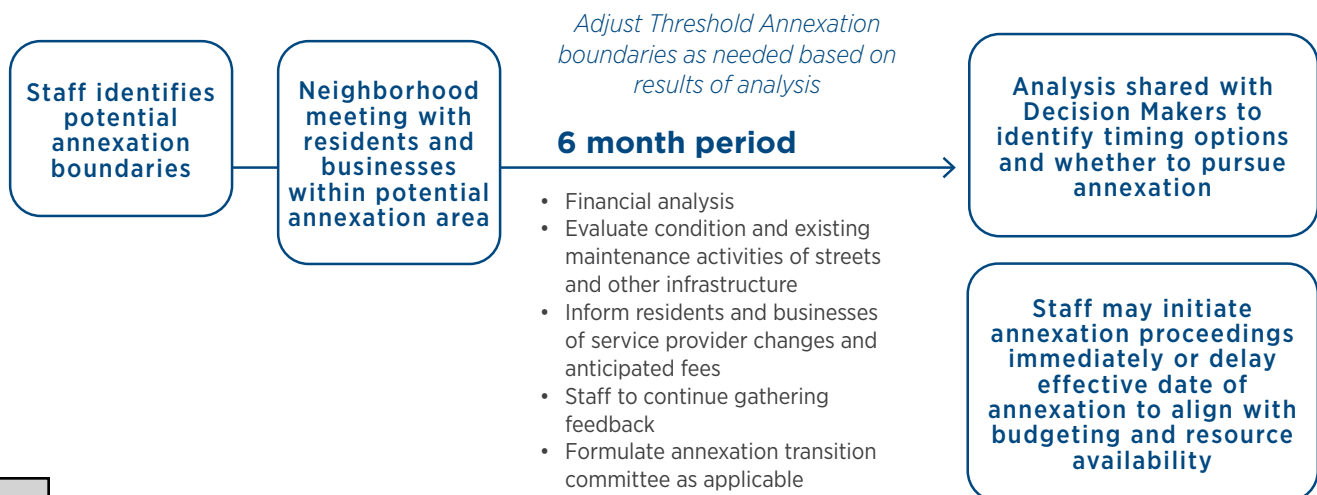
Thresholds Overview

ACTIONS AFTER A THRESHOLD HAS BEEN IDENTIFIED

Staff identifies potential annexation boundaries based on the type of threshold or thresholds that have been reached. Using these potential annexation boundaries, staff conducts a neighborhood meeting with nearby residents and businesses to share information about a potential annexation and to collect initial input.

- Following the neighborhood meeting, a six-month analysis period is initiated. During this period, the following activities should occur:
 - Staff performs financial analysis to understand impacts and resources required for annexation. This financial analysis will utilize the same framework that has been used in the evaluation work conducted so far. Based on the financial analysis, adjustments to the potential annexation boundaries are made as needed.
 - When required, formulation of the annexation transition committee should be initiated at the beginning of the six-month analysis period so that committee members representing residents, business representatives, or property owners can be recruited and onboarded to the responsibilities of their role. This will allow adequate time for the annexation transition committee to be prepared to serve their duties as dictated in the C.R.S. if decision-makers decide to proceed with annexation.
 - Staff will also perform analysis on the condition and evaluate the existing maintenance activities on streets within the potential annexation boundaries, working closely with Larimer County. City staff can perform additional outreach to inform stakeholders of options related to the formation of SID's, GID's, BID's and other mechanisms for bringing streets up to LCUASS standards. One objective of this additional outreach would be for staff to educate stakeholders about how roadway maintenance is performed currently and how full ongoing maintenance by the City could be achieved. This may help to more appropriately set expectations.
 - The waiting period will allow the City to continue informing residents and businesses in the affected area about changes to service providers, fees, and other changes to expect upon the date of effective annexation.
 - Staff can continue to gather input from affected residents and businesses related to the potential annexation and their concerns.
- Staff analysis and stakeholder input is shared with City Council and Planning & Zoning Committee members to identify if a threshold has been reached, timing options, and ultimately whether to pursue annexation.
- If decision-makers provide guidance to pursue annexation, staff may begin annexation proceedings immediately or consider an additional waiting period. The effective date of annexation could be delayed, allowing time for the City to ensure personnel resources, including police officers and support staff are in place to serve the additional areas being brought into the City.

What happens when a threshold has been identified?



THRESHOLDS STRATEGY LONG-TERM MANAGEMENT

Monitoring of annexation thresholds and initial recognition of when a threshold has been reached will likely be a staff responsibility alongside City Council and Executive Lead Team consultation to determine whether official annexation action is warranted. Multiple monitoring strategies can be deployed to help identify when certain thresholds have been reached:

- **Monitoring Reports** – Every two years, compile information on the enclave related to individual annexations, upcoming capital or master planning projects, redevelopment activity, and more, to determine if any potential thresholds have been reached. The first monitoring report should be issued within three months of adoption of this plan to establish baseline conditions for future reports.
- **Individual Annexations** – When individual sites request annexation, staff is responsible for drafting a staff report and agenda materials for the Planning and Zoning Commission and City Council. These documents should include specific discussion on whether the annexation contributes to threshold criteria.
- **Capital Projects** – Capital projects that may directly or indirectly affect the East Mulberry Plan area should be monitored as part of the ongoing threshold monitoring and management.
- **Future Plan Updates** – Subarea plans such as the East Mulberry Plan are often updated every 10 – 20 years to identify new conditions and reconfirm priorities. During any future plan updates, staff should review and update potential threshold scenarios.
- **External Factors** – Anytime special outside factors may lead to changes in the corridor, whether a new funding opportunity, collaboration with another jurisdiction, or a large development project, these present opportunities for staff to evaluate impacts on the corridor and whether they contribute to an annexation threshold outside the standard monitoring report timeline. It is important to note that if a large development project initiates a threshold and annexation consideration, the development project can continue to progress along the timeline dictated by the City’s development review and annexation processes. The timing of that development project would not be impacted by the timeline associated with evaluating and analyzing thresholds.
- **Formation of an Annexation Transition Committee** – This committee could help identify whether certain threshold criteria have been met.
- **Larimer County Input** – Regularly consult with staff and decision-makers in Larimer County regarding the status of the enclave and fulfillment of the Intergovernmental Agreement in the context of the Mulberry Enclave. Larimer County staff representatives will serve on the annexation transition committee and can serve as liaisons to Larimer County Commissioners and leadership.

As described previously, even with a threshold strategy in place, voluntary annexation within the East Mulberry Enclave can continue in the ways as described within the C.R.S. Individual or groups of property owners who meet the outlined criteria for annexation eligibility may still petition for annexation as desired at any time. Also as described in the Introduction/Annexation Summary section, the processes by which property owners or electors can petition for annexation of the enclave or an annexation election can still occur. Successful pursuit of either of those two actions could result in the annexation of the entire enclave before the natural progression of annexation thresholds occurs to completion.

Ongoing Management of the East Mulberry Plan

The updated East Mulberry Plan and the proposed threshold annexation structure represents a new approach towards annexation and a slightly less traditional subarea plan document than some of Fort Collins' other subarea plans. Unlike other subarea plans, the East Mulberry Plan covers an area largely outside of City Limits. Many of the implementation actions suggested through the Plan are dependent upon these areas coming into City jurisdiction through potential future annexation. For this reason, the goals and strategies contained within the Plan attempt to successfully balance enough specificity to lay a foundation for the desired future of the East Mulberry Plan area, while also remaining nimble and adaptable to the evolution of this area over time. Successful management and implementation of this approach will require additional monitoring, updates, and evaluation over time. As threshold annexations occur, updates to

this plan may be required as efficiencies and processes are established and conditions in the corridor continue to evolve.

City staff will bear responsibility to enact the process as covered in this plan, however, the involvement of residents, business owners, property owners, Larimer County, CDOT, and other stakeholders within the East Mulberry Plan Area will remain essential. The proposed thresholds approach was designed to build in substantial communication and participation opportunities for community members in the plan area (including the Annexation Transition Committee as well as neighborhood meetings). The thresholds process and opportunities for community participation should also be co-evaluated and adjusted as needed based on community feedback and experience following the first annexations occurring through this process.

Appendices

**Appendix A:
Community Engagement Reports**

**Appendix B:
Mulberry Corridor Financial Impact Analysis**

**Appendix C:
Role of Subarea Plans**

Appendix A: Community Engagement Reports

Visioning Sessions



EAST MULBERRY PLAN

SUMMER 2021 COMMUNITY ENGAGEMENT SUMMARY

August 18, 2021

Engagement Process Summary

The East Mulberry Plan update process is intended to develop and implement a community-engaged vision for the East Mulberry enclave, which is planned for annexation into the City of Fort Collins. In the summer of 2021, the City hosted six public engagement meetings, two per month, in June, July, and August. Residents and business community members were invited to attend the events to learn more about the annexation process, to ask questions, and to share their concerns and aspirations around future annexation efforts. Four meetings were conducted virtually and two were conducted in-person. Meetings took place on the following occasions (in-person meetings marked with an asterisk*):

- June 29th : 12:00 – 1:30pm (business-focused) & 6:00 - 7:30pm (resident-focused)
- July 14th: 12:00 - 1:30pm* (business-focused) & 6:00 - 7:30pm (resident-focused)
- Aug. 4th: 12:00 – 1:30pm (business-focused) & 6:00 – 7:30pm* (resident-focused)

The City presented an overview of the annexation history and participants were invited to ask questions and to respond to a series of questions from the City.

Key Concerns

Shared concerns were raised by residents and the business community. The most prominent of those themes, roughly in order of their prevalence included the following:

- Loss of affordability and rising costs (including gentrification);
- Fear of increased restrictions and regulations;
- Loss of diversity, both in uses and demographics /reservation of the industrial and agricultural character;
- Having a voice and involvement in the decision-making processes;
- Maintaining and improving flow of traffic, streets, and business access;
- Ongoing and increasing experiences of crime, homeless/transient population, flooding and drainage; and
- Aesthetic appeal of the corridor.

Suggestions

Participants provided suggestions for the plan update process, as summarized below.

Ongoing involvement of the business community: The business community would like to have increased opportunities to have input into the process, and a business association may be independently formed for the area with the help of the Chamber of Commerce (no association for this area currently exists). In

addition, they have requested that the City host more conversations with the business community throughout the process and even into the phases of implementation.

Ongoing residential engagement: The residential community also requested increased involvement and City staff has agreed to set up meetings with individual Home Owner’s Associations (HOAs) and neighborhood groups to discuss the specifics of the plan for their neighborhoods.

Integrate with scenic byway efforts: Current effort to designate the Cache la Poudre Scenic Byway along Colorado Highway 14 (Mulberry Street) may be an opportunity for collaboration, funding, and a way to fulfill business, resident, and City desires to improve the aesthetic appeal of the East Mulberry corridor, make it more appealing “gateway to the City.”

Community Responses to City Questions

The development of the themes above were derived from the following observations synthesized from the community meetings. The following four tables synthesize and summarize the input provided by the community at those meetings, as well as important overlaps between the business and residential communities:

What is valued most by the community?

Business Community	Shared	Residential Community
Streets, flow of traffic to allow big trucks	Low taxes	Housing affordability
This area is where businesses can “get dirty & make noise”	Diversity (of people, of uses, of business types)	Culture of the community
Proximity to I-25 & ease for customers & workers from other areas of Larimer/Weld counties	Affordability	
Space for storage, fueling, etc.	Character of place	

What needs work in this community?

Business Community	Shared	Residential Community
It is difficult to know what’s going on and be involved when they are busy and involved in their own businesses – need good info and repeated contact	Homeless population	Schools are too far away
Work to keep industrial and agricultural businesses here	Crimes like theft and vandalism and drug-use (needles, etc.)	No safe parks and/or bike paths/sidewalks to get to parks
	Traffic flow (confusing, congested, dangerous for pedestrians and bikes) – improvements to frontage roads	Streets
	Flooding & drainage	

What are their fears/concerns?

Business Community	Shared	Residential Community
Tractor-trailer access will be splintered, restricted or made more difficult	Gentrification	The time it will take to get the annexation implemented
More restrictions on parking and/or signage	Rising rent and other costs	
Residential and/or retail will push out the industrial businesses	Higher taxes and/or restrictions (e.g. building standards, code compliance, etc.)	
Unease in opening/closing businesses because of transients sleeping in building entrances, etc.	Adjusting to the new requirements imposed by the City	
Increased traffic volume, difficulty “breaking in” to the traffic stream on Mulberry	City will just overlay plans and requirements on them that aren’t right for their area	

What do they hope for?

Business Community	Shared	Residential Community
Opportunities to provide additional primary employment	More opportunities to be involved and have a voice (advisory board, working groups, business association?)	Keep and/or provide more attainable housing options
Keep the diversity of uses allowed	Knowing what is going on as this process unfolds	Keep the diversity of the communities
	Better aesthetic appeal of the area	Help with improving & maintaining roads
	Better connectivity for bikes and pedestrians, as well as transit	
	That the City will really listen to them and include them in the planning and decision-making	
	Aesthetic improvements along the Mulberry corridor, especially at the interchange with I-25. Opportunity to create a gateway effect more like the Harmony interchange.	
	Mulberry is the eastern terminus of a scenic byway and could be improved to honor/fit	

Appendix A: Community Engagement Reports

Online Survey

East Mulberry Plan Area Visioning Summary

Introduction

The East Mulberry online visioning survey received 43 completed responses. Invitations to participate in the survey were sent out in a mailer for residents within the study area, and in an email to those who subscribed to the newsletter online.

The online survey rendered similar values, fears, and hopes about the East Mulberry Area that was captured by the community engagement meetings hosted in the summer of 2021. Overall, the common values identified by this survey include affordability for housing and property, conservation of natural areas and open spaces, and a focus on infrastructure that provides accessibility for a safe cohesion of travel between motorists, pedestrians, and bicyclists. Fears identified throughout the survey were focused on rapid growth and overdevelopment that may lead to affordability issues and over commercialization of the land, as well as a lack of safety around poor infrastructure and increasing traffic. Respondents communicated their hopes of this area to include an enhancement in existing and future traffic infrastructure, conserve and create access to natural areas/open spaces and look to create opportunities for affordability and sustainable growth in the East Mulberry Area, while addressing some of the social issues facing the area.

This Summary will walk through each survey question that was asked to residents and community members, highlighting the key takeaways learned from each question focus. Sample responses from each question are included in order to provide examples direct comments that were given from community members. The responses were analyzed to identify the common phrases and ideas for each question, which are highlighted in the bar graphs for each question.

Question 1:

The thing I value most in this area is...

“Easy access to both Old Town and I25; Affordability”

“The current existing natural preserves (ponds, river access, open spaces)”

“That it is an industrial area, with less rules and more affordability. Not Old Town, Not Fort Collins. That the area gives small businesses a more affordable place to start.”

“Affordability for small business owners.”

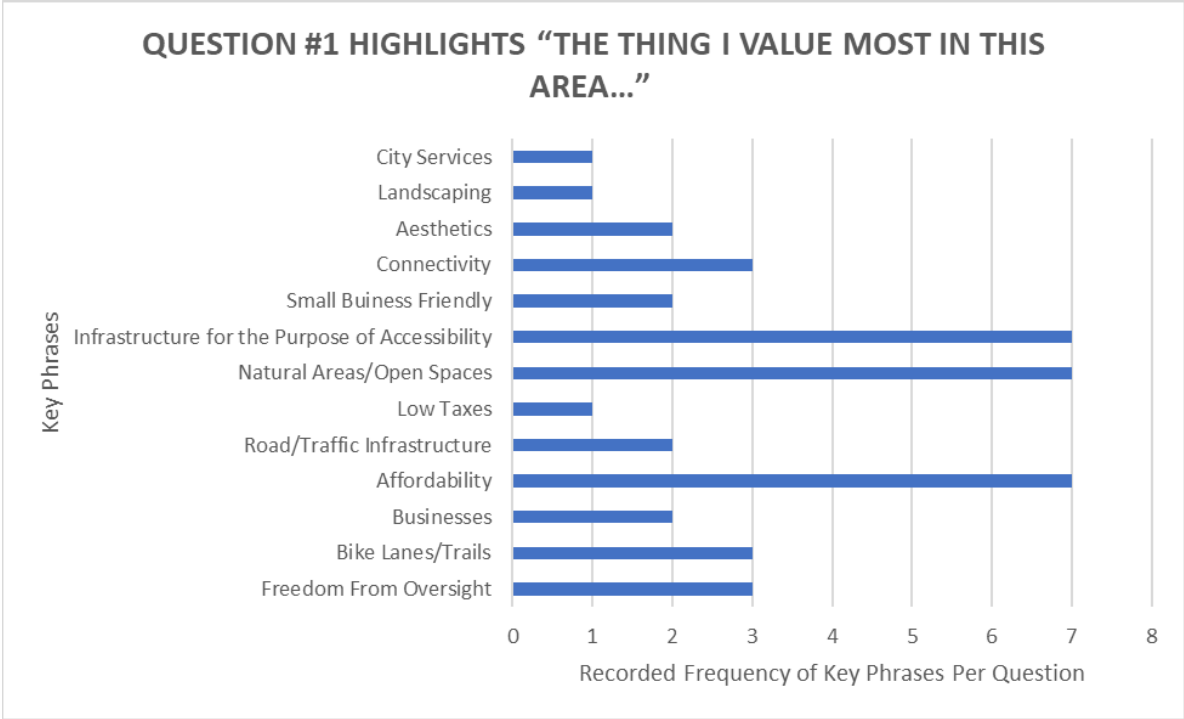
“That most city services are offered, although city water would be better than ELCO. Connexion is awesome, for example.”

“Freedom from city oversight.”



Question 1 intended to gauge what respondents currently value in the East Mulberry Area today. The three main values that were identified by respondents were affordability, natural areas & open spaces, and infrastructure for the purpose of accessibility. The respondents noted that having quick and direct access to both Old Town and I-25, yet still having more affordable levels of housing and small business venues, is a highly valued characteristic of the area. Furthermore, respondents also care highly about the natural aesthetics of the area, including natural areas, parks, and the scenic views of the surrounding mountains and farmland, as shown in the bar chart below.

There was a small portion of respondents (7%) that valued being outside of city limits. This small portion of comments highlights the uncertainty some residents share about the idea of the area annexing into the City of Fort Collins. These comments seemed beneficial to include because there is some uncertainty among respondents on how and when the City of Fort Collins might annex the area in the future, as part of the area remains under Larimer County’s jurisdiction. These concerns were also related to a lack of clarity around the financial implications of annexation for businesses and uncertainty around how needed services and infrastructure in the area would be managed by the City.



Question 2:

The thing I would like to see change most is...

“The roads and intersections are the neighborhood unsafe...need lights with left turns both on Prospect and intersection of Greenfield’s Ct and Mulberry”

“A real street. Currently our neighborhood dirt road is severely eroded.”

“Better bicycle access to downtown and connected bike paths. A path along Vine, south of the Railroad tracks that makes Timberline to the Beet Park safe and easy would be AMAZING”

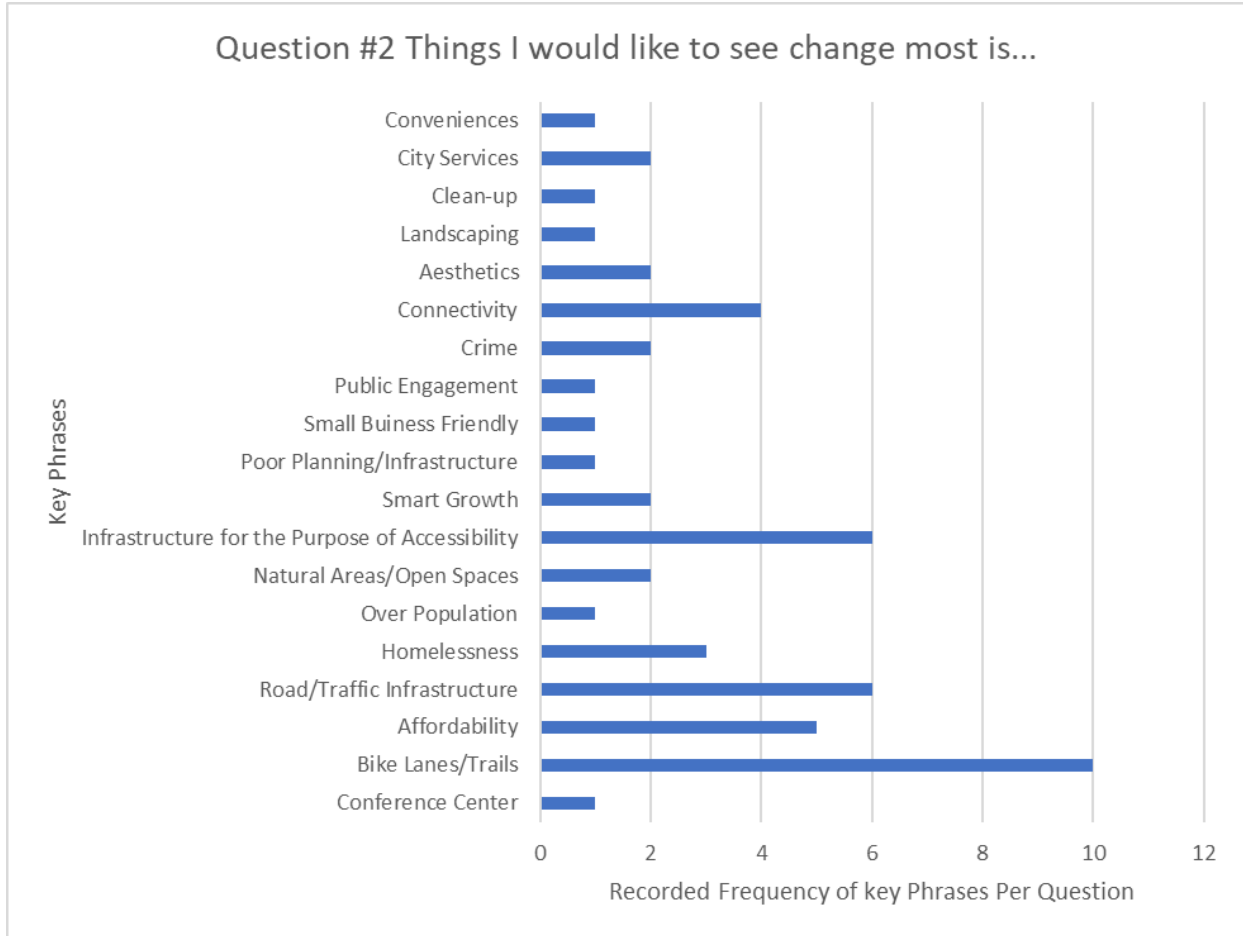
“Sewage tie-in options for those currently on septic on Summit View Drive”

“More community programs to encourage neighbors getting together to help with people who are less fortunate, trash pick up in the area or just to gather and get to know one another”

“More connections to the city so we don't have to drive into town for everything. Need bike paths, sidewalks, city bus connections, and even a supermarket in the northeast of the city”

Question 2 asked respondents what changes they would like to see prioritized in the area. The most common response was to add more bike lanes and to prioritize pedestrian connectivity to amenities, open spaces, and various neighborhoods within the area. Methods for improvements mentioned included safer traffic patterns, better public transportation, and improvements to roadway infrastructure.

Respondents would also like to see solutions to social issues like homelessness, as well as lowering the crime rate. Respondents suggested providing better access to city services to address some of these concerns. Along with the changes to infrastructure and social issues, respondents would like to see aesthetic changes, like more landscaping to soften the view of concrete islands and a general clean-up of the area. Furthermore, adding more conveniences to the area like grocery stores, restaurants, gas stations, and other businesses would benefit residents and consumers. The chart below highlights the most used phrases among the responses to this question. Note that the top three key phrases revolved around connectivity and accessibility for multimodal transportation.



Question 3:

What are your hopes for this area?

“To get more accessible grocery store and small communal spaces with breweries, parks, coffee shops, restaurants, etc. and to change the current East Mulberry stigma of being an impoverished, crime zone”

“That the area will remain a more affordable place for businesses that want to start and grow in the area. And that the valuable space the businesses need for parking etc. is not used for sidewalks, trees and bushes”

“Interconnectivity to everything the city offers. It would be nice to have more than one egress in and out of Timbervine/Dry Creek. Last year’s spring snow, quite literally trapped many of us in the neighborhood for a day”

“Restrictions on raising rents, help with housing inflation”

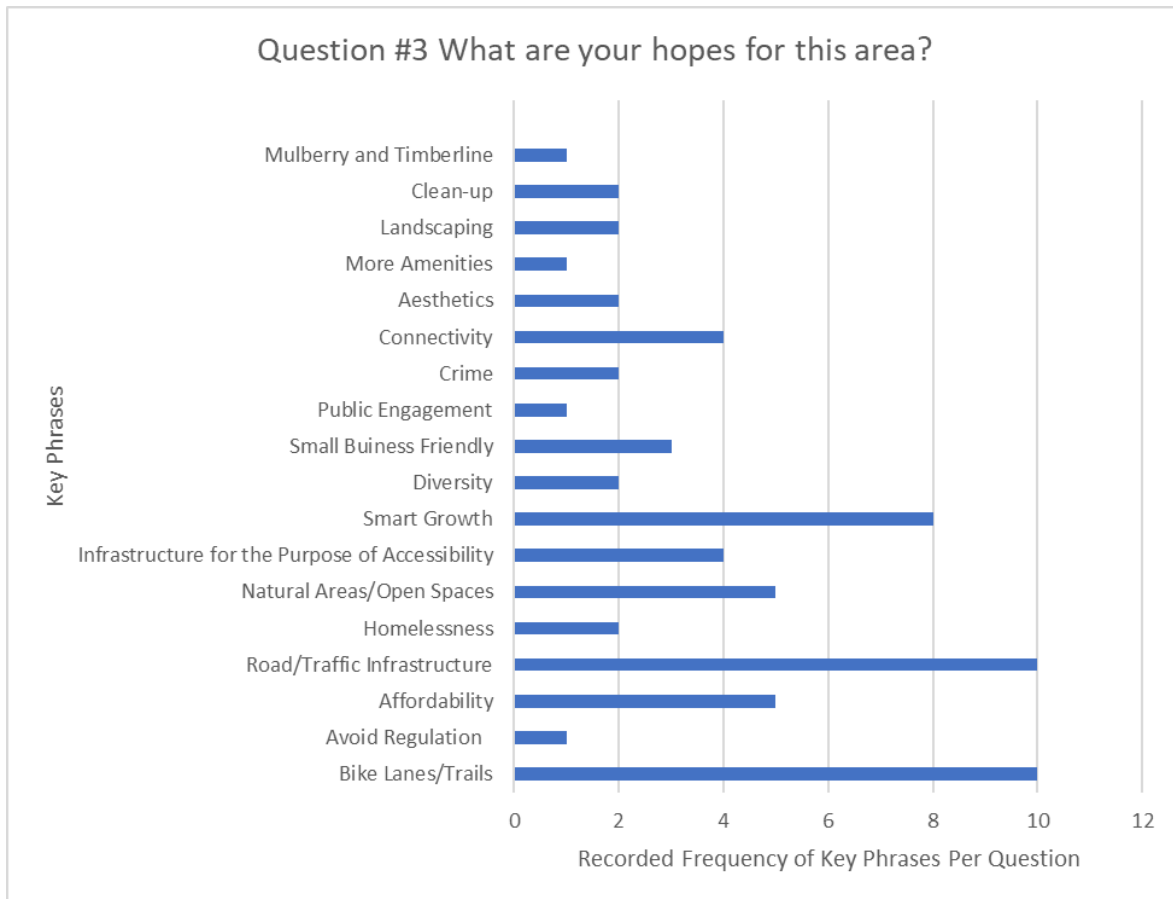


“I hope that the community can be mindful of how important supporting small businesses is; now that Target & Starbucks has moved in, the convenience of having them so close can be devastating to the family-owned businesses”

“Walkability. You cannot visit this area for shopping or business without a car. Tree planting and added landscape features/naturalization and preservation.”

Many of the hopes reported by community members addressed the changes that were reported in Question 2. 55% of respondents commented on a hope to have an infrastructure that leads to better multimodal connections between the City of Fort Collins and the East Mulberry Area. Common solutions suggested for these connectivity and accessibility issues were safer trails/bike lanes, more lighting, additional turning lanes, more crosswalks, and addressing potholes.

Community members also hope for the future development in the area to follow smart growth principles. Reported smart growth suggestions included having affordable housing, avoiding suburban sprawl, being small business-friendly, adding grocery stores and other amenities, preserving natural areas, adding trails and public transportation, addressing homelessness, and preventing crime.



Question 4:

What are your fears for the future?

“That current open spaces might be encroached on or that current hotels on East Mulberry will continue to function as they are now, which is part of what attracts increased substance use, crimes rates, etc. to that area”

“Underutilizing this space. In filling it with meaningless retail/commercial/big box stores. Losing the opportunity for massive cultural advancement for the next century”

“That costs will increase, and space will decrease, making it less affordable. Look at the vacancy rate in this area compared to the others in the Fort Collins area. The draw for business in this area is not a nice sidewalk it is the Industrial affordability”

“I fear that the pace of housing/development growth will far surpass the infrastructure growth, leading to continued traffic and safety issues”

“The land won’t be brought into the city limits before it’s developed, and terrible industrial will fill the areas next to our houses. That something terrible will happen before the city considers the safety of residents. Right now, we can’t walk from our neighborhoods without almost getting hit!!”

“That the character will change with no architectural/design regulations. Homeless population will continue to grow. Multifamily, apartment-style building. Housing prices will continue to rise, making it only accessible to the wealthy.”

Fears for the East Mulberry Area involve poor planning, traffic infrastructure, and affordability. Many respondents fear that without careful planning East Mulberry will succumb to overdevelopment and fast growth. The fear of over-development and rapid growth includes the fear of losing natural areas, the creation of high property values, continued crime, traffic congestion, infrastructure neglect, and a decrease in cultural advancement.

Most respondents reflected hopes to see some of the successes of infrastructure that the City of Fort Collins has (utilities, proximity to essential amenities, bikes lanes clean streets, etc.) but fearing that these successes could hurt affordability and create challenges for local, small businesses. Residents want to see improvements to the area without it losing its affordability or industrial businesses that have thrived in the area for years.



Question 5:

What are some obstacles for the hopes you have for this area?

“I worry about funding because some of the East Mulberry is under the City of FC jurisdiction, and some is under County jurisdiction: it would be nice to see continued collaboration between the two for this are specifically”

“The area around I-25 and Mulberry has a population that needs help but as it stands now, it doesn’t always feel safe visiting the business in the area after dark.”

“Gentrification. Growth. Balance between homes and businesses. Costs.”

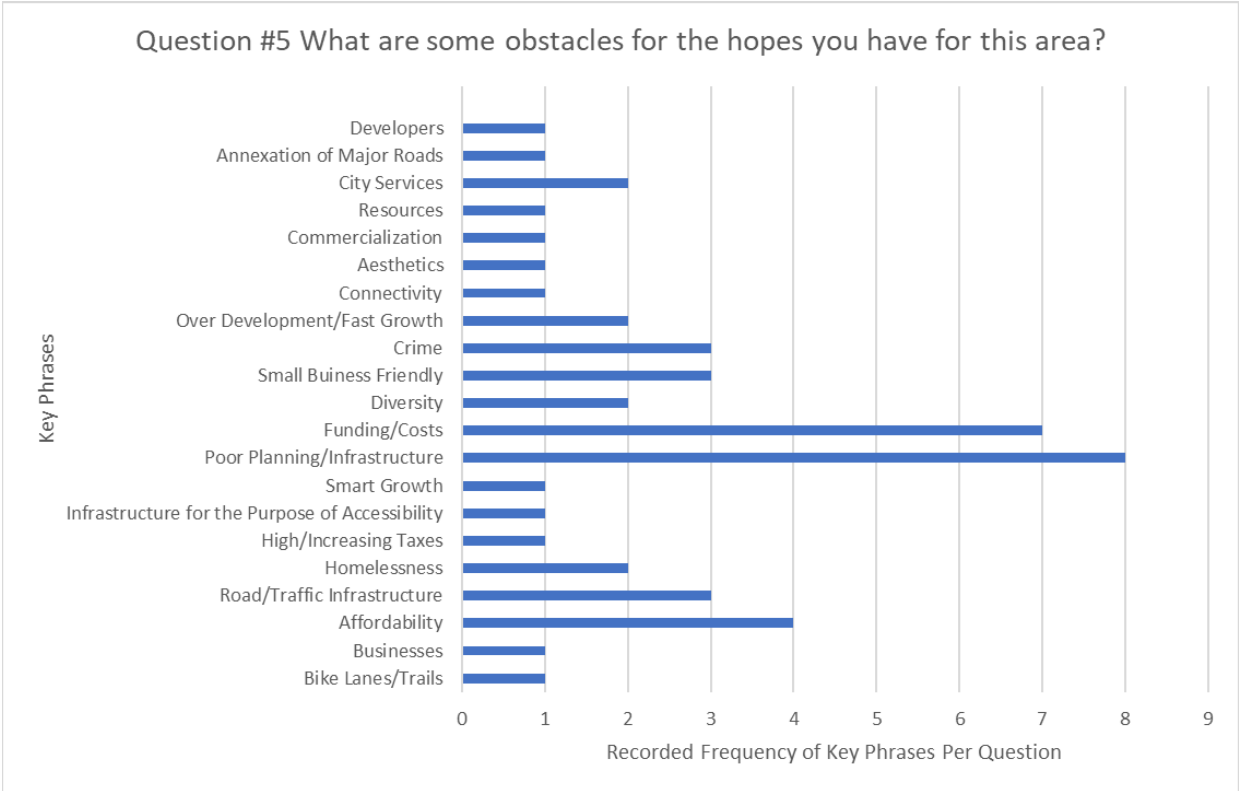
“That businesses will not have interest or financial ability to invest in improvement. I don’t see a path forward. Traffic volume and speed is an enormous safety concern.”

“No resources to solve problems. The county says it’s a city issue/ the city says it’s a county issue”

“Homeless population has to be addressed...safety for all, many not wanting to be annexed into the city, affordable housing has to be addressed, and infrastructure thought out first.”

Respondents identified various obstacles that the East Mulberry Area may face when working towards their community hopes. The biggest obstacles surrounded resources, funding, and planning concerns.

Social obstacles included addressing homelessness, crime, and gentrification. Economic obstacles included funding, affordability, and the potential for the area becoming unsustainable for small businesses. Infrastructure obstacles included traffic, a lack of supportive resources for individuals in need, and a lack of affordable housing. All obstacles mentioned came with a general uncertainty from respondents on how the city plans to develop, fund, and address development in the East Mulberry Area.



Question 6:

Additional Comments:

“I think the city of Fort Collins should look at what other cities have done as they have annexed industrial areas. Instead of making the decision itself, the city should present various scenarios to the businesses of this area with the trades offs to ensure buy in.”

“An Industrial area is nice if the roads are kept up, no potholes, swept / clean. Most of the businesses are here because they wanted less overhead, more square footage



inside as well as outside for less money. Don't take away valuable space."

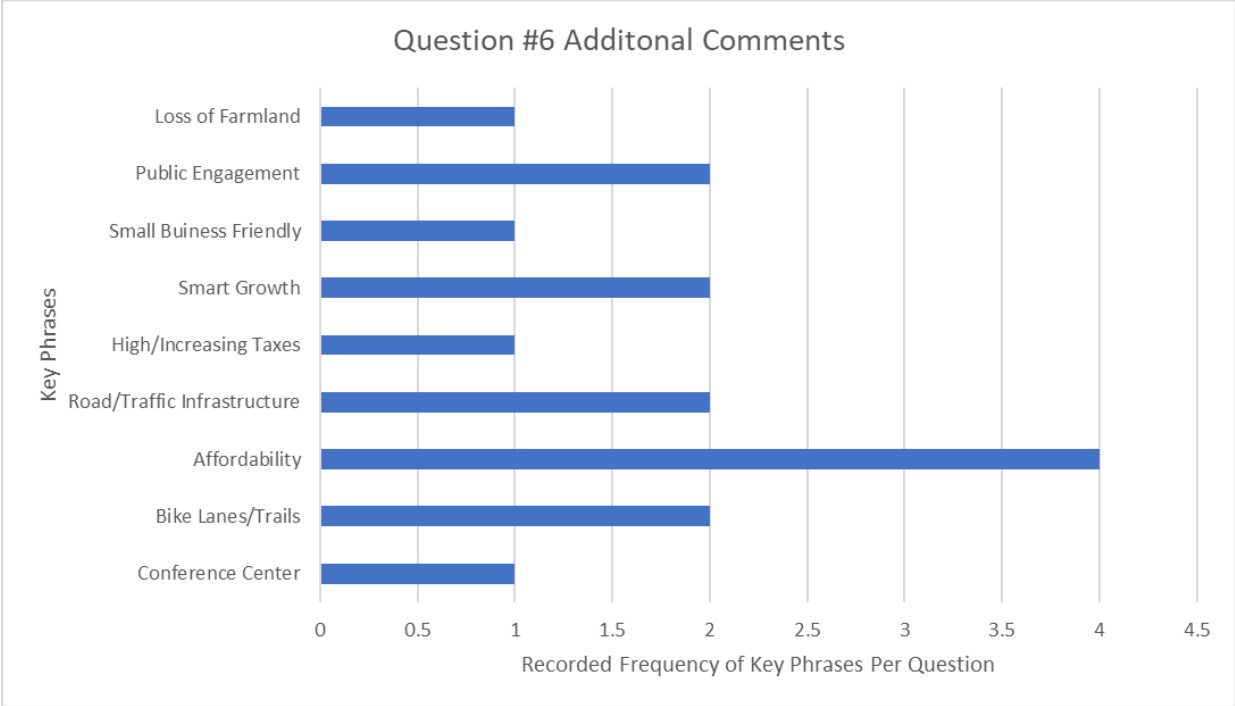
"There are so many people in this area that want to help and be a part of the solution and broader Fort Collins Community, but there is a great sense of disengagement. I really appreciate this survey coming out and am very hopeful for the future of District 1."

"I think building new homes adding to the types of businesses in the area will help remedy the bad rap this area sometimes gets. I think the best way to help awaken this area is to encourage new, fun, and exciting businesses to come to the northeast part of town and build affordable housing to allow more people the opportunity to own a home in our city. More stuff to do, eat, drink, and see with an efficient traffic pattern within problematic areas are what we need!"

"Northern Fort Collins is an obvious choice for the city to expand with the infrastructure already in place. Making an investment in the existing communities will benefit the city for years to come. As someone who was drawn to Fort Collins with the promise of it being one of the best cities for biking in the country, I have found that to not be true if you live on the North side of the city. People are constantly moving to this area for the outdoor recreation and Fort Collins should further embrace that by providing safer options and more dedicated trails, not just bike lanes on busy roads."

"Farming north of Mulberry disappearing. Where will our food come from? Leave land for community farming. Rooftop Farming"

The final question gave respondents an opportunity to leave any other thoughts that had not been included in the previous questions. Ensuring that community members are heard and understood is a vital part of the planning process, and respondents noted their appreciation for the opportunity to voice their opinions on the East Mulberry Area Plan. Some comments stated they would like to continue to see more collaboration and engagement options. Respondents also recapped the need for planning that creates affordability and diversity of the East Mulberry Area, which could lead the area to feel more appealing to future residents, consumers, and visitors.



Appendix A: Community Engagement Reports

Community Advisory Group



ADVISORY GROUP MEETING 1

EAST MULBERRY PLAN

Date: October 18, 2021

Location: Zoom (virtual)

Participants: Shawna Van Zee (City of Fort Collins), Jeffery McClure, Dave Marvin, Wayne Hunter, Erika, Stan McGarvey, Carol Cochran, Brown Abrams, Cindy Freeman, Craig McKee, Jesse Eastman, Josie Plaut (IBE), Susan Hsin (IBE)

MEETING MINTUES

Objective/Topic	Notes
Introduction + Meeting Kick-off	<p><i>Shawna welcomed everyone from the Advisory Panel and handed off facilitation to Josie. The group the introduced themselves.</i></p> <p>Introductions</p> <ul style="list-style-type: none"> • Jeffrey McClure, co-owner of Fort Fun with wife Jan • Bill Demos, owner of Mountain Pet Supply, been in the area since 1986 • Dave Marvin, residents of Boxelder Estates, been there 1990 • Mike Brown, Western States Bank, bank has been here since 2004 • Wayne Hunter, owners of Super Market Liquors, been the owner for the past 5 years • Erika, resident of Countryside Park, been here for almost 4 years • Stan McGarvey, owner of Charco Broiler Restaurant, 3 generations • Carol Cochran, owner of Horse and Dragon Brewery since 2014 • Brown Abrams, previous owner of Fiberlock, since 1992, doesn't own it anymore but still owns land next to it • Cindy Freeman, resident of Countryside Park, lived in the area since 1994 • Craig McKee, owner of water quality company, decorative concrete company, arts center, and distillery + brewery location too, been in Fort Collins since 2003 • Jesse Eastman, owner of Fort Collins Nursery, been in business since 1932, been in this location since 1950, owner since 1976
Process Overview + Advisory Group Roles	<p><i>Shawna shared overview of the East Mulberry Plan, including a map showing the plan area and the areas up for annexation</i></p> <ul style="list-style-type: none"> • Distinguished boundaries of plan area and annexation areas

- Defined *enclave* – an area that is completely encircled by a properties that are part of the city jurisdiction
- Agreement with the county that once an enclave forms, the City of Fort Collins will annex the enclave
- Plan Purpose - develop a vision for East Mulberry that will guide public and private investment in the future
- Existing plan from 2002 as a resource/reference
- Topics Under Consideration
 1. Look and feel of the area
 2. Types of uses and activities, desired improvements
 3. Stormwater, streets, sidewalks, infrastructures
 4. Health and Safety
- Reviewed overall plan development timeline (see Power Point)

Community Engagement Goals

- Engaging diverse group of stakeholders
- Utilizing equity and inclusion resources within the City
- Some engagement tailored to businesses/residents in East Mulberry
- Balance of local and broader community engagement
- Public Information Meetings → Public Listening Sessions → Community Advisory Group (current phase) & additional Public Meetings

City Commitment to the community

- We will clearly capture and share advisory group perspectives with the rest of the planning team → back and forth communication between planning team and advisory groups
- We recognize that we will not be able to integrate every idea in the plan due to the nature of disagreement and limited time, but the goal is to develop a plan that encompasses community needs and aspirations
- We encourage the participants to follow up with us if they have any further questions that go unanswered in this session

Group Engagement Guidelines

- Listen with an open mind and seeking to hear and understand all voices and perspectives
- Be respectful of others, even when you disagree
- Keep responses brief to make space for everyone to share and meeting continues to flow

Shawna extended the offer to the group to have reach out with any questions or set up private conversations as needed.

City Plan Core Values

Livability

- Attainable housing and businesses → hoping to address the growing concern about how expensive it is to live and grow a business in Fort Collins

- Vibrant economy with good jobs
- Safety and stability → provided by city services

Community

- Culture of open, honest, communication
- Commitment to equity, diversity, and inclusion
- Strong public and private social services

Sustainability

- Commitment to the Triple Bottom Line → social, environmental, economic

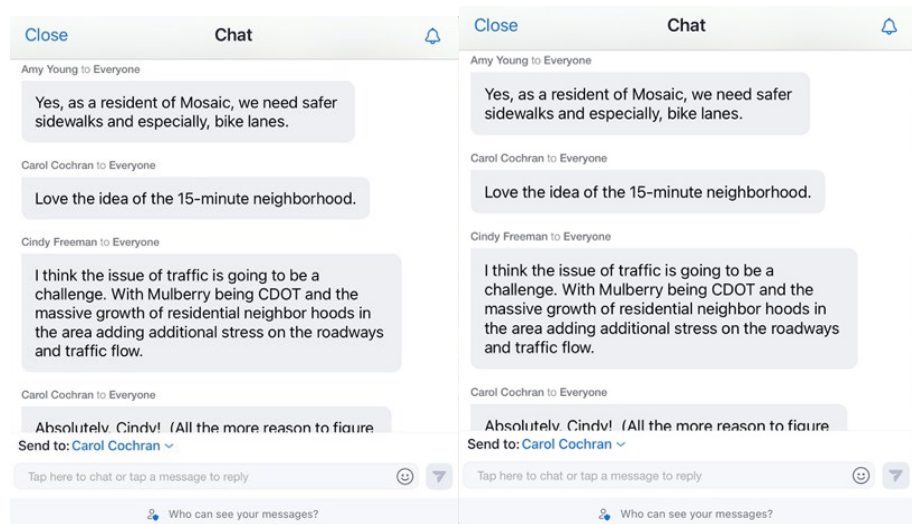
Vision & Guiding Principles Activity

The advisory panel was invited to share their thoughts about the outlined vision and guiding principles and to provide more specific input about their ideas, opportunities, and concerns. In addition to conversation and the Zoom chat, a [Miro collaboration board](#) was used as a means for further engagement.

- Dave: there is a lot to absorb in a short amount of time in this space
 - Josie clarified that there is no rush to get all ideas down during this session and that it will be open afterwards
- Bill: what is the coordination between Fort Collins and CDOT to manage HWY 14?
 - Must be considered as the design is planned out because this byway will have a significant impact on local businesses in the area, for better or for worse
 - Lots of industrial transportation
 - Must consider the balance between industrial and residential traffic
 - I-25 Interchange is a pinch point; residential traffic and truck traffic are conflicting
 - Unloading trucks can cause a
- Mike: expressed his concern about how large area this is, and that there is currently only 1 description for the entire area; the total area needs to be broken up to be more comprehensible subareas
 - Josie: during the next meeting we will present proposed subareas and get the advisory panel's perspectives on how to create buffers and smooth transitions between the subareas
 - Everything will eventually be address in one master plan so that the area does not become fragmented throughout the planning phase
- Mike: Maintain this area's industrial character - a place where people come to make noise and get dirty, and he does not want the city to apply the same standards to this area compared to the rest of the city
 - "We don't need the city to come in and plant flowers along all the sidewalks"
 - The city has not yet annexed another area that is as developed as East Mulberry, so the fear is that the city will come in and overlay their standards and solutions not unique to this area
- Craig: He paid an impact fee for development/beautification on Timberline north of Mulberry and supports that kind of improvements

- Carol: Just because the businesses are classified as commercial does not mean that these areas can all be addressed in the same way. For example
 - Difference between industrial and retail
 - Traffic requirements for these areas differ drastically
- Bill: If Fort Collins wants to maintain affordability, then must support the businesses and industrial properties in this area because these are what pays the bills for amenities and services
- Erika: Fort Collins promotes the “15 Minute Neighborhood”, how can they keep this up?
 - 15 Minute Neighborhood is idea that all the needs of residents (grocery stores, retail, work, schools) have should be bikeable or walkable in 15 minutes; hope to reduce commute time
 - Expressed appreciation for the businesses in this area, but she can see how this would be obstacle to developing this area into a 15 minute Neighborhood
- Dave: Summit View is a racetrack right now, but one of the most beautiful roadways in the city; this is where the residential areas pour out onto the road before diverging to other roadways
 - Boxelder Estates – the neighborhood appreciates the rural feel and doesn’t want new city standards to take that away
 - Maybe Summit View could be improved, to slow traffic and make the corridor more of a boulevard.
- Jeffrey: agrees with Dave that beautification of Summit View should be prioritized
- Jesse: how much influence does the City have over Highway 14 which is a state highway?

Comments in the Chat



<p>1. Vision & Aspirations</p>	<p>*comments from the Miro Board*</p> <ul style="list-style-type: none"> • For the existing neighborhoods, incorporate the concept of the <i>15-minute neighborhood</i> - an existing guiding principle of Fort Collins development already • Don't overly design streets and impost too many requirements on industrial development • Continue to allow unique business use that was created out of necessity when Fort Collins was not interesting in our businesses being within city limits • Movement of cars, trucks, and people need careful consideration • Benefits to businesses in improving the look of Mulberry • Beautification of the Mulberry corridor • Building for today AND tomorrow - maintain industrial base
<p>2. Map</p>	<p>*comments from the Miro Board*</p> <ul style="list-style-type: none"> • I-25 interchange is a pinch point where residential traffic and truck traffic often clash - must consider this in roadway design • Residents are coming down the frontage road, which is where some of the conflicts between trucks and cars exist • Mosaic needs safer sidewalks and bike lanes • Impact fee for development/beautification of Timberline x Mulberry • No need for flowers and medians - would take away from the industrial feel and function; consider what makes sense for curb and gutter • Summit View is currently a racetrack, but it's a really beautiful roadway - could be a parkway and an important part of the scenic byway • Boxelder Estates - maintain the rural feel; no curb and gutter is OK for many residents • Cooper Slew Open Space
<p>3. Equity Lens</p>	<p>*comments from the Miro Board*</p> <p><i>No comments were made in this section</i></p>
<p>Next Steps</p>	<ul style="list-style-type: none"> • The Miro board will stay open and editable through the end of the week. Additional comments are welcome. • We will NOT be meeting on November 1st, but will meet November 15th and will begin reviewing subareas. • We are hosing public meetings on October 27th and 28th – please invite friends, coworkers and other interested parties to participate.



ADVISORY GROUP MEETING 2

East Mulberry Plan

Date:	November 15, 2021
Location:	Zoom (virtual)
Participants:	Sylvia Tatman-Buruss (City of Fort Collins), Shawna Van Zee (City of Fort Collins), Bill, Stan McGarvey, Patty, Craig, Carol Cochran, Cindy Freeman, Dave Marvin, Erika Jan & Jeffrey Jesse, M. Brown, Amy Young, Josie Plaut (IBE), Susan Hsin (IBE)

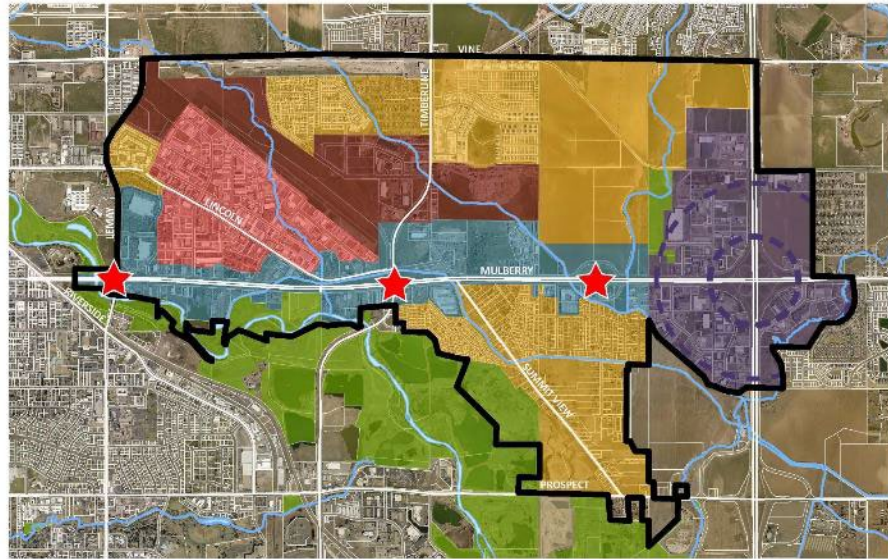
FOR NEXT TIME

- Next meeting on December 13th
- Finish subarea questions (Future development and Residential Subareas)
- Priorities for improved main corridor improvements
 - Including pedestrian and bicycle connectivity
- Additional questions from internal City working groups
- Targeted outreach focused in subareas - advisory group members will be asked to help extend invitations

Objective/Topic	Notes
Introduction + Meeting Kick-off	<p><i>Sylvia welcomed everyone from the Advisory Panel and handed off facilitation to Josie. Sylvia noted that she will be available for any questions about the project and welcomed the opportunity to speak with any member individually.</i></p> <p><i>Overview of meeting agenda and focus on subareas, including the use of Mentimeter as a technology to help in the online format.</i></p>
Vision and Equity Statement	<p>Vision: Advancing citywide goals while honoring the uniqueness of the plan area.</p> <p>Equity Statement: Provide meaningful ongoing opportunities for engagement and help assure equitable outcomes, especially for those most impacted and those who are historically underrepresented.</p>
Guiding Principles	<ol style="list-style-type: none"> 1. Celebrate Uniqueness: Valuing the industrial area benefits. As this area is annexed into the City of Fort Collins, we want to figure out how to maintain its qualities that makes this area ideal for businesses and residences, such as affordability. 2. Preserve Affordability & Economic Health: Affordability is a quality of this area that is highly valued by residents and businesses of East Mulberry. As discussion for changes for this area are being had, we

- need to keep this value in mind in order to prevent unintended consequences and displacement of businesses and residents.
3. Improve Livability – summarized by the idea of a “15-minute neighborhood” and improved mobility.
 4. Enhance Relationship with Nature: Preservation, mitigation, and improved connections to natural areas

Subarea Introductions



1. North & South Residential (in yellow)
 - Mostly dedicated to residential.
2. Mulberry Corridor (in blue)
 - Timberline and Lemay/Timberline and Mulberry intersections.
 - Mostly commercial and retail uses along the road.
3. I-25 Area & Gateway (in purple)
 - Mostly commercial and industrial uses.
 - Primary functions are interchange of commerce, agricultural related, exchange of supplies to neighboring states.
4. Industrial Park (in red)
 - Industrial, retail, and commercial uses.
 - Lots of service-related industries (automotive, landscape, construction, fabrication etc.).
5. Future Development (in brown)
 - Currently an “in-between” zone with uses that are not as defined right now.
6. City Owned Natural Areas (in green)
 - These areas will not be developed on, but the city will continue to maintain.
 - Includes the Cooper Slough Drainage Area.

	<p><i>Advisory Group questions and Comments:</i></p> <ul style="list-style-type: none"> ○ What are the concentric circles in the I-25 gateway area? <i>Outlines the gateway area that the city is trying to define. The city has some ideas for improvement for the interchange area in the future but is inviting feedback from the Advisory Group and community because this is not a final map of the subareas.</i> ○ Who owns it and what are the plans for development to the Airpark Area? <i>It is currently owned by [NEED NAME] and had been proposed as a technology center, but it was never developed. Greeley waterline runs through this area, so parts of the area cannot be developed. The city can control the zoning and plans for potential future uses but cannot control what happens on the private lands.</i>
<p>Mulberry Corridor</p>	<p><i>Introduction to subarea conversations and use of Mentimeter, an engagement tool used for polling. Polling results and notes attached and/or available by separate PDF.</i></p> <p>Likely Future...</p> <ul style="list-style-type: none"> ○ Will remain commercial in nature. ○ Improvements or changes of ownership for specific properties and possibility an assemblage of properties. ○ Lemay area shopping centers – can expect little to no change because these are relatively new developments. <p>Polling questions and conversation:</p> <ol style="list-style-type: none"> 1. How important is it to see aesthetic improvements in the median and street landscaping, signage, and screening (making storage/activities not visible to neighbors)? <i>There was some confusion and discussion around the polling set up and especially around the signage question. Josie and Sylvia explained a bit about the Fort Collins signage code and that the City is currently open to feedback about how business signage should look in this area (i.e., how cohesive or different it is compared to other areas in the City).</i> <ul style="list-style-type: none"> ○ Would the area West of Lemay be able to achieve landscaping improvements like those implemented East of Lemay? <i>The collaboration of CDOT and the City is something that we would like to see in hopes of creating something that is functional and meeting a higher aesthetic standard.</i> 2. Intersection improvements (function + aesthetics) on Lemay, Link Lane, Timberline, Summit View, Greenfield? <ul style="list-style-type: none"> ○ Even though Lincoln is not directly intersecting with Mulberry, the intersection between Lincoln and Timberline is a “nightmare” and needs to be addressed because it directly impacts the traffic that

	<p>flows onto Mulberry. Carol makes a trip to this intersection every day and it is “terrible”</p> <ul style="list-style-type: none"> ○ Are these questions directed specifically towards cars? Or should the discussion include pedestrians and cyclists? <p><i>For now, this question is about vehicles. We will explore bicycle and pedestrian connectivity in the next meeting.</i></p> <p>3. How important are the AESTHETIC improvements to you at these key intersections on the Mulberry corridor?</p> <ul style="list-style-type: none"> ○ How do we strike a balance between function and aesthetic when making changes for the future? Feels like at no point should aesthetic be prioritized over functionality and clarity. <p>4. What future uses are you open to seeing along the Mulberry Corridor?</p> <p><i>Sylvia explained the distinction between industrial uses, commercial, and mixed-use (service industries that don’t necessarily have a store-front, but a facility is necessary for the business operations, commercial uses are more related to retail and sales)</i></p> <p>5. Are there any types of businesses that you would most like to see added to the Mulberry Corridor?</p> <p>6. Are there any types of businesses or uses that you DON’T want to see on the Mulberry Corridor?</p> <p>Additional Question for Future Discussions</p> <p>Frontage road improvements?</p> <ul style="list-style-type: none"> ○ Several members stated concerns about the function of the frontage roads including safety concerns when turning onto West Bound Mulberry, no meaningful directional traffic signs in place, no guard rail in place, and many accidents that end up in or near businesses including Fort Collins Nursery.
<p>I-25 Gateway</p>	<p>Likely Future...</p> <ul style="list-style-type: none"> ○ Regional commercial and ag support businesses. ○ Planned I-25 and Mulberry interchange improvements. ○ Future proposals for additional commercial and industrial uses. <p>Polling Questions</p> <p>1. How important are the following improvements to you at the I-25 interchange and Mulberry?</p> <p>2. How important are these improvement in other parts of the I-25 subarea?</p> <p>3. What future uses (commercial vs. industrial) are you open to seeing in the 1-25 sub area?</p>

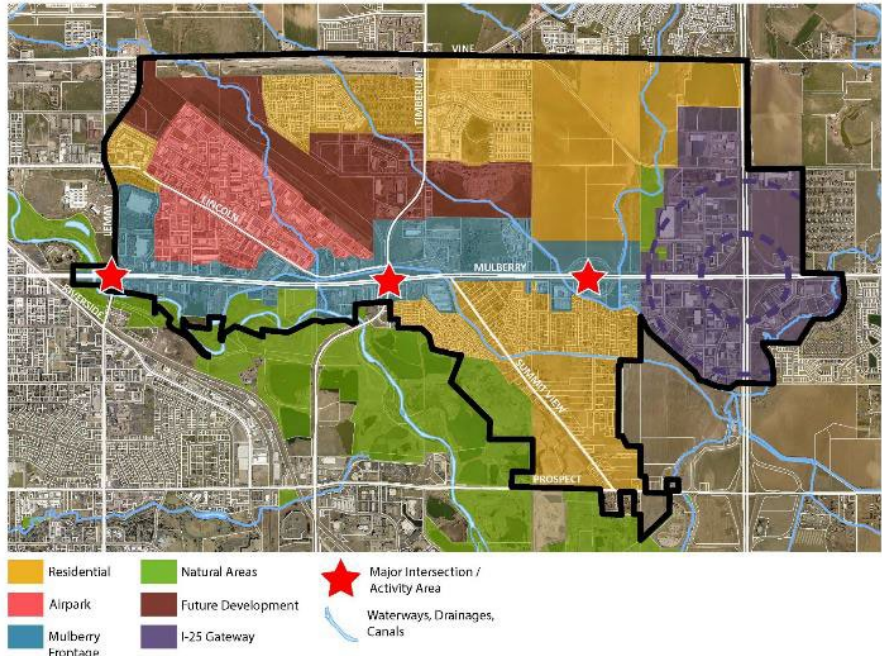
	<ol style="list-style-type: none"> 4. What traffic & connectivity improvements are important to you in the I-25 subarea? 5. Are there any types of businesses that you most like to added to the I-25 subarea? 6. Are there any types of businesses or uses that you DON'T want to see in the I-25 subarea?
<p>Industrial Park</p>	<p>Likely Future...</p> <ul style="list-style-type: none"> ○ Industrial character and uses to remain. ○ An area of interest for new uses and businesses. ○ Individual properties to change ownership and use. <p>Polling Questions</p> <ol style="list-style-type: none"> 1. How important is it to see improvements to landscaping, improved intersections, signage, and screening? 2. What traffic and connectivity improvements are important to you? 3. How open are you to new industrial uses? 4. Are there businesses types you want to see? 5. Are there business types you don't want to see?
<p>Conclusion and Next Steps</p>	<p><i>Josie provided a brief overview of next steps and plan for next meeting on December 13th (action items are highlighted in the first section of notes).</i></p> <p><i>Sylvia thanked everyone for their time and extended the invitation to reach out with any questions that might come up in between this meeting and the next, and if anyone wants to meet one-on-one to discuss something more in-depth.</i></p>

EAST MULBERRY ADVISORY GROUP MEETING 3

Date:	December 13, 2021
Location:	Zoom (virtual)
Participants:	Sylvia Tatman-Buruss (City of Fort Collins), Brown Abrams, Craig McKee, Stan McGarvey, Dave Marvin, Amy Young, Erika, Carol Cochran, Cindy Freeman, Josie Plaut (IBE), Susan Hsin (IBE)

ACTION ITEMS

- Next Advisory Group Meeting will be in February 2022, exact date and time TBD.
- Sylvia to gather more information from the city’s utilities team about the possibility of increased rates in response to Cindy’s question about costs associated with changing electrical meters.
- Follow up with Advisory Group members that offered to help with community outreach and provide them with the necessary materials & information – Stan will reach out to business owners in his network, Carol will reach out to her neighboring businesses, Amy will reach out to Mosaic Neighborhood Facebook group chat.

Objective/Topic	Notes
Introduction + Meeting Kick-off	<p><i>Josie welcomed the group and briefly explained the meeting agenda and reviewed previous meeting discussion including the subarea map.</i></p>  <p>Legend:</p> <ul style="list-style-type: none"> Residential (Yellow) Natural Areas (Green) Airpark (Red) Future Development (Brown) Mulberry Frontage (Blue) I-25 Gateway (Purple) Major Intersection / Activity Area (Red Star) Waterways, Drainages, Canals (Blue Line)

<p>Future Development Area</p>	<p>Continuing the format from the previous meeting, the group discussed options for the future development subarea.</p> <p>Overview & Questions</p> <ul style="list-style-type: none"> • This is the subarea with most opportunity for change within the next 5-15 years. • Carol – is this area privately owned or can the city put in specific recommendations for this area? <p><i>Sylvia - What can and cannot happen in any given area is primarily determined by zoning, which is yet to be determined for this subarea. The city is currently exploring ideas with input from the community, including this group. Zoning and private party investment will be the two most influential factors about what happens here. The City can only do so much to determine what happens on private land. In addition to zoning, the City has a limited number of addtional ways that they can help incentivize the development of projects that meet community goals and needs.</i></p> <ul style="list-style-type: none"> • Amy – if a current private property goes up for sale, does that provide the city an opportunity to rezone that area? <p><i>Yes, but this is a complex process and there are a lot of standards and guidance that help shape what is possible. The City does not usually do spot zoning, and rezones typically involve a significant amount of land. The Subarea identified as “Future Development” is currently being discussed because there is more of a chance that this area could be rezoned. There is room for community input for what this area will entail in the future.</i></p> <ul style="list-style-type: none"> • Cindy – if the zoning changes in 5-10 years you are affecting how they can sell their existing business. Most businesses there were established prior to the residential built up around it. <p><i>Sylvia – For the most part, upon annexation the City would apply very similar zoning to what properties are currently zoned in the county.</i></p> <p><i>Josie invited the group to join this session’s Mentimeter engagement tool. Polling results and notes attached and/or available by separate PDF.</i></p> <p>https://www.menti.com/i1vxpojzad</p> <p><i>Questions for the Group:</i></p> <p>What kinds of uses might you like to see?</p> <p>Options included the following, which have been ordered from highest to lowest rank. The expressed desired future uses were highly variable across the group with every answer having participants who were strongly opposed or strongly in favor of each idea. There were no clear winners or losers.</p> <ul style="list-style-type: none"> ○ Basic services (restaurants, grocery, banking, etc.)
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	<ul style="list-style-type: none"> ○ Arts / creative spaces ○ Commercial / retail ○ Pharma / tech ○ Additional Industrial ○ Mixed use (residential and commercial) ○ Attractions / entertainment <p>What do you think would add the greatest value to the area? To the Fort Collins community at large?</p> <ul style="list-style-type: none"> ● Several comments mentioned the need for improved connectivity, especially for active modes of transportation, and the desire for more parks and basic services. ● Some mentioned arts and entertainment. ● Some expressed concern that the area might be come increasingly residential over time and push out businesses and industry. <p>Any additional thoughts & ideas for what add the greatest value here? To Fort Collins at large?</p> <ul style="list-style-type: none"> ● Input from the advisory group were captured in the Mentimeter poll, but there were strong opinions about implementing safe and integrated trails for bikes and pedestrians.
<p>North & South Residential</p>	<p>Likely future...</p> <ul style="list-style-type: none"> ● Existing residential will largely be unchanged. ● Additional new residential is underway and is more likely. ● New residential will conform to current City standards. <p>Participants were asked to rank the following improvements in of priority (most desired first). The results in order of priority were as follows:</p> <ol style="list-style-type: none"> 1. Bike & Pedestrian Infrastructure 2. Improved Trail Connectivity 3. Broadband 4. Undergrounding utilities 5. Stormwater and flooding infrastructure 6. Fix potholes <ul style="list-style-type: none"> ● Cindy – How much will the cost be for changing out electrical meters? <p><i>Sylvia will check on the answer to this question with her colleagues in utilities. There will most likely be a slight change to the utilities with meter changes, but these changes will look different for different groups depending on their area and energy usage.</i></p>

	<ul style="list-style-type: none"> • Craig – There seems to be a need for connectivity from all these residential zones to adjacent areas. • Erika – There is currently only one place to catch the bus from where we live, and it is not the most comfortable for pedestrians to get there. Hopes to see that students and residents in the area can have more access to these public transit stations to transport themselves to other resources in Fort Collins.
<p>Corridor Improvements</p>	<p>The Advisory Group was introduced to potential design concepts for each of five roads:</p> <ol style="list-style-type: none"> 1. Lincoln Ave. 2. Link Lane 3. Summit View 4. Racquette Dr. 5. Mulberry St. / HWY14 <p>Overall Discussion</p> <ul style="list-style-type: none"> • Carol – Has a co-worker that is an avid biker, yet he is still scared to bike a mile to work because he has to get onto Timberline, where there is lack of bike infrastructure separate from the busy main road. • Dave – Intersection between Timberline and Lincoln is horrid. • Cindy – Does not feel safe biking to work even though she lives close. • Amy – Reinforced the idea that she would love to bike to work, but she does not feel safe doing so and feels worried for her son, who loves to bike, every time he goes out for a ride. • Dave – Recognizes that this is a long-term project but emphasized that this issue needs to be resolved with urgency. • Erika – Must sit at the Mulberry and Timberline intersection for at least 4 cycles every morning when she enters Old Town for work.
<p>Proposed Solutions for Corridors</p>	<p>Lincoln Avenue</p> <p>Possible Direction</p> <ul style="list-style-type: none"> • Capital Project (paid for by public funds) • Currently a portion of Lincoln has no shoulder, sidewalk, or protected bike lane. • Option to extend pedestrian and bicycle pathways like the segment of Lincoln that has already been upgraded, and to improve median landscaping and stormwater infrastructure. <p>Discussion</p> <ul style="list-style-type: none"> • Carol – Appreciates the image shown of the stormwater ditch that runs alongside Lincoln East of Lemay. There is extensive potential there to make improvements. The bird life there is amazing, although there is a lot of trash.

	<ul style="list-style-type: none">• Generally, the group was favorable to this improvement as described. <p>Link Lane</p> <p>Possible Direction</p> <ul style="list-style-type: none">• Mix of private and public funds.• Improve pedestrian and bicycle pathways.• Improve entry and exit options – make curbs possible.• Would need to work with local business owners to encourage defined entrances/exits as possible. <p>Discussion</p> <ul style="list-style-type: none">• Carol – Feeling conflicted because her own property (Horse & Dragon) had to undergo this rezoning process, but she does feel like it was worth it because it made customers more comfortable. Would love to see this enforced for her next-door neighbors.• Generally, the group was favorable to improvements as described. <p>Josie – it may be helpful to consider the idea of “front-of-house” and “back-of-house” regarding the corridors. The larger corridors can be considered front-of-house and might like a higher-grade finish, but the back-of-house areas may not need the same level of aesthetic care.</p> <p>Summit View</p> <p>Possible Direction</p> <ul style="list-style-type: none">• Capital project paid for by public funds.• Extend pedestrian and bicycle pathways by adding protected bike and pedestrian infrastructure on one of road (similar to Vine Dr.) <p>Discussion</p> <ul style="list-style-type: none">• Dave – Must consider the character of what is existing in the area in the planning process. Although he appreciates what has been done on West Lincoln, he feels like the sense of authentic character could be taken away if we did this for Summit View. There is something unique about Summit View that needs to be preserved.• Erika – Echoes Dave’s comments that Summit View provides a great view in her morning commute and hopes that the open spaces and character can be preserved with the changes to the roadway in the future. Hopes to keep the beauty of the natural area in a safer way rather than the new “manicured” landscape.• Craig – Implementing some curves and meandering pathways that complement the beautiful natural views can help to reduce the speed of drivers in this area in a more natural way. Maybe we could try something besides the typical wide and straight roadway.
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	<ul style="list-style-type: none"> • Erika – Is there a more aesthetically pleasing way to make the protected bike and pedestrian lane instead of the concrete bollards and concrete protective curbs? • Carol – Would like to see comprehensive improvements for pedestrian & bicycle safety – not just on Summit View but need improvements on Timberline/Mulberry and/or Lincoln and also on Prospect from I-25 to Riverside to make complete routes. <p><u>Racquette Dr.</u></p> <ul style="list-style-type: none"> • Likely to experience little change. • Likely a light touch on safer bike and pedestrian movement. • Looking at possible piecemeal improvements for one side of the street adding a sidewalk and some street treats/landscaping. • The stormwater department will evaluate further infrastructure needs and budget through Dry Creek Master planning.
<p>Mulberry Street/HWY14</p>	<p>Mulberry corridor needs a significant dedicated planning effort.</p> <ul style="list-style-type: none"> • This corridor deserves its own thorough planning process due to its sheer scale, and it involves cooperation with CDOT. • Needs functional improvements on the frontage roads, key intersections, and bicycle and pedestrian infrastructure. • Many opportunities for aesthetic improvements on medians and other street trees and landscaping.
<p>Engagement Strategy</p>	<p>The City needs help from the advisory group to invite additional input from community members throughout the plan area. The area generally has less formal social infrastructure hopes the advisory group members can help drive participation in subarea workshops next year.</p> <p><i>Josie asked the group:</i></p> <ul style="list-style-type: none"> • How might we best engage people from different areas? • Who are 10 folks you know who should be involved in some way? • Thinking of the folks you know, how should the city proceed with gathering input (online surveys, in-person group conversations, online group conversations, etc.)? • Are you willing to extend a personal invitation to people you know? <p>Discussion</p> <ul style="list-style-type: none"> • Amy – There is a Facebook group for the Mosaic Neighborhood that is relatively active, and she can make a post to get more folks engaged. • Craig - Having a survey that is accessible at different businesses might be helpful. Leaving a QR code for the convenience of survey participants might be impactful.

	<ul style="list-style-type: none"> • Dave – Must identify what kind of information the city is trying to capture from the public, quantitative or qualitative. It might not be worth it to do the “deep-dive” on a survey because the quality of information might not be worth the effort for outreach in this format. • Carol – There is value in allowing people to feel like they are being heard. Surprised that there has been minimal participation from the community because there are many people who have expressed strong opinions in the past yet are still not finding their way to these important conversations. • Josie – Suggested an idea to host subarea meetings/focus groups where the public interest can be more geared towards specific interests. There is still a barrier for community engagement since these meetings must be hosted online. • Carol – Happy to contact business folks she knows in the area for a meeting at Horse & Dragon or online.
<p>Conclusion and Next Steps</p>	<p><i>Josie concluded the meeting with closing remarks and asked the group for any final thoughts.</i></p> <ul style="list-style-type: none"> • Dave - Suggested gathering statistically significant data from the community, understanding doing so can be very difficult to achieve. So suggested bringing in the university or another 3rd party organization to help with the survey questions. <p><i>Next meeting for the advisory group will be held in February. Josie encouraged advisory group members to extend this conversation to others and help invite more people to the subarea workshops.</i></p>



EAST MULBERRY ADVISORY GROUP MEETING 4

Date:	February 7, 2022
Location:	Zoom (virtual)
Participants:	Sylvia Tatman-Buruss (City of Fort Collins), Tayla Copeland (City of Fort Collins), Shawna Van Zee (City of Fort Collins), Craig McKee, Erika, Cindy Freeman, Jesse Eastman, Josie Plaut (IBE), Susan Hsin (IBE)

ACTION ITEMS

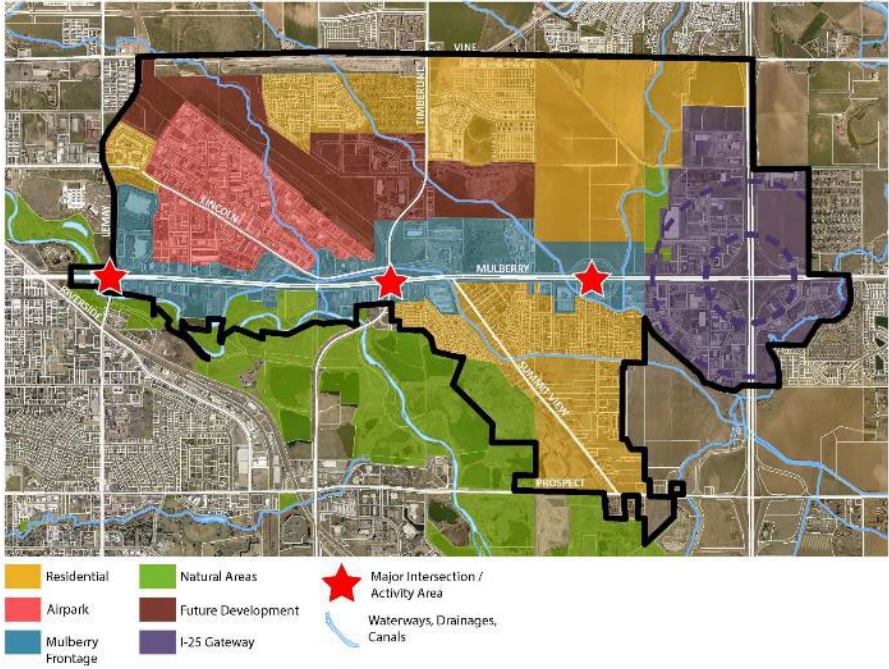
- Refine and specify the language used in list of goals to make sure that the information presented resonates with the community and the Council.
- If using Mentimeter results for council, adjust the scale of the graphic results to avoid confusion.
- Send out the draft plan for participants that are interested in staying involved, and maybe planning a meeting with the City to go over the plan to gain common understanding.
- Possibly finding a new meeting time during the day that would work better for most.

Objective/Topic	Notes
Introductory Remarks + Meeting Kick-off	<i>Josie welcomed the group and briefly explained the meeting agenda.</i>
Community Workshops Update	<p>Resident Workshops</p> <ul style="list-style-type: none"> • Two Resident workshops have happened so far, one in English and one in Spanish. • 12-14 people attended each workshop, which is a successful turnout in the City and IBE's experience. <p><i>Josie shared the results from the workshops (both Spanish and English) with the Advisory Board.</i></p> <ul style="list-style-type: none"> • Results identified shared and mixed priorities from each group. • Spanish-speaking group prioritized improvements to the Lemay/Mulberry intersections, while the English-speaking group prioritized the Summit View/Mulberry intersection. • Residents are generally more oriented towards improving civic infrastructure compared to the industry sector. Once the business workshops happen, results will be analyzed and compared. • Distinctions between Spanish-speaking community and English-speaking community for connectivity to certain destinations. Access to Vine Drive is a priority for Spanish-speaking community where as the English-speaking community prioritized Downtown.

- Spanish-speaking community was less interested in additions to industrial, business, retail, and basic services than the English-speaking community. They were also less inclined for large scale changes overall.
- The causal drivers of these differences should be explored further.
- Interest from both groups for more natural areas + parks, restaurants, arts & creative spaces, community & recreation facilities, and attractions.
- Emphasis on mobility and making larger improvements to natural areas are consistent themes that emerged.
- The only demographic information we asked for in the meetings was the relationship to the area. This is also true for the questionnaire that is available on the City of Fort Collins' website. Without a clear use for the demographic information, the team decided to not ask more questions on demographics. Our focused on the interaction and perspectives gained from the meetings.

Key Issues & Strategies of Subareas

Josie provided a brief review of the different subareas in conversation for the East Mulberry Plan. We will be looking for confirmation and questions from the Advisory Board during this section.



Safety

- I-25 and East Mulberry consistently noted as an area where the success of businesses is partially disrupted by safety issues not adequately addressed by current law enforcement efforts. Businesses in this area actively requested to be annexed to help mitigate crime.

	<p>Aesthetics & Transportation</p> <ul style="list-style-type: none"> • Aesthetic improvements along the E. Mulberry Frontage Road. • The highway is currently dangerous to access by all modes of transportation. • Many intersections are currently unsafe for pedestrians and cyclists. <p>Stormwater Improvements</p> <ul style="list-style-type: none"> • The service-area/industrial park southwest of the old airport and directly east of Home Depot and Walmart is affected by poor stormwater infrastructure and flooding. <p>Affordable Housing and Transit</p> <ul style="list-style-type: none"> • Mechanisms for affordable housing preservation are an option in the plan area neighborhoods. • Investments in transportation improvements can be planned for Summit View. A bike and pedestrian lane on one side of Summit View has been in discussion to improve safety for bikers and pedestrians. • There are opportunities for enhancing bicycle and pedestrian connectivity for key corridors.
<p>Plan Structure</p>	<p><i>The following framework and information will be presented to Council. This is a chance to make sure that this is accurately representing the work and ideas that have come from the Advisory Board before the presentation to Council. Josie reminded the group of the reasoning behind why we are doing all of this in the first place.</i></p> <ul style="list-style-type: none"> • Commitment was made through an intergovernmental agreement between the County and the City. • The city is the urban service provider capable of providing more services than the county. • This area has urban needs that are not being met (police services, stormwater mitigation, etc.). • Disparities exist in access to amenities that will likely increase as time goes on. <p><u>Goals for the East Mulberry Plan</u></p> <ul style="list-style-type: none"> • Dedicated and flexible space for industry. • Safe and functional stormwater and transportation infrastructure. • Integrate and connect to community amenities & services. • Celebrate and enhance historic and natural features. • Explore phases of annexation.

The advisory board members expressed some concern that the language in the goals was missing key ideas. (See discussion for more detail). An overview of each goal area and strategies was presented to the group.

Dedicated and Flexible Space for Industry

- Make space for additional innovation and entrepreneurship in commercial and industrial uses.
- Allow for context-specific and customized solutions related to in-fill development, business expansions, and remodels.

Safe and Functional Stormwater & Transportation Infrastructure

- Collaborate with CDOT, adjacent business-owners and other community stakeholders on the re-design of East Mulberry Street (not the corridor as a whole) including multi-modal transportation.
- Improve accessibility to greater Fort Collins community and enhance safe travel and accessibility for all modes of transportation.
- Improve stormwater infrastructure through capital improvements and context-specific mitigation strategies, especially in the industrial area.
- Explore potential funding mechanisms for addressing substandard and missing infrastructure.

Integrate and Connect to Community Amenities & Services

- Increase safety through Fort Collins Police Service patrols and community policing efforts.
- Explore ways to maintain housing affordability and existing character of residential neighborhoods.
- A big challenge for the city, to deliver amenities improvements without disrupting the affordability of living in this area. This reality of these challenges is present in ongoing discussions, and planners are currently trying to arrive at a balanced solution.

Protect and Promote Historic and Natural Features

- Protect existing natural habitats and features (including the Poudre River, Dry Creek, Cooper Slough, and Boxelder Creek) through thoughtful and appropriate development. Making this area more productive and enjoyable from both an ecological and recreational standpoint.
- Identity new areas for parks and natural areas.
- Increase access to existing parks and natural areas.
- Increase the urban tree canopy throughout the corridor.

Josie took a pause in her presentation to ask the group if they think this information hits the mark.

	<p><u>Comments from the Group</u></p> <ul style="list-style-type: none"> • Should aesthetic improvements and beatification be included more explicitly on this list of goals based on our discussions? Mulberry corridor being a gateway area into Fort Collins makes it high priority for aesthetic improvements and good first impressions. Sylvia’s Response – Much of these beautification initiatives will occur as a byproduct of some infrastructural re-development. The goal to enhance the historic and natural features is also related to aesthetic improvements. • Will the character of the residential neighborhoods and the smaller homes in the area be preserved, or forced to change because other investors are supporting the change? What about other ways to address affordability, character, and improvements? Sylvia’s Response – The plan is going to outline context-specific strategies for different areas. These will be proportional to the project that is happening (ex: travel corridor specific, building specific). Residential building permits are usually separate from commercial development. There are some strategies in place, such as land-use code, that will serve as guidelines for how these areas will change. Some of it can be controlled by the city, but some of it is unpredictable and out of the City’s control. • Regarding language in the overarching goals: <ul style="list-style-type: none"> ○ Some of our key discussion points that don’t seem to have as much emphasis in written form compared to what we have heard consistently in our discussions. ○ The titles seem vast and vague, which can leave a lot of room for interpretation. Motives can be a little unclear with the current format. ○ Some goals do not seem to be reflected in the goal statements, and some terms can be clarified to avoid confusion. • Which improvements are considered a necessity and what will be the priorities for the City? For example, how do we define what an amenity is, and which ones should be prioritized? This is currently unclear due to a lack of hierarchy and refinement. Sylvia’s Response - The City is aware of the many issues that could be addressed, but resources are limited, especially with for expensive capital improvement projects. The City doesn’t want to over overcommit to promises that don’t have realistic funding sources. • Where would the priorities lie? Sylvia & Josie’s Response - The planners are still in the process of determining the highest priority needs and allocating capital budgets. Priorities have not been finalized, but there has been progress. Progress with the capital projects is happening
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	<p>concurrently as we are having discussions about how to move initiatives along.</p>
<p>Next Steps & Closing Remarks</p>	<p><u>Phases Annexation</u></p> <ul style="list-style-type: none"> • Careful and strategic analysis of pros and cons related to annexation. • Phasing may allow for greater integration and implementation of plan goals. <p><i>Sylvia clarified that the City Council has final say in how annexation happen. This is an area of Fort Collins that is part of the community, but not currently served by the City. There is a clear need for providing services and amenities for this area to be brought in. The City planning group is drafting a phased annexation plan and will share that back with the community, including this group, for feedback.</i></p> <p><u>Business Community Workshops</u></p> <ul style="list-style-type: none"> • Tuesday, Feb. 8 12-1:30PM and Wednesday, Feb. 9 6-7:30pm. • Currently 20 participants registered. • Josie encouraged everyone to continue sharing events to help drive participation. <p><u>Upcoming Council Work Sessions</u></p> <ul style="list-style-type: none"> • March 8th – Review the plan framework (what was reviewed today) • April 13th – Joint Council and county meeting • April 26th - Draft plan for Council to review • Annexation Phasing – tentative for April or May • City Council Adoption Hearing – May or June <p><i>Josie clarified that the Council workshops are not interactive with the community participants, but meetings will be streamed live and recorded for those who wants to see how City Council is thinking.</i></p> <p><i>The group expressed interest in having two more meetings to review the draft plan and the annexation plan. They also expressed interest in a daytime (noon?) meeting instead of evening, which is difficult for family commitments.</i></p> <p><i>Josie and Sylvia thanked the group for their generous participation and time engaging in this process.</i></p>



EAST MULBERRY ADVISORY GROUP: ANNEXATION LENSES & PHASING

Date:	April 1, 2022
Location:	Zoom (virtual)
Participants:	Sylvia Tatman-Burruss (City of Fort Collins), Shawna Van Zee (City of Fort Collins), Mike Brown, Amy Young, Erika, Josie Plaut (IBE), Susan Hsin (IBE)

ACTION ITEMS

- Share recording of this meeting with other Advisory Group members.
- Share [recording of Council's most recent meeting](#) to Advisory Group members.
- Joint City Council and County Commissioners meeting on April 13th
- City Council work session focused on annexation April 26th
- Complete draft of East Mulberry Plan – City will reach out in the coming months.
- Notify Advisory Group when the Council's vote will take place in an updated newsletter.

KEY TAKAWAYS & PERSPECTIVES

- Support for annexation in hopes of eventually benefitting from increased resources and attention toward transportation, policing, stormwater, and other topics
- Concerns and surprise that annexation was in question and group member expressed concerns about perceived lack of leadership, follow through, and potentially damaging optics if the City chooses to back down from annexation.
- Desire for greater connectivity, continuity, and safety for different modes of transportation.
- Preference to start with Mulberry Corridor and the I-25 Gateway.

KEY MESSAGES FROM ADVISORY GROUP MEMBERS

- The financial implications and concerns should not get in the way for the betterment of the community.
- It is short-term thinking to hesitate making improvements to this area. Feels like a short-sighted perspective to think that investing in this area won't be worth it. I would like to see the council be more optimistic in this effort.
- It would be challenging to employ a phased approach for the improvements. It seems like the area should either be annexed or not annexed. If we don't annex, then the City does not need to worry about having a plan and can stop spending so many hours and resources to wait on decisions.
- Lack of vision by the City. Does the City want a cohesive feel on this side of town? At this point it does not seem like they are convinced it is worth investing in East Mulberry.

Objective/Topic	Notes
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<p>Introductory Remarks + Meeting Kick-off</p>	<p><i>Brief overview of the agenda and conversation about the focus on the difference between the Annexation Plan and the East Mulberry Plan.</i></p> <p><i>The meeting was recorded via Zoom.</i></p>
<p>Community Workshops Update</p>	<ul style="list-style-type: none"> • Council asked staff to focus more on annexation phasing and options • The East Mulberry Plan, while related, is on hold for a couple months. • Council work session on April 26th will hopefully provide guidance for how to move forward. • The East Mulberry Plan can and does exist without annexation, but annexation would provide greater accountability and resources focused on implementation. • Annexation is part of the longstanding agreements between the City and the County, though it is not a given. Staff and consultants are working to develop information and context to help inform council’s decision-making process
<p>Annexation Overview</p>	<p><i>Difference between Annexation Plan and East Mulberry Plan</i></p> <p><u>Annexation Plan</u></p> <ul style="list-style-type: none"> • There is an intergovernmental agreement that defines when an area becomes an enclave, it will be annexed into the City and the City will become the service provider in the area for policing, zoning, building codes, stormwater infrastructure, and transportation. The current City council has brought into question the annexation of the area. <p><u>East Mulberry Plan</u></p> <ul style="list-style-type: none"> • Existing plan from 2002 that addresses development in the area. It works as a guiding document on whether this area will be jointly adopted by the city or not. Recent efforts have focused on updating the 2002 plan. The plan will be more robustly implemented if the area is annexed than if it is not. <p><u>Questions/Comments from the Group</u></p> <ul style="list-style-type: none"> • We were under the impression that the annexation was going to happen, and it was just a matter of time until it was finalized. Is that still the case? <i>At this point, Council is asking for more information to make a more informed decision about moving forward.</i> • Is the City waiting for more information or is there something else going on behind the scenes? <i>The starting point was the agreement, but ultimately the decision is up to Council, and they can choose whether to follow through with annexation.</i> • What are the repercussions if Council decides to not annex this area? <i>This is something that the staff is still trying to understand as well. It will largely depend on how the conversation goes on April 26th before we have a better idea.</i>

- What happens to the East Mulberry Plan that we have been working on over the past many months?

It was a surprise for everyone that the last Council work session went the direction it did. They want to make sure that all the community engagement work that has already been done is still accounted for moving forward.

The annexation plan and East Mulberry Plan are related, but not directly tied together. If Council does not decide to proceed with annexation, the East Mulberry Plan can still be adopted. If the plan is adopted without annexation, it is likely that it will serve as more of a guiding document, rather than a plan.

- What was the purpose of updating the 2002 Plan?

Many City policies have changed since 2002, so the City wanted to reevaluate the original plan in alignment with the current needs of the community and changes the Fort Collins has experienced since 2002. This gives the City an opportunity to take more community feedback into consideration as well.

- What factors influence what City Council is looking for in deciding on annexation?

It's a matter of having enough resources, the timeline of when to start projects, and how to handle existing issues with roads and infrastructure. They are looking for staff to outline these concerns with more clarity to help make their choices more obvious.

- Has there been discussion about the increasing development and population increase in this area? Genuine concern about public safety due to the anticipation of many people moving to this area.

Because the policies of the City have changed to accommodate multimodal transportation, the City, as an urban service provider, requires this for new development. The requirements for the county, which has more rural foundation, are much different. The requirements and services from the City and the County do not exactly line up, so the issue at hand is to figure out a solution that will be a common ground for the differences between the two jurisdictions.

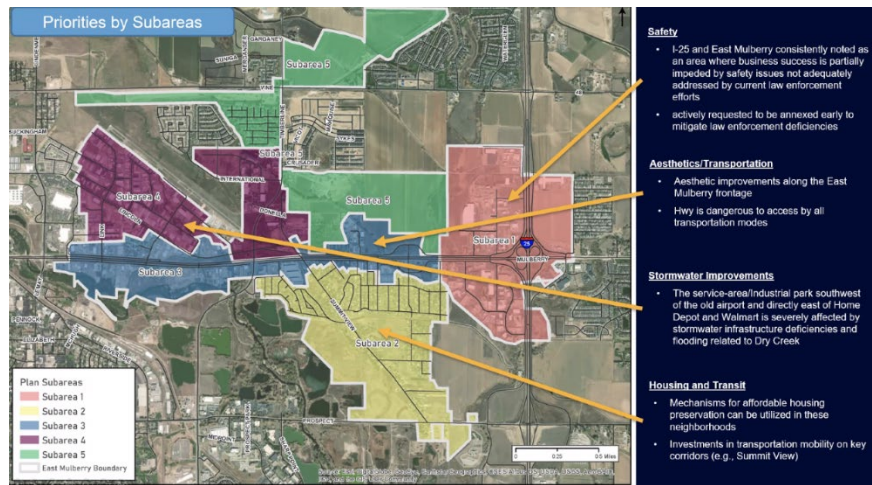
The objective of today's conversation is to be able to better understand and articulate the community's responses around potential annexation by understanding different perspectives from the community. We are trying to identify what the community perceives as the benefits and drawbacks of annexation.

Suggestion to watch the recorded Council session to better understand the shift in direction / the Council's questions around annexation. It's important to note that Council works and decides on issues and that City staff's role is to provide information and guidance to Council, but they are not one and the same.

- Pedestrian, bike, and resident safety in this area is why an advisory group member decided to join. The Mosaic Neighborhood, for example, has great roads and infrastructure, but outside of the neighborhood, that is no longer the case. No private builders and developers are going to deal with the City's infrastructural and connectivity issues.
Planning and resources from the City can begin with annexation, but even if that is the case, it is very unlikely that any major changes would happen in the next 5 years. It is a long process.

Phasing Overview

The group moved into an annexation activity after being introduced to the annexation subarea map (which is a little different from the East Mulberry Plan Subarea Map). The group reviewed a summary of concerns and opportunities by subarea.



There are no hard boundaries for the subareas on this map, but it is divided up in a way to help us make sense of the area.

Why are we talking about phasing for annexation?

- Allows for the City to build up resources over time, rather than all at once.
- Allows time for revenue generation ahead of other phases.
- Allows for better community engagement ahead of each phase.

Often, annexation areas are much smaller than what is to be the case for East Mulberry, so the phasing plan helps annexation be more feasible.

Phasing lenses

Each lens focuses on one priority area. Other priority areas are still present but might be delayed or resourced differently. The idea is to spark conversation, rather than expect that the city will take on any one of these lenses specifically. The options generally represent a time that would start in couple of years and last 10 or more years.

1. **Fiscal Health for City** → emphasizes fiscal impact to City of annexation, including priorities, budgets, risks, and timing.

- Prioritizing revenue for the city through primarily through city sales and some property taxes.
 - Annexes commercial areas first with residential areas coming later.
 - Allows financial resources to be built up most quickly to help offset additional costs (e.g., policing, capital improvements, etc.)
2. **Environmental & Hazard Protection** → Emphasizes annexation areas that need improvements to address environmental and natural hazard concerns (e.g., flooding).
 - Recognizes that floods are a major concern in this area.
 - Prioritizing subareas 1, 2, 4, which include Cooper Slough, Dry Creek, and the Poudre River Trails.
 - Might be a while until stormwater infrastructure improvements are made, but this lens would get it on the list as a priority.
 3. **Economic Opportunity** → Prioritizes the annexation of properties with potential for new industrial and commercial development that would generate income for the local economy.
 - Effort to identify which areas will maximize business potential while meeting the multimodal requirements.
 4. **Residential Enhancement** → Emphasizes connectivity, utilities, and other social priorities.
 - Focuses on residential / resident priorities.
 - Prioritizes annexation of subareas 2, 3, and 5, which have existing residential neighborhoods
 - Conversation around affordable housing in this area.
 5. **The Gateway Community** → Emphasizes functional and aesthetic improvements along the Mulberry corridor.
 - Aesthetic and functional improvements in partnership with CDOT.
 - Prioritizes Subarea 3 and central portion of Subarea 1

Sylvia clarified that staff would present financial numbers to council on April 26th. These lenses are meant to help inform council's thinking about an annexation approach based on different priorities.

Questions from the Advisory Group

- Have any numbers for cost and benefit been put together yet? What is the bare minimum for cost and funding? Seems like there is a huge gap in this presentation about this.

Round numbers will be presented from the financial analyst in the next council meeting on April 26th. We currently have a general idea, but it is up to Council to decide what to do including looking annexation from staffing, services, maintenance, and capital perspectives.

<p>Phasing Lenses Conversation</p>	<p><u>QUESTION FOR THE GROUP</u></p>
	<p>Which area would you suggest annexing first and why? If you had to rank them, or put them in an order, which order would you choose? Why?</p>
	<ul style="list-style-type: none"> • Focusing on the Gateway Lens should be prioritized to address the issues of public safety and transportation. If this was the starting point, there is potential that the improvements would spill over into the other Subareas. • The Gateway seems to be the most palatable choice because it would have the greatest positive impact on the most people and the whole town of Fort Collins, versus improvements to other subareas would only be a help to the people who interact with those areas more exclusively. • Even though this would be the most beneficial lens to take on, it is equally probably the most difficult subarea to address. • There are many overlapping issues characteristic to this area (i.e., stormwater infrastructure/flooding, traffic safety issues), that might make this phasing plan not the most pragmatic solution. It would be difficult to compartmentalize the improvements to one specific subarea. • To clarify, the Gateway Lens is not just a notion for beautification. • Policing by the interstate is needed. Is there any data to provide to City Council that addressing this area would be a crime reduction effort, which would reduce the urgent need for police services?
	<p style="text-align: center;"><i>The data is available in call volumes to the area. It shows that police are needed in this area, which could help the case for the Gateway area being pushed forward.</i></p>
	<ul style="list-style-type: none"> • It seems Council is struggling with the justifying the cost to cover policing, but that cost isn't supported by the current revenue/budget, making it a barrier for the city to annex this area. • Being short in resources doesn't mean we shouldn't be doing anything.
	<p>What would you most like council and staff to understand about your thoughts on <i>annexation</i>?</p>
	<ul style="list-style-type: none"> • The financial implications and concerns should not get in the way for the betterment of the community. • It is short-term thinking to hesitate making improvements to this area. Feels like a short-sided perspective to think that investing in this area won't be worth it. Would like to see the City be more optimistic in this effort. • It would be challenging to employ a phasing approach for the improvements that need to be done in this area. It seems like it should either be annexed or not annexed, which might make this whole plan less confusing to our benefit. If we don't annex this, the City does not need to worry about having a plan, which is currently

	<p>something that the City is expending so many hours and resources to wait on decisions.</p> <ul style="list-style-type: none"> • Lack of vision by the City. Does the City want a cohesive feel on this side of town? At this point it does not seem like they are convinced it is worth to invest in.
<p>Closing Remarks + Next Steps</p>	<p><i>The civic process only works because of the engagement from the community. Our commitment is to continue facilitating opportunities that will elevate the voices in the community.</i></p> <p><i>This is far more than just a financial decision, but rather a whole city decision. Despite the interesting turn in the road for all of us in this process, all the progress made today is helpful for the City to gain clarity for this complex decision.</i></p> <p><i>The Council work session on April 26th is focused on the Annexation Plan, which will include the lenses we discussed today, accompanied by the round financial numbers. There is currently no deadline for council to decide by. The work session on the 26th will not lead to any decisions, but the hope is to get enough done to create guiding direction that will lead to a decision.</i></p> <p><i>Regarding the East Mulberry Plan, it has the most impact is when single properties and new development occurs. New developments will be subject to the plan guidance whether the annexation happens or not. At the very least, the impact will happen, but at a smaller scale (developers, builders, private businesses) with the creation of this plan document.</i></p> <p><i>Josie thanked everyone for their time and encouraged the group to keep learning, keep staying involved, and to watch and participate in the council work sessions and hearings accordingly.</i></p>



EAST MULBERRY ADVISORY GROUP: ANNEXATION & PLAN UPDATES

Date:	February 2, 2023
Location:	Zoom (virtual)
Participants:	Megan Keith (City of Fort Collins), Sylvia Tatman-Burruss (City of Fort Collins), Shawna Van Zee (City of Fort Collins), Josie Plaut (IBE), Elicia Ratajczyk (IBE), Brown Abrams, Stan McGarvey, Amy Young, Cindy Freeman, Nathan Randall (City of Fort Collins),

ACTION ITEMS

- We should move the voluntary annexation by landowner petition example to a different spot in the slide deck, it was a little awkward.
- Shawna to share the Q&A document and information about the upcoming timeline with everyone via email.

KEY MESSAGES FROM ADVISORY GROUP MEMBERS

- There is still general support and interest in annexation and improvements in the East Mulberry Enclave.
- They would like to be kept informed and are concerned about the uncertainty of both the timeline for annexation and clarity around what it would mean for different types of properties including how it would affect property taxes, values, access to businesses and amenities.
- They would like additional clarity about what this is going to look like and help in envisioning how the process will unfold.
- They would like to be notified as improvement projects (whether from CDOT, the City, or the County) are planned and information on how they can be involved in the process.

Objective/Topic	Notes
Introductory Remarks + Meeting Kick-off	<i>Welcome & Introductions. Brief overview of the agenda. The meeting was recorded via Zoom.</i>
Review: What is the East Mulberry Plan & how does it relate to Annexation	<i>Difference between Annexation Plan and East Mulberry Plan</i>
What has happened since our last Advisory Group meetings	<i>Moving away from phased approach and character areas</i>
General Perspectives: What we heard	<ul style="list-style-type: none"> • Desire for greater connectivity, continuity, and safety for all modes of transportation

	<ul style="list-style-type: none"> • Maintaining mix of current uses, beautify Mulberry corridor, accommodate light industrial uses • General support for annexation • Some concern and surprise that annexation was in question by City Council
How this connects to your feedback	<ul style="list-style-type: none"> • Your input has gone into the East Mulberry Plan • You will have a chance to see and comment on that plan before it is ratified next summer
How the Annexation Conversation has unfolded	<ul style="list-style-type: none"> • Timeline of events that have occurred over the last year • March Council Session – Council asked for a pause and time to address some of their concerns • Worked through some issues and most recently met with Council in December • Introduction of the Thresholds/Tipping Points approach: <ul style="list-style-type: none"> ○ Maintain logical boundaries (e.g. voluntary annexation of individual parcels) ○ Proactive Resource Protection (e.g. Cooper Slough) ○ Redevelopment Risk (e.g. mobile home parks) ○ External Funding (e.g. CDOT improvements at I-25) <ul style="list-style-type: none"> ▪ <i>Does CDOT have any current plans to improve the interchange? Yes, there is a plan but no clear indicator on the timing of when they will pursue that.</i>
How would you be informed of future annexation (when thresholds are met)?	<ul style="list-style-type: none"> • Outreach to community • Initiating resolution of City Council, recommendations from Planning & Zoning commission, two ordinance readings of City Council (over 4-6 months) • Each touchpoint will have opportunities for community members to become engaged
What does it look like moving forward?	<ul style="list-style-type: none"> • It may take a significant amount of time to reach annexation.
Group Conversation	<ul style="list-style-type: none"> • How is this landing for you? • What are your thoughts & questions? • Is this a reasonable approach from your point-of-view? <p>Brown Abrams: I'm only tangentially involved because I own a vacant lot behind American Furn. Warehouse, I'm just wondering about what annexation means and how it will impact property taxes and values.</p> <p>Megan: <i>One of our goals is to clearly communicate what the changes will be in going from the county to annexation into the City. We hope that you could help to distribute some of that information as we move forward and we will follow up after the meeting with some of those resources.</i></p>

Josie: There has been opportunities for individual property owners to talk with the City's planning staff and will that still be available to property owners?

Megan: Yes, we will certainly continue to do that as we move forward.

Brown Abrams: I'm glad to see its finally coming together, as property owners we were happy to not pay City taxes but we did need the roads fixed so we got together and raised the money for a special improvement district to do that.

Josie: This will still be a long and slow process and its important to set expectations that this will happen very slowly. There is the voluntary annexation approach that is available if you do not want to wait for the thresholds to trigger potential annexation.

Brown Abrams: Do you know why these areas of the City weren't originally part of the City?

Josie: This area has traditionally been on the edge of the growth management area and has functioned as the buffer between the urban and rural areas.

Stan: I'm excited about the improvements along Mulberry with the landscaping and everything. I'm only concerned about access into my business. Will the frontage road be eliminated and make that more difficult? I've seen some things on some of the previous plans that could affect my property but overall I'm excited about some of the improvements that could aesthetically improve the area.

Megan: We would definitely be in communication with you and our goals are to minimize the negative impacts and disruptions to businesses.

Josie: The East Mulberry Plan includes pretty broad brush strokes and when the improvements begin to take place there would be a lot of community engagement and input as we get to the levels of detail needed and you and others in the area would be invited to really engage and provide input on the specifics there.

Amy: I'm still having trouble envisioning when and how this is going to be implemented and its pretty different than what we were talking about a year ago. I'm just struggling to visualize when, how, and where improvements would take place.

Josie: One of the lessons I've learned from the Southwest enclave annexation is that annexation doesn't really lead to immediate capital improvements. The services like policing and things happen immediately but the changes to streets takes time and the transition to different rules and taxes also takes some times so people have both input and time to get used to what that will look like. While the threshold approach is a little more uncertain

Amy: If an area is annexed, like let's say Roselawn, if that were to be the next annexed area, how would that impact the community there? Would

that then give you the license to improve East Mulberry along that area, for example?

Megan: Yes, if that were to happen, planning and zoning would start looking at what makes sense and come up with a plan that makes sense as to what annexation would look like. The transfer of services to those areas would be determined in more detail.

Amy: Have you really determined what makes a threshold?

Megan: Yes, some of the examples are some of the things that we are considering, but there are some other things as well, such as continuity and how we build some of the City's goals into these thresholds and logically sequence things including all of these factors.

Josie: Existing residential areas will probably be the slowest to be annexed as opposed to some of the areas that are still developing. The transfer of services and improvements to things like storm sewer would begin to be put into the que (for the whole City) but all of those things would take time.

Amy: So as far as East Mulberry and the frontage road, etc. could be developed kindof piece meal then, depending on thresholds?

Megan: So, that is part of what we're trying to address. So in your example, we would be actively trying to keep from creating that patchwork, or choppy sections approach, and so we would be annexing it in one or two longer segments, if not the whole thing at one time, trying to do what makes sense.

Cindy Freeman: So in looking at this map and our discussion, it seems like the Gateway at I-25, the Mulberry Corridor, and then maybe Lincoln are the priorities?

Megan: Yes, that sounds like how we are starting to think about this and where we are anticipating that we will reach these thresholds first, and residential communities won't experience the thresholds in the same way and so those will likely take longer to get through annexation.

Cindy Freeman: Have you been in communication with CDOT about how improvements will take place as they improve the highway and interchanges? How do we improve connectivity and the safety at some of the intersections along Mulberry?

Megan: We anticipate a lot of on-going coordination with CDOT as we move through both the Mulberry Plan and Annexation and while there hasn't been a lot of interaction lately, there will be more in the future as we move forward.

Josie: Again, things will move really slowly until they don't but as specific projects begin to happen we will provide information and engage the community as they become imminent on the horizon.

	<p><i>Megan: Yes, we think that sharing things that are in progress or in the pipeline will be great and we would be able to provide this group with information and a mailing list of things that are coming up.</i></p> <p>Cindy Freeman: How would the stormwater situation relate to Countryside, where I live, if Mulberry and the commercial properties along there were annexed and improved? How can something like stormwater be done piece meal?</p> <p><i>Megan: Yes, good question. We have been thinking a lot about that and we are hyper aware of those issues and that will be something that will be key in creating the thresholds and looking at how things may take shape.</i></p>
Closing Remarks + Next Steps	<p><i>Shawna: We will be hosting four public meetings, two virtual meetings at the end of February, and two in-person meetings in March. We will send out mailings prior to the meetings. One of the virtual meetings will be recorded and posted online. The in-person meetings will be held at the Genesis Project.</i></p> <p><i>Reach out to Megan or myself (Shawna) if you would like to have an information session or discussion in your community.</i></p> <p>W</p>

Appendix A: Community Engagement Reports

Business & Community Workshops



EAST MULBERRY PLAN

COMMUNITY ENGAGEMENT REPORT

February 18, 2022

COMMUNITY ENGAGEMENT OVERVIEW

Between October 2021 and February 2022, the Institute for the Built Environment (IBE) at Colorado State University facilitated a series of engagement activities to solicit input from the East Mulberry Plan Area residents and owners of commercial/industrial businesses. Engagement activities included a community advisory group, virtual workshops, and an online questionnaire.

Advisory Group

Members of the Advisory Group have consistently engaged with the East Mulberry Plan project team to share their knowledge, concerns, and hopes for the outcomes of the multi-stage planning and annexation process. They have played an important role in holding the project team accountable for maintaining the project's vision and spreading the word about engagement opportunities through their personal networks. The advisory group included renters and homeowners of several East Mulberry neighborhoods, including Boxelder Estates, Countryside Park, and Mosaic, along with businesses of various sectors, including Charco Broiler Restaurant, Fort Collins Nursery, Western State Bank, Mountain Pet Supply, and more. Four advisory group meetings were held October of 2021, and their involvement in future engagement opportunities and review processes will be key for the project's future success. The draft plan goals were shared at an Advisory Group meeting on February 4th, 2022. The community perspectives expressed through the workshops both confirmed and refined language for the goals.

Virtual Workshops

The most recent series of community engagement workshops gathered input on aesthetic and functional priorities for streets and roads, bike and pedestrian infrastructure and trail connectivity, utility improvements, and future land use priorities for the East Mulberry plan area. The perspectives and lived experiences of the diverse stakeholders who live, work, shop, and play here are helping the city develop the vision and priorities for the plan area while honoring the areas unique characteristics.

In the most recent phase of community engagement, the City of Fort Collins and IBE worked together to host a series of public engagement workshops that provided an opportunity for Spanish and English-speaking, and commercial/industrial businesses to share their perspectives and priorities. Outreach

efforts targeted a broad range of populations and organizations so that the plan reflects the values and aspirations of diverse community members.

Online Questionnaire

An online questionnaire, available in English and Spanish, was open from January 21 through February 15. The questionnaire was not promoted heavily, but rather as an option for those who could not attend one of the community workshops. A total of 13 people completed the questionnaire. Half of respondents were residents north of Mulberry while the other half represented residents south of Mulberry, property owners, employees in area businesses, patrons of area businesses, and a business owner.

KEY THEMES OVERALL

The overall community sentiment reflects a desire for a complete and diverse community that includes existing and future industrial and commercial uses, while adding more basic services (e.g., restaurants, parks, grocery stores, etc.) and preserving existing housing and overall affordability. In addition to the overall sentiments, the community expressed interest in stormwater infrastructure to reduce flooding, safe and functional transportation infrastructure including improved multi-modal access to community amenities and services, and improved connectivity to natural spaces.

The community engagement included three distinct populations who share some priorities, while maintaining diverse perspectives on some topics: Hispanic residents, non-Hispanic residents, and business owners. All groups shared concerns with traffic connectivity, function, and safety for all modes of transportation. There is a shared preference among most participants for prioritizing parks and natural spaces, restaurants and hospitality establishments, and basic amenities to improve the livability in the area, while maintaining its affordability and unique industrial landscape. Members of all three groups expressed concerns about increased costs and fees associated with the annexation and the source of funds to pay for improvements and projects. The community requested that the City continue to be transparent about funding sources and timelines as they develop.

In some instances, the three groups expressed distinct concerns and priorities. Preservation of industrial uses, both current and future, is the highest priority business stakeholders. Residents generally favored maintaining existing industrial uses, while Hispanic residents expressed the greatest concern around new industrial uses. Priorities for intersection improvements and connectivity to other locations in Fort Collins contrasted significantly between the Spanish-speaking and English-speaking stakeholders (see below for additional detail). In general residents were more concerned with topics around livability (basic services, pedestrian and bicycle connectivity, internet service), while the business community was most interested in preserving industrial and commercial uses and minimizing financial impacts related to City regulations and development requirements.

COMMUNITY ENGAGEMENT OUTCOMES

IBE gathered input on the community's preferences and priorities for aesthetics, transportation and connectivity, public infrastructure, and future development/land use. The community expressed a range of concerns, desires, and ideas regarding the East Mulberry plan area, including similarities and differences across stakeholder groups.

Community feedback is summarized by stakeholder group below.

Topic	Hispanic Residents	Non-Hispanic Residents	Business Community
Look & feel of East Mulberry corridor	Highest preference given to neighborhood and traffic safety, lighting, and aesthetics. With a desire to see improvements in landscaping & vegetation.	Aesthetic improvements would be appreciated to give this scenic byway greater appeal, although aesthetic improvements do not seem to be a priority compared to other categories for improvement.	The primary use of Mulberry should be upheld, which is to serve as a corridor into Fort Collins and transport supplies for businesses. Some beautification efforts would be desirable to elevate the appearance of the entry into Fort Collins, with some concerns that landscaping would limit visibility of businesses and potential high cost.
Intersections & frontage road improvements	<p>The highest priority intersection for the Hispanic community was Lemay, likely because they frequently pass through the intersection for work and access to basic amenities.</p> <p>This priority was notably different than English-speaking community members intersection improvement priorities.</p>	<p>Priorities in order: Timberline & Lincoln, Summit View, Link Lane, Frontage Roads and Lemay.</p> <p>Existing conditions are dangerous for pedestrians and bikers due to wide roads and short amount of crossing time (esp. Summit View).</p> <p>Design and wayfinding improvements (e.g., diagonal angle of turn on Summit View & Mulberry) to make intersections less confusing and reduce frequency of accidents.</p>	<p>Highest priority intersections were Frontage roads, Summit View, Link Lane, and Timberline & Lincoln were the top priorities. and the as many businesses use these roads daily for transportation of supplies and for customer access.</p> <p>Summit View traffic light is too short for cars and pedestrians/cyclists to cross Mulberry and confusing angles.</p> <p>Improvements to Link Lane would help the flow of traffic in this area.</p>

<p>Priorities for bicycle & pedestrian connectivity</p>	<p>Greater interest for bicycle and pedestrian infrastructure that will connect to commercial destinations, including Vine Drive, which was unique to the Hispanic community. Additionally, connectivity to businesses along E. Mulberry and to the medical area on Lemay Medical were priorities.</p> <p>Access to Old Town and the University were not listed as top priorities.</p> <p>Connectivity to trails and downtown Fort Collins was less of a priority for Hispanic residents.</p> <p>Expressed greatest interest in crime prevention.</p>	<p>Highest priority for connecting to commercial and entertainment areas (e.g., Old Town, Lemay & Mulberry commercial area, and natural areas including the Poudre River Trail.</p> <p>Vine Drive and Lemay medical area were not identified as top priorities, contrasting with the Hispanic community.</p>	<p>Overall, the business community expressed less concern about bicycle and pedestrian connectivity in the area than residents.</p>
<p>Future land use</p>	<p>Highest preference for new parks and natural areas, restaurants and eating establishments, attractions and entertainment spaces, and community facilities.</p> <p>Lowest preference for new light industrial, high-tech businesses, new commercial and retail and four-story buildings.</p> <p>Prefer to preserve current land uses, especially the commercial and residential areas.</p>	<p>Highest preference for more restaurants, parks and natural areas, basic services, new businesses (including attractions and entertainment, and arts and creative spaces), and community facilities.</p> <p>Lowest preference for four-story buildings, new light industrial. Mixed perspectives about new high-tech businesses.</p> <p>Some residents shared that they moved to Fort Collins as relief from higher density urban environments.</p> <p>Affordability should be maintained regardless of</p>	<p>Strong preference to maintain current industrial land uses and affordable housing.</p> <p>Interested in development that would bring more people and activity to the area (e.g., restaurants, basic amenities, retail, and entertainment).</p> <p>Mixed perspectives about high-tech industry and higher density development. Some see opportunity while others see a threat to the unique industrial landscape and businesses.</p>

		changes to future land use.	
Infrastructure improvement priorities	Highest preference for broadband services, followed by improvements to public infrastructure (i.e., road & intersection improvements, stormwater infrastructure).	Highest preference for pedestrian infrastructure at key corridors, closely followed by key intersection improvements. Interested in having more options for affordable and stable internet connectivity including broadband.	Most interested in infrastructure that would enhance public safety. Mixed interest in broadband service. Fee and cost increases are a concern, and some do not feel the need to pay more for infrastructure improvements to help their business.
Overall priorities	Solutions for safety-related issues are highest priority including lighting improvements and addressing crime and traffic issues, and improved bicycle and pedestrian connectivity to businesses on Mulberry, Lemay commercial and medical areas, and public green spaces. Would like to see an area specifically designated for Hispanic and international products. Prefer to preserve the current land uses, possibly connected to a sense of vulnerability in regard to job security and housing affordability. Would like more public engagement opportunities to provide input on East Mulberry and to stay updated on project progress.	Transportation related infrastructure for all modes, especially pedestrian and bicycle infrastructure, and improvements at key intersections. Traffic safety-related issues concerning all modes of transportation was highest priority for this group. Improved bicycle and pedestrian connectivity to nature trails, open green space, and downtown are a priority for many in this group.	Prioritize infrastructure improvements that are necessary and avoid adding unnecessary costs to running a business. Transparency in project funding and potential fees such as property taxes, sales tax, signage changes, stormwater fees, etc. Traffic-related projects should be prioritized to alleviate barriers and safety concerns for drivers, pedestrians, and cyclists.

NEXT STEPS

The Advisory Group and the general community will be invited to review the draft East Mulberry Plan and the draft annexation plan before the draft plans are presented to City Council, currently planned for the second quarter 2022.

Appendix A: Community Engagement Reports

Annexation Q&A Sessions

EAST MULBERRY PLAN & ANNEXATION THRESHOLDS

COMMUNITY ENGAGEMENT OUTREACH REPORT

March 20, 2023

Prepared by



**INSTITUTE FOR THE
BUILT ENVIRONMENT**
COLORADO STATE UNIVERSITY

ENGAGEMENT OVERVIEW

Purpose of this Report

The report below summarizes the community engagement activities and results from February and March 2023 focused on the East Mulberry annexation approach.

Project Overview

As part of the East Mulberry Plan revision and the corresponding approach to annexation of the East Mulberry enclave, City staff worked with Colorado State University's Institute for the Built Environment to design and deliver a series of community engagement events. The purpose of the events was to introduce community members to the "thresholds" annexation approach, to provide opportunities for public comments and questions, and to address community member's questions and concerns regarding potential future annexation.

Community Engagement Activities

Five community engagement activities were held in February and March of 2023. The first was with the community advisory group and the other four were open to public comment. In advance of the public meetings the city sent direct mail invitations as well as conducted a door-to-door campaign to raise awareness for the events. In total, about 140 community members participated in the advisory group and public meetings. The February and March 2023 public engagement efforts focused primarily on the approach to annexation vs. the broader East Mulberry Plan update, which had been the focus of the 2021 community engagement efforts. The report summarizing the Summer 2021 East Mulberry Community Engagement effort can be viewed at the following link:

<https://www.fcgov.com/planning/files/ibe-synthesis-east-mulberry-engagement-summer-2021.pdf?1629409952>

Advisory Group Meeting

The East Mulberry Advisory Group was formed in 2022 and met several times. The group includes residents and business owners who meet with city staff periodically to discuss their vision for the area. On February 2, 2023, the group convened online to learn about the thresholds approach toward annexation in the enclave and share their initial impressions. Facilitators from the Institute for the Built Environment helped to guide the conversation. Advisory group members asked questions about the annexation timeline, implications for their properties and communities, and how the thresholds approach would work to prompt annexation.

Public Community Engagement Meetings

The City of Fort Collins hosted a series of public meetings to connect community members with staff to answer their questions about the East Mulberry Plan and annexation. City staff from Community Development & Neighborhood Services, City Manager's Office, Economic Health, Civil Engineering, Transportation, Sales Tax & Revenue, and Code Compliance departments were present to answer

questions. Each session included a 45-minute presentation followed by a 45-minute Q&A session and was facilitated by staff from the Institute for the Built Environment. Meetings were scheduled to accommodate community member's needs, preferences, and schedules including online and in-person meetings, daytime and evening events, and live Spanish interpretation. The list below details when and how each meeting was held.

Online meetings with live Spanish interpretation:

- Monday February 28, 5:30 to 7:00pm, 32 community members
- Tuesday February 29, 10:00-11:30am, 35 community members

In person meetings at The Genesis Project on Link Lane:

- Tuesday March 7, 10:00-11:30am, 40 community members
- Thursday March 9, 6:30-8:00pm, 28 community members

Participants included East Mulberry residents, business owners, and property owners primarily from the plan area. Community members who attended the sessions learned about the city's planned approach to annexation and received access to additional information and resources regarding annexation impacts for individual properties. The community sessions helped city staff to further understand the community's questions and concerns about the annexation process.

During the in-person community sessions, participants were encouraged to fill out comment cards with specific questions to be addressed during the meetings. Residents and business owners were invited to request one-on-one meetings with city staff to respond to individual questions and concerns. Staff received eight paper comment cards after the in-person meetings on March 7th and 9th and 13 follow-up inquiries submitted through the online form on the project website. Meeting participants were also invited to email staff directly, so some additional follow-up occurred in that form.

KEY THEMES & DISCUSSION TOPICS

The comments, questions, and concerns from community members regarding annexation focused primarily on how annexation would impact them in six key issue areas: taxes, costs, and regulations; stormwater management; roads and intersections; policing; local character; and timeline and process. Perspectives varied among community members regarding the favorability of annexation, with some who are supportive of annexation, some who are opposed to annexation, and others who hold a mixed or neutral position.

One group of residents shared about their experience with voluntarily annexation and spoke about this change in a positive light, commenting that it had reduced their taxes and utility costs overall.

The table below highlights the thematic areas of the questions and concerns that were expressed during the community engagement efforts. The sentiments expressed reflect the range of perspectives and opinions shared by community members. While fully capturing the diversity and nuance of the

community perspectives is not possible, the synopsis below provides an overview of the perspectives that were expressed during the meetings.

Topic	Resident Community	Business Community	City Response & Resources
Taxes & Costs & Regulations	<ul style="list-style-type: none"> Concerned that property taxes for family homes and land will rise following annexation. Varied opinions regarding the desirability of municipal vs. current utility service providers (i.e., electricity, internet). Confusion about how time-of-day electric rates will be assessed by the city, compared to county providers. Those who already pay HOA or local improvement district fees don't want to pay fees to the city as well. 	<ul style="list-style-type: none"> Questions about how city taxes differ from county taxes (e.g., sales tax, use tax, property tax, and stormwater fees). Concern that adding city sales tax will make businesses less competitive in the region, especially for small businesses. Concern for new taxes and fees being unfair to large businesses, which will be expected to pay more according to size. Concerned about additional city regulations in addition to existing county regulations for businesses. 	<ul style="list-style-type: none"> Staff are anticipating conducting additional engagement with the business community in the form of individual follow-up meetings as well as the opportunity to help craft and review policy related to business success and preservation within the area. Staff from the City's Sales Tax and Revenue department were available at every meeting for questions. Handouts pertaining to sales and use tax information were prepared and available as physical handouts at in-person events, and as links located on the project webpage.

Topic	Resident Community	Business Community	City Response & Resources
Stormwater Management	<ul style="list-style-type: none"> Want to see improvements to ongoing flooding issues in the area. Think that flooding control should be a priority for city planners if the area is annexed. Doubts about development in the area, as the area is largely in the floodplain. 	<ul style="list-style-type: none"> Worried about flooding from local creeks that overflow near business centers in the area. Concern over stormwater fees, which many business owners perceive as too high. Think that stormwater fees should go directly toward infrastructural projects in the area with clear impact. 	<ul style="list-style-type: none"> Staff are very aware of existing flooding issues within the area and heard this sentiment expressed again clearly during each of our recent sessions. Staff attempted to convey that although residents and businesses would begin paying a stormwater fee upon annexation, fees collected would ultimately contribute towards infrastructure improvements that could help improve the flooding issues within this area. The East Mulberry project website as well as handouts distributed at in-person events included links where estimated residential or commercial stormwater fees may be calculated. Staff are working to include additional information related to stormwater fees on the project website due to a high level of interest in this topic.

Topic	Resident Community	Business Community	City Response & Resources
Roads & Intersections	<ul style="list-style-type: none"> Residents who rely on frontage roads know that they are unsafe but worry the city will get rid of them entirely. Some would like to see neighborhood access for cars prioritized over pedestrian and bike access routes. Specific questions about problematic intersections (Timberline & Mulberry and Prospect & Summit View). 	<ul style="list-style-type: none"> Want to preserve access to key business and manufacturing corridors, like Lincoln Avenue. Interested in improved connectivity along East Mulberry between I-25 and downtown Fort Collins. Concerned that costs for new infrastructure, like sidewalks, will be passed along to business owners. 	<ul style="list-style-type: none"> Staff heard and documented locations where residents expressed safety concerns. Staff conveyed that East Mulberry Street will remain a Colorado Department of Transportation (CDOT) facility, but that the frontage roads would come under the City's purview upon annexation. The update to the East Mulberry Plan will further explore how to preserve existing access while also improving connectivity for all modes. Through the update to the East Mulberry Plan, staff are exploring ways to apply development standards appropriately, especially for minor site/building modifications.

Topic	Resident Community	Business Community	City Response & Resources
Policing	<ul style="list-style-type: none"> Concerned about crime in the area, specifically related to drugs and human trafficking. Residents have noticed an uptick in the homeless population sleeping in their neighborhoods. Some residents expressed satisfaction with the County Sheriff's department and worry that Fort Collins Police Services are understaffed. 	<ul style="list-style-type: none"> Like residents, business owners have noticed an uptick in crime and wish their area could be safer. Noted several instances of vandalism that hurt businesses and are costly to clean up. Want to make sure the East Mulberry Corridor is considered safe for customers to travel through. 	<ul style="list-style-type: none"> Staff received feedback both about satisfaction with the County Sheriff's department as well as the desire for more oversight in certain parts of the area. Staff shared that upon annexation, any area coming into City Limits would be serviced by City of Fort Collins Police Services (FCPS). As the East Mulberry Corridor has grown over time, urban policing issues have become more prevalent with greater call volume and incident complexity.

Local Character

- Want to preserve rural character, especially for residents with large plots of land and animals.
- Concern that city regulations might dampen the rural-ness of East Mulberry neighborhoods.
- Some residents chose to move to this area because they wanted to live in Larimer County, not within the city.
- Doubtful that city re-zoning policies will accurately reflect the industrial functions that the area serves.
- Interest in maintaining distance between industrial areas and Fort Collins city proper.
- Sense of pride in the area's industrial/rural feel, which some worry could change under annexation.
- Large plots of land including those with farm animals would be allowed to remain upon future potential annexation activity.
- Some other characteristics that contribute to the rural feel of East Mulberry neighborhoods would remain.
- Although some may have located here to be within Larimer County as opposed to the City of Fort Collins, the East Mulberry Enclave is within the City's Growth Management Area (GMA) which was created in 1980. The GMA supports urban development and services within the boundary and more rural development and community separators outside of this boundary.
- The East Mulberry area serves an important industrial and commercial service function for the greater Fort Collins community. It is a priority to preserve these functions into the future.
- Through the update to the East Mulberry Plan document, staff are aiming to preserve and promote

Topic

Resident Community

Business Community

City Response & Resources

the industrial functions that exist within the East Mulberry area. This can be accomplished by providing land use and zoning guidance that closely matches current zoning designations under Larimer County.

Timeline and

Process

- Desire for more clarity about when annexation will happen for specific areas / properties.
- Desire for clarity about timing for improvements upon annexation (e.g., stormwater infrastructure, intersection improvements, etc.).
- The update to the East Mulberry Plan will further document the Annexation Thresholds approach, including how to monitor and track thresholds as well as how to proceed once a threshold has been met. Staff will bring thresholds forward for City Council consideration. When decision makers determine that official annexation action is warranted, property owners and business owners will be informed about the potential annexation and will have the opportunity to offer feedback throughout the process.

Appendix B: Mulberry Corridor Financial Impact Analysis

Memorandum

MEMORANDUM

To: Dave Lenz, City of Fort Collins
From: Dan Guimond and Matt Prosser; Economic & Planning Systems
Subject: Mulberry Corridor Annexation Economic Analysis
Date: May 31, 2023

The Economics of Land Use



This memorandum provides an overview of the methodology used to analyze the fiscal impacts to the City of Fort Collins of the potential annexation of the unincorporated enclave along East Mulberry Street in Larimer County. The purpose of this memorandum is to document the approach and process Economic & Planning Systems (EPS), along with City of Fort Collins' Finance and Planning Departments, took to determine potential fiscal impacts on the City. The memorandum also contains the major phasing and qualitative findings of the analysis. Quantitative findings and outputs developed during the process are provided in separate presentations and council communications.

Project Background

Over a period of time, the City has annexed multiple properties on the eastern edge of the city along the Mulberry Street corridor extending to I-25 which has created a large enclave of unincorporated Larimer County property. Per existing intergovernmental agreements (IGAs) between the City of Fort Collins and Larimer County, the creation of this enclave triggers a requirement for the City of Fort Collins to eventually annex all of the property in the enclave.

The requirement to undertake annexation prompted the City to develop an updated land use plan subarea plan for the Mulberry Corridor to provide guidance on land use and capital improvements needed and desired for the area. To support this effort and financial planning, the City retained EPS to create a fiscal model to estimate fiscal impacts of annexation including both one-time capital costs as well as ongoing operational costs.

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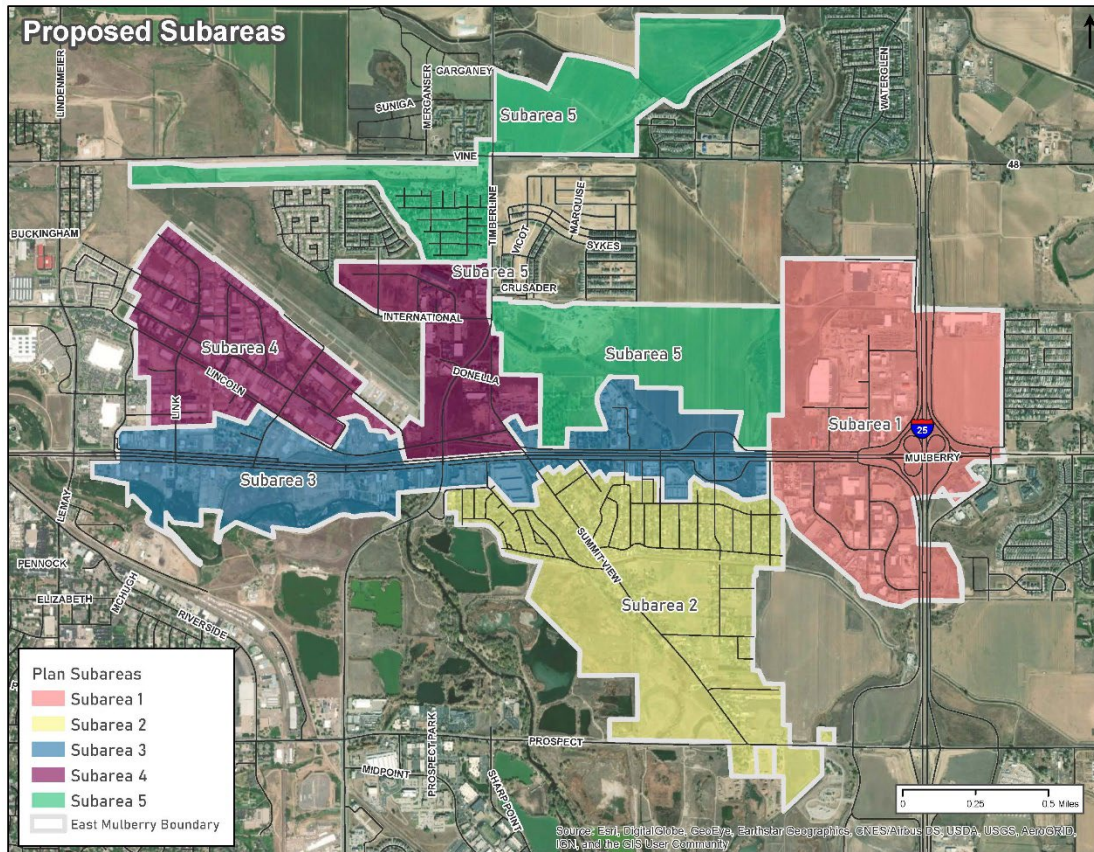
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Oakland
Sacramento*

Fiscal Impact Analysis Methodology

Study Area Conditions and Inputs

The fiscal impact model was built to evaluate both existing properties and uses as well as potential future development within the Mulberry Street enclave. The Enclave Area is large and encompasses over 2,600 acres of private property on both sides of Mulberry Street roughly between Lemay Avenue (on the west) and just beyond the I-25 interchange (on the east). To address the size and varied development context in the enclave, the area was originally split into five subareas for the purpose of evaluating fiscal impacts, as shown in **Figure 1**. A subsequent sixth subarea was defined to address the formal annexation of a property (and related development) that was approved during the plan process. This development, Subarea 6, was part of the larger Subarea 5.

Figure 1 Mulberry Enclave Subareas



The annexation Enclave Area is currently home to a significant amount of residential, commercial and industrial development. There are currently 1,114 housing units and 4.8 million square feet of non-residential buildings. The area's population in 2020 was 3,557 people and contained 6,564 jobs within 508 businesses. The Enclave Area is split between existing, developed properties and vacant/under-developed properties that can support new buildings/uses. The area has 1,258 acres of private, developed acres and 1,409 acres of private, undeveloped acres, as shown in **Table 1**. The undeveloped properties in the enclave are estimated to have the potential to support an additional 3,950 housing units and 2.0 million square feet of non-residential development based on the future land use designations in CityPlan, the City's adopted comprehensive plan.

Table 1 Existing Conditions and Future Growth Estimates

Description	Subarea 1	Subarea 2	Subarea 3	Subarea 4	Subarea 5	Subarea 6	Total
Demographics							
Existing Conditions							
Housing Units	2	683	90	5	334	0	1,114
Non-Residential Square Feet	1,352,185	46,007	1,223,267	2,184,963	8,232	0	4,814,654
Jobs	1,380	122	1,553	3,410	82	17	6,564
Businesses	72	22	144	256	13	1	508
Persons Served	1,385	1,830	1,778	3,423	917	17	9,349
Forecast New Development							
Housing Units	236	383	136	382	2,036	773	3,946
Non-Residential Square Feet	1,179,065	13,988	219,509	360,723	0	225,031	1,998,316
Jobs	2,935	47	671	791	0	786	5,230
Businesses	227	4	52	61	0	61	405
Persons Served	3,525	1,004	1,012	1,745	5,090	2,719	15,094
Future Conditions Total							
Housing Units	238	1,066	226	387	2,370	773	5,060
Non-Residential Square Feet	2,531,250	59,995	1,442,776	2,545,686	8,232	225,031	6,812,970
Jobs	4,315	169	2,224	4,201	82	803	11,794
Businesses	299	26	196	317	13	62	913
Persons Served	4,910	2,833	2,790	5,168	6,007	2,736	24,443
Streets (centerline miles)							
Existing	5.5	15.1	12.2	13.5	0.0	0.0	46.3
New Roadway Estimate	0	0	0	0	10.2	3.9	14.0
Total	5.5	15.1	12.2	13.5	10.2	3.9	60.3
Acreage							
Developed	135.7	200.5	323.3	281.9	317.4	0.0	1,258.7
Vacant or Redevelopment	<u>381.3</u>	<u>198.5</u>	<u>241.3</u>	<u>283.3</u>	<u>228.0</u>	<u>76.9</u>	<u>1,409.3</u>
Total	517.1	398.9	564.6	565.1	545.4	76.9	2,668.0

Source: Economic & Planning Systems

The existing physical development and demographic conditions were estimated using a variety of data sources to get an accurate representation of current conditions. ESRI Business Analyst was used to determine demographic conditions, business counts, and employment totals. Larimer County assessor data was used to determine inventories of residential and non-residential buildings and existing assessed values of properties.

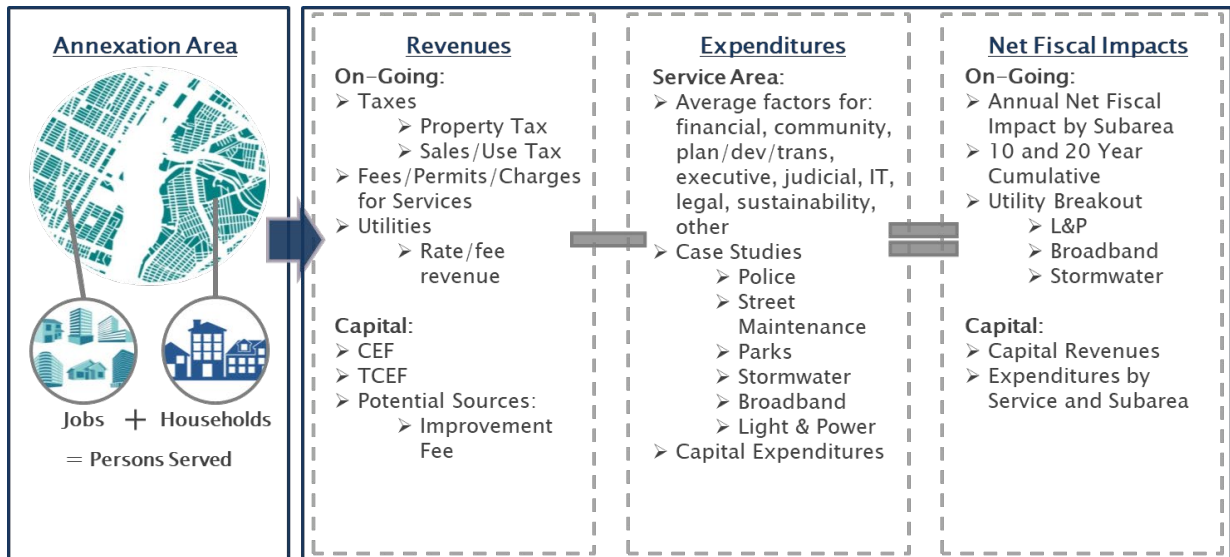
To estimate future development demand and related model inputs, EPS relied on its analysis completed within the City of Fort Collins' CityPlan process to estimate demand for future jobs and households in the community and Study Area. Current market data for the value of new development in Fort Collins using CoStar and other secondary data sources.

Fiscal Model Methodology

Overview

A summary of the fiscal model developed for the effort is provided below in **Figure 2**. The model estimates ongoing and capital expenditure impacts on the City's operating funds and utility services (Light and Power, Broadband, and Stormwater). The existing and estimated future jobs and households in the enclave area are used as the primary inputs to estimate costs and revenues. In the simplest terms, the estimated fiscal revenues generated in the Enclave Area for the City of Fort Collins General Fund and Utilities are compared to the estimated costs of service and capital expansion in the area. The result is an annual, ongoing net fiscal impact on the City and an estimate of total needed capital expenditures.

Figure 2 Mulberry FIA Model Overview



Revenues

Revenues generated by the properties and uses in the enclave area were estimated for the General Fund and Utilities Funds providing service in the area. Ongoing, annual General Fund revenues include property tax, sales and use tax, and fees and charges for services that are directly tied to uses in the Enclave Area. For the utilities that will be provided in the area, the existing user rates and fees will be applied to the existing and estimated future development uses. In addition to the ongoing revenues, the revenues generated for capital improvements were estimated as well. The City of Fort Collins' Community and Transportation Expansion Fees (CEF and TCEF) were estimated based on forecast new development in the area. In addition, the City's utility providers also charge cost recovery fees to new developments that were estimated.

Expenditures

To estimate expenditures, the model organized General Fund expenditures by the City's defined service areas. The City has 11 service areas that organize the services provided by the City under their General and Operating Funds.

The expenditures for service areas that have an indirect connection to the expansion of the city (e.g., one new resident doesn't equate to a proportional increase in cost for the City) were estimated using nexus and variability factors. These services include Financial Services, Community Services, Planning, Development and Transportation, Executive Services, Judicial Services, Legal Services, Information and Employee Services, and Sustainability Services.

Nexus Factors

Nexus factors are factors developed based on existing conditions in the City (e.g., number of residents) to estimate the cost of services from new jobs and residents. The most common nexus factor used to estimate expenditures for these services was Person Served. Persons Served is a summation of the total population and employees in the City and/or Study Area. The persons served factor reduces the number of employees added to the number of residents account for residents that both live and work in the city (and/or Enclave Area of the county) as to not double count. For most services, the current cost of providing the service was divided by the total persons served in the city to derive a per person served cost factor that is applied to new jobs or residents in the annexation area.

Variability Factors

A variability factor was then applied to each nexus factor to account for how directly a new resident of the city impacts the cost of that service. A variability factor of 0 to 100% was applied to each expenditure item in the City budget. Services that are directly impacted by new residents or jobs added to the city have a 100% variability factor, meaning the full cost of the service nexus factor is applied. Services that are indirectly impacted by expansion of the city have a smaller factor applied, in most cases estimated at 25%, which means only 25% of the service cost is applied to a new resident or job.

Case Studies

Some of the service areas the City has require a "Case Study" to be developed to estimate the impacts of annexing a new property to the City. These services are the most impacted by new developments and have the most direct relationship between new jobs/residents and increased cost of service. Case studies were developed for police services, street maintenance, and parks within of the General Fund. Case studies were also conducted for the utilities that will be provided in the annexation area including stormwater, broadband, and light & power. Water and wastewater services are provided by the City of Fort Collins water and wastewater utility and are therefore not estimated as a City cost. Additionally, fire service is currently provided by the Poudre Valley Fire Protection District (PVFPD). The impacts on fire service are primarily related to the revenue generation approach, which is different for properties in the city versus properties in the unincorporated portion of the county. A planning level estimate was used to address the changes in revenue provided to PVFPD. A summary of the methodology used for each case study is provided below.

Fiscal Model Inputs and Assumptions

The fiscal model utilizes several inputs and assumptions to estimate the impacts on the City's future fiscal health. These factors are used to estimate the rate and timing of new development, service providers, and capital expenditures. The inputs also include estimates for the types and value of new development. Lastly, the existing conditions within the city are used to drive model factors. The types of inputs used fit into three general categories: citywide conditions inputs, phasing and development timing assumptions, and development value and density assumptions.

Citywide Conditions Inputs

Several citywide data points are used to derive model factors. A summary of the inputs used in the model and their data sources are shown below in **Table 2**. These inputs are based on actual conditions and would only change to reflect more current conditions, as necessary.

Table 2 Citywide Assumptions and Inputs

Description	Amount	Source	Link/Definition
Demographic Factors			
City of Fort Collins			
Population	170,245	2019 American Community Survey 1-Year Estimates	
Households	70,831	2019 American Community Survey 1-Year Estimates	
Housing Units	72,603	2019 American Community Survey 1-Year Estimates	
Avg. HH Size: Single-Family	2.44	2019 American Community Survey 1-Year Estimates	
Avg. HH Size: Multifamily	2.09	2019 American Community Survey 1-Year Estimates	
Single-Family Housing Units	40,257	2019 American Community Survey 1-Year Estimates	
Attached Housing Units	12,135	2019 American Community Survey 1-Year Estimates	
Multifamily Housing Units	19,067	2019 American Community Survey 1-Year Estimates	
Employment Factors (Employment w/ Space)			
Total Employment	86,212	ESRI Business Analyst, 2020	
Retail/Restaurant Employment	20,294	ESRI Business Analyst, 2020, EPS Estimate	NAICS Codes 44-45, 722
Office Employment	42,496	ESRI Business Analyst, 2020, EPS Estimate	NAICS Codes 51, 52, 53, 54, 55, 56, 62, 81, 92
Industrial Employment	8,084	ESRI Business Analyst, 2020, EPS Estimate	NAICS Codes 23,31-33, 42, 48-49,
Accommodation/Entertainment	3,635	ESRI Business Analyst, 2020, EPS Estimate	NAICS Codes 71, 721
Education Employment	8,785	ESRI Business Analyst, 2020, EPS Estimate	NAICS Codes 61
Multiple Job Holdings (% of Total)	5.6%	Bureau of Labor Statistics, 2015	https://www.bls.gov/opub/mlr/2017/article/multiple-jobholding-in-states-in-2015.htm
Resident Workforce (% of Total)	44.6%	U.S. Census Bureau LEHD, 2018	http://enrhemap.ces.census.gov/
Property Tax Factors			
Mill Levy: City of Fort Collins	3.184	Note Mill Levy reduced by 67.5% to reflect passthrough to PFA	
Mill Levy: Poudre Valley Fire	10.639		
Res. Assessed Value (% of Total)	7.2%		
Comm. Assessed Value (% of Total)	29.0%		
Rate per \$ ___ of Assessed Value	\$1,000		
Sales Tax Factors			
General Fund	1.96%	Note Base Rate reduced to reflect Passthrough to PFA	
Pavement Maintenance	0.25%		
Capital Projects	0.25%		
Natural Areas	0.25%		
Keep Fort Collins Great	0.76%	Note Base Rate reduced to reflect Passthrough to PFA	
Total	3.47%		
Other Factors			
Persons Served (PS)	208,526	The total number of peak persons served (See Appendix for calculation)	
Lane Miles	1,976	Lane Miles maintained by the City of Fort Collins	

Source: Economic & Planning Systems

Development and Phasing Timing Assumptions

The fiscal model was built to dynamically model different scenarios for the timing of development in the enclave, the year in which annexation to the city occurs, and timing of when services and capital expenditures are needed in the area. These inputs and assumptions are based on EPS market forecasts and other inputs provided by City staff. These inputs, however, change based on the scenario being modeled and therefore are not documented in this memo. Dynamic model assumptions that can be modified by scenario include:

- Year of annexation,
- Year of construction of capital improvements,
- Adjustments to development fees, and
- Rate of new development (e.g., new units built per year)

Development Value and Density Inputs

The last group of inputs are specific to the estimated value and density of new development that is forecast to occur. These inputs were derived based on research conducted EPS and experience with estimating development capacity based on land use categories. These factors include the estimated value of new homes and non-residential buildings, the likely household size (i.e., people per housing unit) of new homes, the likely number of employees located in a new non-residential development, and lastly the density of new development (e.g., new units per acre or new non-residential development square feet per acre).

Model Case Studies

The fiscal model contains seven case studies that estimate revenues and/or expenditures from annexation in the Enclave Area for specific revenue streams by service area. This section contains a summary of the approach taken to estimate impacts within each case study and findings/considerations regarding the phasing of annexation.

Police Services

Existing and Future Conditions

Mulberry Street in the City of Fort Collins continues east to become State Highway 14 starting at Riverside Avenue. The Colorado State Patrol (CSP) is responsible for safety and call responses related to activity on State Highway 14. The properties along SH 14 within the Enclave Area are provided public safety services by the Larimer County Sheriff's Office (LCSO). The LCSO currently assigns the equivalent of 6 full time officers to the area to address the current incident volume.

The Larimer County Sheriff's Office responded to 7,148 incidents in the Enclave Area in FY 2019-2020 driven by 3,013 calls for service and 4,135 officer-initiated incidents (e.g., pulling over a car for speeding). In addition, the Colorado State Patrol responded to 121 automobile accident collisions in the Enclave Area in 2020.

After annexation, the City of Fort Collins would be responsible for patrol and response to calls for service for the newly annexed areas. This new responsibility will also likely result in response/service needs related to automobile activity along Mulberry Street. The City of Fort Collins does not necessarily need to take control of Mulberry Street (from a street maintenance perspective) and/or to assume public safety services along SH-14 as long as it is still a state highway. However, it is possible the City may want to assume control of both maintenance/operations and public safety.

Modeling Approach

The fiscal model originally operated on the assumption that the City will take over responsibility of the public safety needs in the Enclave Area in concert with annexation. To estimate costs, the current average cost per incident in the City of Fort Collins was used to estimate the annual cost to serve the area based on the current incident levels

along the roadway and the additional incidents generated by new development. The average cost per incident for the City is \$449, which was translated to a cost per new resident of \$319 annually.

Annexation Findings/Considerations

The provision of police services will have a substantial cost impact on the City once annexation occurs. Below are the major considerations identified in the study:

- The level of service the City of Fort Collins (e.g., officers assigned to the area) will likely be higher than what the Larimer County currently provides. Two levels of service were estimated in the model to assess costs at the current level of service and the City's desired future level of service.
- Later in the study process, Fort Collins Police Services provided a detailed estimate of staffing needs related to the annexation area for the effort. To mirror their likely staffing requirements based on annexation of any single subarea, a tiered approach to staffing requirements for officers was developed. The two assumptions used were that subareas with lower calls for service will trigger the need for half the estimated officer staffing requirements if annexed and areas with higher calls for service will trigger the need for the total number of officers forecasted to be needed. The result is that annexation of areas with high calls for services (Subareas 1 and 3) will trigger the need for the total estimate of officers needed to service the area, even without the annexation of the other subareas.
- The resulting demand for new officers and administrative staff is up to 35 new full-time equivalent (FTE) workers. Increasing the number of officers is a time sensitive endeavor. In order to service the area on Day 1 of annexation, the hiring of new officers is needed up to 18 months in advance of deployment to account of training.
- Based on the complexities and estimated costs of public safety provision to the enclave area currently and after annexation, it is likely that the City of Fort Collins will need to develop a phased, partnership approach to assuming responsibility of the area with the Larimer County Sheriff's Office and the Colorado State Patrol.

Street Maintenance

Existing and Future Conditions

The operations and maintenance of roadways in the Enclave Area is complicated with multiple parties involved similar to the Police Services Larimer County is currently responsible for (excluding SH-14 covered by the CSP) There are currently 46.3 lane miles of roadway in the enclave area in addition to State Highway 14. The condition and current maintenance responsibility for roadways in the enclave area varies greatly currently, which impacts the cost of service and the future level of service that can be provided.

Modeling Approach

For the study purposes, four tiers of roadway types were developed based on the future maintenance the City is likely to take after annexation.

- **City Level of Service** - There are roadways that are currently compliant or near compliant with the City of Fort Collins' street standards. An estimated 18.5 lane miles fit within this category. These roadways are in good enough condition and match street standards, which will allow the City to maintain and operate them like other streets in the city. The annual cost per lane mile for these streets was estimated to be \$31,000.
- **County Level of Service** - There are an estimated 12 lane miles of roadways that do not match the City's standards and will likely be maintained to the County's current level of service after annexation. The County currently only provides surface maintenance to these roadways. The annual cost per lane miles for these streets was estimated to be \$15,500.
- **Special Improvement Districts** - An estimated 4.51 lane miles of roadways are part of existing special improvement districts that pay for maintenance of the roadways. The special improvement districts were put in place to generate revenue to maintain roadways beyond what the County is capable of currently. The properties and related roadways in the districts are assessed an additional property tax mill levy to generate funding for ongoing maintenance to a specified level of service. The assumption used is that these districts will remain in place after annexation.
- **Not Accepted Roadways** - There are 11.33 lane miles of roads in the enclave area that are currently that the City of Fort Collins will not accept responsibility primarily due to the condition and quality of the pavement of the roadways. These roadways are largely within existing county residential subdivisions in the area. These roadways would require the City of Fort Collins to perform complete rebuilds of the roadway in order to be able to maintain them long-term. The result is that these streets will not receive regular maintenance and will continue to deteriorate.

Annexation Findings/Considerations

The following considerations were identified regarding street maintenance:

- The variable conditions of the roadways in the enclave area will result in a tiered approach to street maintenance by the City after annexation. This will mean that certain streets will receive a greater level of service than others in the area from the City, which may create concerns and complaints about equitable service provision, especially in relation to taxation, in the area.
- There are two options to consider for how the City address streets upon annexation, "Existing Conditions" or "Improved Service". The IGA for Larimer County related to the enclave annexation stipulates that the City will take over county roads in the area at their current level of service. There is a mixture of roads that are maintained at a level comparable to the City's standard, roads that are maintained to and designed at County standards, and roads that don't meet County standards and/or not maintained

by the County. The Existing Conditions option assumes the roads will remain at their status. The Improved Service option assumes that improvements will be made by the City in certain areas to bring more roadways to an improved level of service and design. These improvements are not defined yet.

- The other assumption option is specific to roads that are currently in too poor of quality for the City to be able to maintain at the County standard. For these roads there are two approaches to take upon annexation. The City can either pay for improvements or convert these roads to gravel roads and maintain them that way once they are in such a poor condition that this becomes necessary. A second approach would be for the property owners served by these roads to be a part of special improvement district that taxes them to bring the roads to the County or City standard and the maintain them going forward.
- The prospect of not-accepting roadways serving homes and businesses in the city after annexation also presents major equity issues and safety concerns. Creative solutions are needed to address the current condition and ongoing maintenance of these areas. Potential strategies identified in the study to address the issues above include formation of additional special improvement districts for not accepted roadways but would require property owner agreement. The existing SIDs could also be consolidated into a large, single SID that serves a large amount of roadway in the area, which may reduce overall costs for existing properties in SIDs, and any future properties that would need to be added to the single SID.

Parks

Existing and Future Conditions

Currently there are no park facilities operated by the City or County within the study area. The City of Fort Collins Parks Master Plan identifies three future parks that will service residents in the Enclave Area. These parks are not currently fully designed, nor has the land been secured for them, so the location of the parks is yet to be determined and may fall outside of the Enclave Area but still be a part of the cost of serving the area. Therefore, future developments will be required to comply with City park standards for land dedication and/or community facility expansion fees.

Modeling Approach

The three parks planned to serve that area are assumed to be the responsibility of the annexation area to pay for ongoing maintenance and capital costs. Each new park is estimated to cost \$8 million, and that capital cost is associated with the subarea that it is in or closest to. In addition to the capital cost, the ongoing maintenance cost for the parks is estimated as an annual cost within the net general fund fiscal impact. The cost is estimated using a cost per acre maintenance factor (\$20,000 per acre) informed by current City budget for parks and the master plan.

Annexation Findings/Considerations

The following considerations related to parks were identified:

- It is worth considering whether it is fair to assign the capital and/or ongoing maintenance cost fully to the properties in the annexation area for the purposes of the modeling exercise. The reality is that the parks will likely be built in concert with new development projects and will serve other residents not living in the Enclave Area.
- It is also not required that a park be built in conjunction with the annexation of any portion of the Enclave Area. Annexation does not require the City to build any parks and take on additional park-related costs. Also, creative partnerships and grant opportunities may also be used to offset capital costs of construction of the parks, which will reduce the overall capital expenditures needed to be paid for by the City.

Stormwater

Existing and Future Conditions

Annexation will trigger the expansion of services by the City's stormwater utility. There are three main areas in the enclave where stormwater improvements are needed to address flooding risks, 1) the dry creek drainage that runs through Subarea 4, 2) the Cooper Slough/Box Elder drainage that runs through Subarea 1 and 3, and 3) the Poudre River area adjacent to Subarea 2. All three areas have identified capital improvements; however, annexation does not necessarily trigger the requirement to fund the needed capital improvements.

The City of Fort Collins would also assume control and management of existing stormwater improvements in the subarea upon annexation. The condition and unaddressed issues present in the current system are unknown. Upon annexation, the City would need to perform a one-time stormwater system cleanout to assess conditions to determine ongoing maintenance needs and any capital repairs that may be needed. This cleanout will be the first part of a 10-year cycle of cleanouts for the subarea. The cost of this one-time cleanout is estimated at \$1.7 million. The cost per subarea of the cleanout and the ongoing 10-year cycle costs are factored into the model.

Modeling Approach

The fiscal model assumes that upon annexation a property will begin paying the City's stormwater fee that is based on per land square feet and use. The model also accounts for the one-time cleanout costs per subarea. There are 11 separate capital projects identified in the three areas mentioned above. These 11 projects total approximately \$38 million in cost. The fiscal model assumes these improvements will be made upon annexation of each subarea. There is the ability to change assumptions related to the number of years after annexation that the capital improvements in each subarea are built.

Annexation Findings/Considerations

The following considerations were identified for the stormwater system:

- The condition of the existing stormwater systems in the Enclave Area are largely unknown, especially until they can be cleaned out and assessed. It is possible that additional stormwater capital improvement needs would be needed.
- Stormwater capital projects in Subareas 1, 3 and 4 impact the development potential in portions of those subareas. The improvements in Subarea 4 related to the Dry Creek are needed to address existing flooding issues in the AirPark and impact the development areas possible on the former airport land. The improvements in Subareas 1 and 3 related to the Cooper Slough and Box Elder Creek are needed to address flooding issues including flooding caused by State Highway 14. Addressing the stormwater issues can help increase the developable land north of Mulberry Street.
- Annexation of any property in the Enclave Area would not require the construction of stormwater improvements, but ongoing flooding issues may create risks and greater costs for the City if not addressed.

Light and Power

Existing and Future Conditions

There are currently two electrical providers serving the enclave area, Xcel Energy and Poudre Valley Rural Electric Authority. Upon annexation, the City of Fort Collins' utility will begin providing service. The transition of service provision requires the City to purchase and take on responsibility for the existing power infrastructure in the area. In some cases, this infrastructure will need to be upgraded or replaced to meet the City's standards. The Light and Power Utility will issue debt to fund capital improvements needed to take over service areas. The debt will be repaid by increases in user rates (that would apply to all system customers, not just those in the Enclave Area) and through public improvement fee agreements generated by new developments.

The Light and Power Utility estimates that it will cost \$66 million to acquire existing infrastructure from the existing providers and will require additional capital cost of \$26 million to distribute power to the area, totally \$92 million in capital costs.

Modeling Approach

The fiscal model assumes that existing and new residents and businesses will begin paying service rates upon annexation in concert with the take over the system infrastructure. The model assumes that the rate structure in place for ongoing service will generate an annual net positive impact on the utility, meaning the rates charge will cover the cost of service. The City's Light and Power utility provided annual estimates for service revenues and costs to incorporation into the model. The capital costs needed to take over electric service detailed above are assumed to be phased in based on the locations of annexation efforts by subarea.

The fiscal model was built to accommodate multiple approaches to building out the system. During the testing of scenarios, there were three options for provision. The first option was for L&P to develop a "proactive" program for capital expansion of the network to serve the enclave starting in the near term which will ensure all future connections to the system are subject to PIF agreements and is not necessarily tied to annexation phasing. This option may also allow the program to align with efforts to serve areas to the north (i.e., Montava). The second option was development of a capital expansion program that aligns directly with the timing of annexation phasing (with annexation). The last option was entitled "ad-hoc" where the network expansion programs will be developed for each specific subarea as annexation is contemplated.

Annexation Findings/Considerations

The following Light and Power considerations were identified:

- The City of Fort Collins is already anticipating the need to expand infrastructure and service on the city's northeastern edges. The Montava development north of the Enclave Area will generate the need for substantial expansion of the system. It is assumed improvements to serve this area and other annexations north of the Enclave Area will be made expanding the system from the south along Timberline Road. The most efficient and cost-effective path for Light and Power to expand their system is to move from west/southwest to east/northeast.
- It may be possible to serve new customers in portions of the enclave area without building new infrastructure, specifically the western portion of the enclave.
- Light and Power would prefer for the City to annex larger development areas before they develop to assess public improvement fees that can help repay capital costs.

Broadband

Existing and Future Conditions

The City of Fort Collins' newly formed broadband utility is assumed to extend service to the enclave area upon annexation.

Modeling Approach

The expansion of Broadband was modeled with two possible assumptions. The first is the assumption that expansion of the network infrastructure is best done in connection with L&P expansion and therefore is tied to the L&P assumptions for timing. The second option is the "proactive" expansion of service to areas as they are annexed, which may or may not align with L&P or other infrastructure projects.

The ongoing revenues from broadband services are based on the expansion to the area to serve both new and future customers. Similar to Light and Power service, it is assumed and modeled that user rates will cover both the cost of system buildout and initial provisioning of service, as well as the ongoing cost of operations and maintenance of the infrastructure. However, the estimates are sensitive to the timing of the capital outlays and the speed at which customers are acquired. Costs and penetration take rates have

been based on updated estimates of the existing Citywide rollout of broadband services. The upfront capital expansion costs to serve the enclave area are estimated at approximately \$10 million.

Annexation Findings/Considerations

The following considerations for the broadband utility were identified:

- The cost capital expansion of broadband has the potential to be offset by proceeds from competitive state and federal grants.
- It is assumed that expansion of the broadband network into the enclave area would be done most efficiently in concert with expansion of the Light and Power infrastructure into the area.

Fiscal Model Phasing Findings

The fiscal model analysis completed to date has generated a number of high-level findings that may impact future annexation decisions and phasing strategies.

- The subareas with the greatest potential for capturing new development, which are Subareas 1 and 5, produce the most benefit/least impact on ongoing City operations. All subareas generate a net negative fiscal impact on the City annually in most, if not all, scenarios. However, these areas have the lowest negative impact because new development in the areas is expected to generate revenues that can offset the costs of expansion of services to existing uses/properties.
- Major development projects that happen in the Enclave Area would likely create a motivation to annex the proposed development parcels and create a motivation to annex surrounding parcels. However, it may be more beneficial for the City to proactively annex potential future development areas in advance to actively encourage their development within the City and in conformance with CityPlan land use recommendations.
- The subareas that are largely built out and where little new development is expected (Subareas 2 and 4) tend to generate the greatest net negative fiscal impact. These areas generally have lower average property values and lower densities, which produce do not offset the operations costs to serve them. Also, the areas will not benefit from the support of capital expansion fee revenues generated by new development.
- It is generally more fiscally prudent and efficient for annexation and expansion of City infrastructure and services to occur in a west to east path. This approach allows for a more contiguous expansion of the city outward from the existing city limits towards the further eastern reaches of the enclave.
- The use of public financing tools (metro districts, public improvement districts, urban renewal) is likely needed to help fund and finance capital improvements in areas to reduce the fiscal burden on the City and its existing residents. These tools can help to

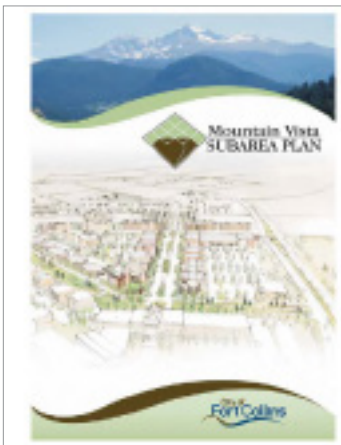
shift the cost of annexation onto the properties that will benefit from annexation reducing the overall increased burden on existing city residents. The use of public financing tools is most needed and appropriate where a substantial amount of development is likely to occur.

Appendix C: Role of Subarea Plans

The East Mulberry Plan area boundary borders other City of Fort Collins subarea plan boundaries, including Mountain Vista Subarea Plan to the north, the I-25 Subarea to the east, Downtown Plan to the west, and Northside Neighborhoods to the northwest. Subarea plan boundaries are established based on adjacent subareas, typically not overlapping so that guidance for each area is clearly delineated. Although this delineation is important, subarea plan guidance should be coordinated to ensure consistency and promote cross-connectivity, particularly where subareas meet.

The updated East Mulberry Plan identifies new goals, policy direction, and action items for the East Mulberry Plan Area. Goals contained within this plan include establishing improved connectivity within the plan area, but also beyond the plan area as well. As a result, this plan should be used cohesively with surrounding subarea plans. These plans are listed below, with key recommendations highlighted to identify how their goals may overlap with the East Mulberry Plan.

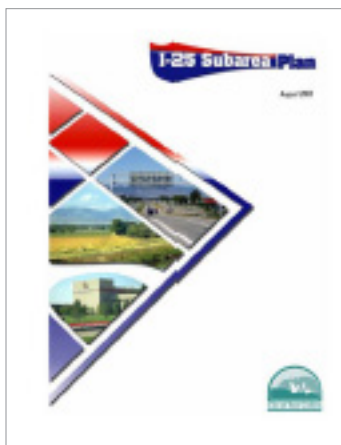
Mountain Vista Subarea Plan



The Mountain Vista Subarea Plan was originally adopted in 1999, and most recently updated in 2009. The Mountain Vista subarea is located on the north side of the East Mulberry Plan Area. The plan outlines goals to create mixed-use neighborhoods that have efficient street and trail connectivity, support different modes of transportation such as walkways, bike lanes, and access to transit, and to focus on preserving the open lands through expanding park and recreation space and protecting existing natural areas.

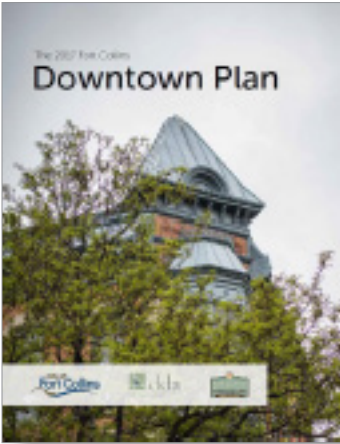
Key Recommendations: The Mountain Vista Subarea Plan seeks to make improvements along Timberline Road, which passes through the East Mulberry corridor. The plan also envisions a large business center in northeast Fort Collins, which if realized, could impact employment and transportation within the East Mulberry Plan Area.

I-25 Subarea Plan



The I-25 Subarea Plan was published in 2003. This subarea is located along the eastern edge of the East Mulberry Plan Area. The I-25 Subarea Plan outlines a vision to create a mixed-use corridor along I-25 that reflects the area as a gateway into Fort Collins, with planned commercial and employment centers providing a broad range of employment opportunities. Goals include an interconnected transportation network that allows easy access to I-25, as well as connections independent of the interchange locations for local travel.

Key Recommendations: The I-25 Subarea Plan identifies activity centers along I-25 at the Prospect Road and Mulberry Street interchanges, with the intent of these areas having mixed-use development. This plan also suggests improving Mulberry west of I-25 to a 6-lane major arterial roadway and improving Timberline Road between Vine Drive and Harmony Road to a 6-lane major arterial roadway. 4-lane arterial roadways are suggested for Vine Drive and Prospect Road, with improved bike and transit networks along all major roads near I-25.



Downtown Plan

The Downtown Plan was adopted by City Council in 2017. The Downtown Plan area is to the west of the East Mulberry Plan Area. The plan introduces a wide range of goals, as it covers a growing regional market that serves as a hotspot for both residents and visitors of the city. Some of the goals included are improving the urban design of new construction, strengthening wayfinding and transit frequency, increasing residential development, and improving affordability for housing and commercial spaces.

Key Recommendations: The plan notes the potential for infill and redevelopment along Mulberry and Lemay Avenue. Bicycle lane and intersection improvements along Mulberry would allow for more accessibility to the downtown area, as well as improvements could be made for multi-modal transportation options to help reduce traffic congestion and parking concerns. Improving intersections would additionally help with congestion.

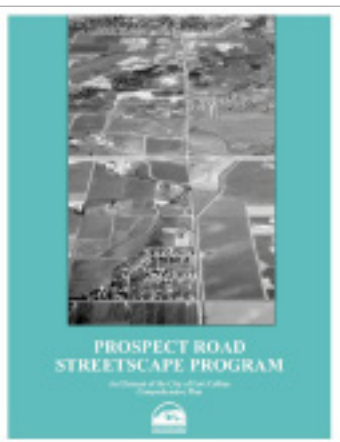
Northside Neighborhood Plans



The Northside Neighborhood Plan was created in 2005. The plan area is located northwest of the East Mulberry Plan Area. With the plan area immediately adjacent to the Poudre River, it highlights the conservation of water and energy resources as a goal. Other goals identified include fostering the growth of local businesses, providing livable and affordable housing, and preserving the cultural and historical qualities of the Northside Neighborhoods area.

Key Recommendations: The Plan outlines improved traffic and road conditions on Vine Drive and Lemay Avenue, which travel along East Mulberry's boundary. Stormwater maintenance and flood control along the Poudre River are also highlighted, which also travels through the East Mulberry Plan Area. Specific improvements noted include stormwater retention ponds and ditches.

Prospect Road Streetscape Program



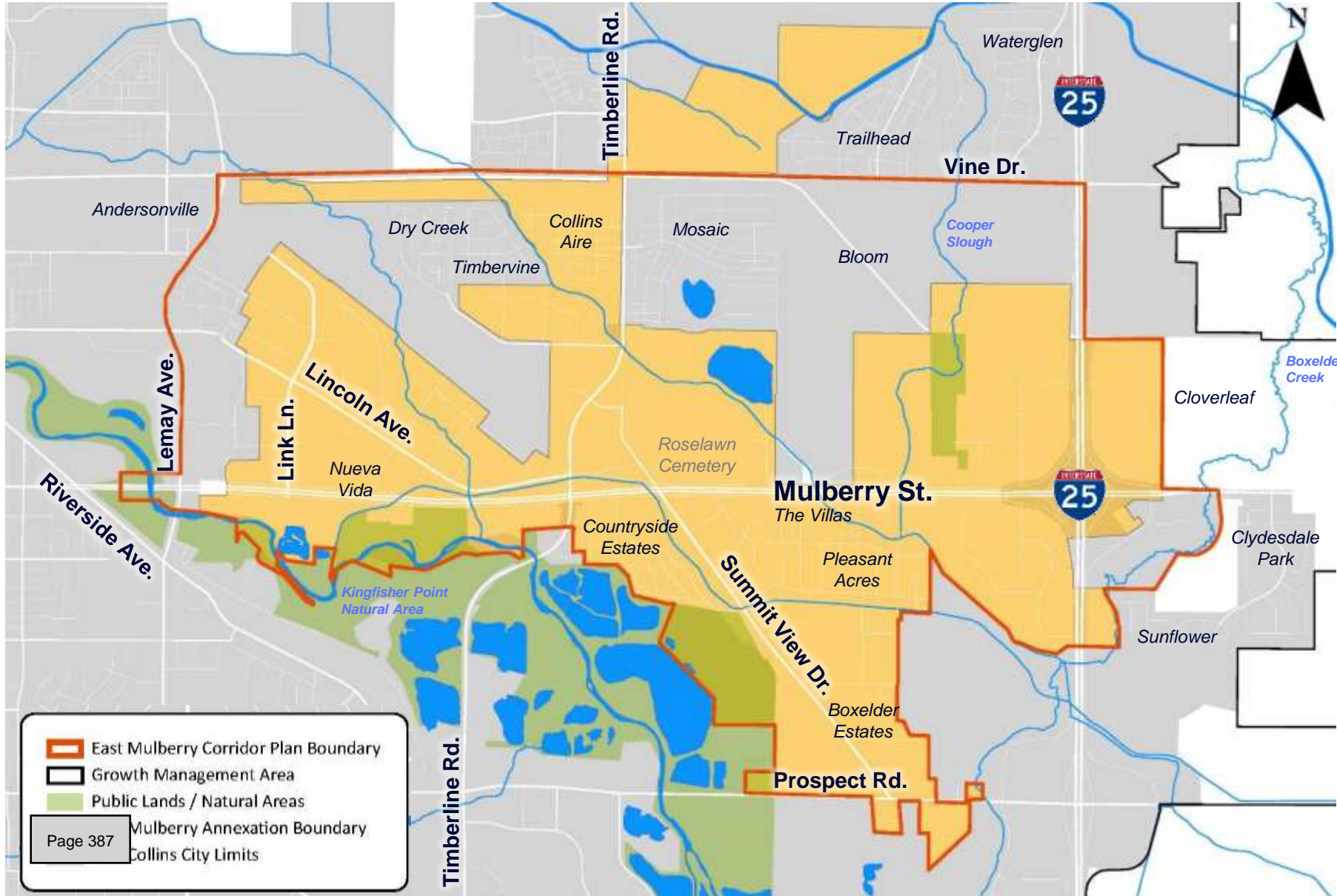
The Prospect Road Streetscape Program was created in 1993 as an element of the City of Fort Collins Comprehensive Plan. The goal of the Program is to improve the appearance of the Prospect Road public right-of-way and private street frontage, while respecting the natural environment. Standards and guidelines are also provided with the intent to be used as a design aid by developers proposing projects in the Prospect Road Corridor.

Key Recommendations: The Program highlights improvements to be made along Prospect, including the intersection of Prospect and Timberline. Both Prospect and Timberline intersect the East Mulberry Plan Area, providing the opportunity for design standards to align together. Additionally, the Program outlines improvements for bicycle and pedestrian ways along Prospect and all its intersections.



Questions:

- Do Councilmembers have feedback on the East Mulberry Plan?
- What additional information would Council require prior to adoption?



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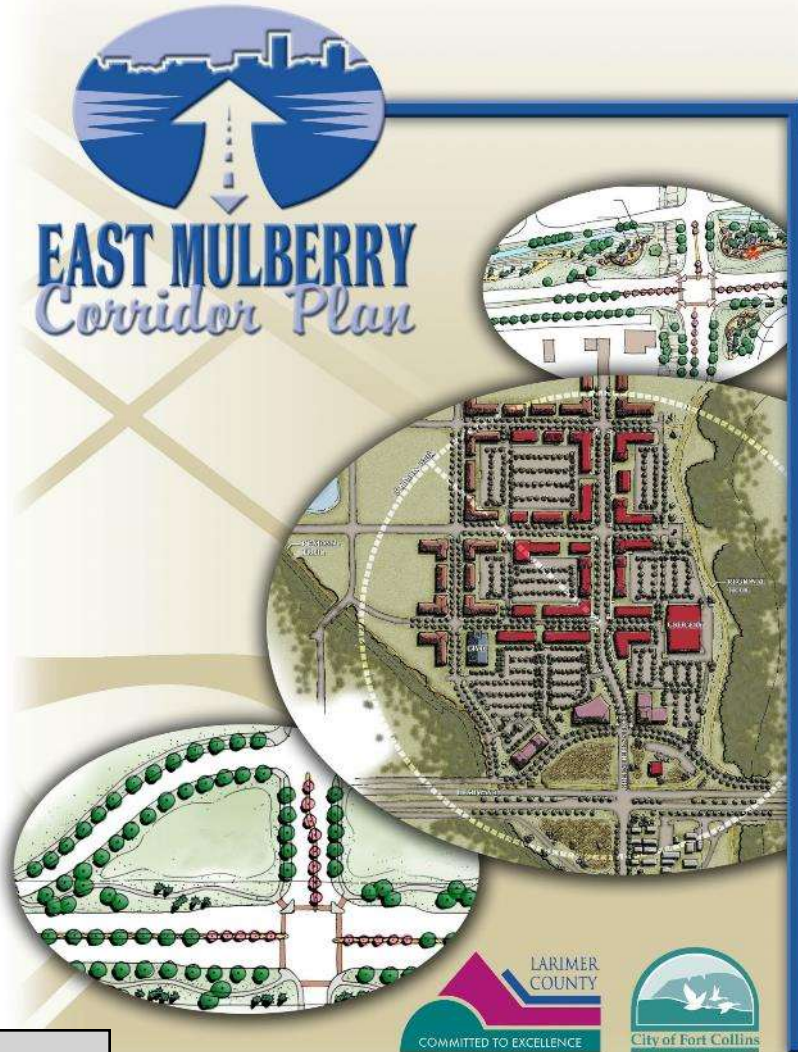
- East Mulberry Corridor Plan Boundary
- Growth Management Area
- Public Lands / Natural Areas
- Mulberry Annexation Boundary
- Collins City Limits

2002 East Mulberry Corridor Plan

- Jointly adopted by Fort Collins and Larimer County
- Primary plan objective was to implement the 1997 City Plan for the East Mulberry Corridor. Plan acknowledges that continued growth and change may impact quality of life in the area

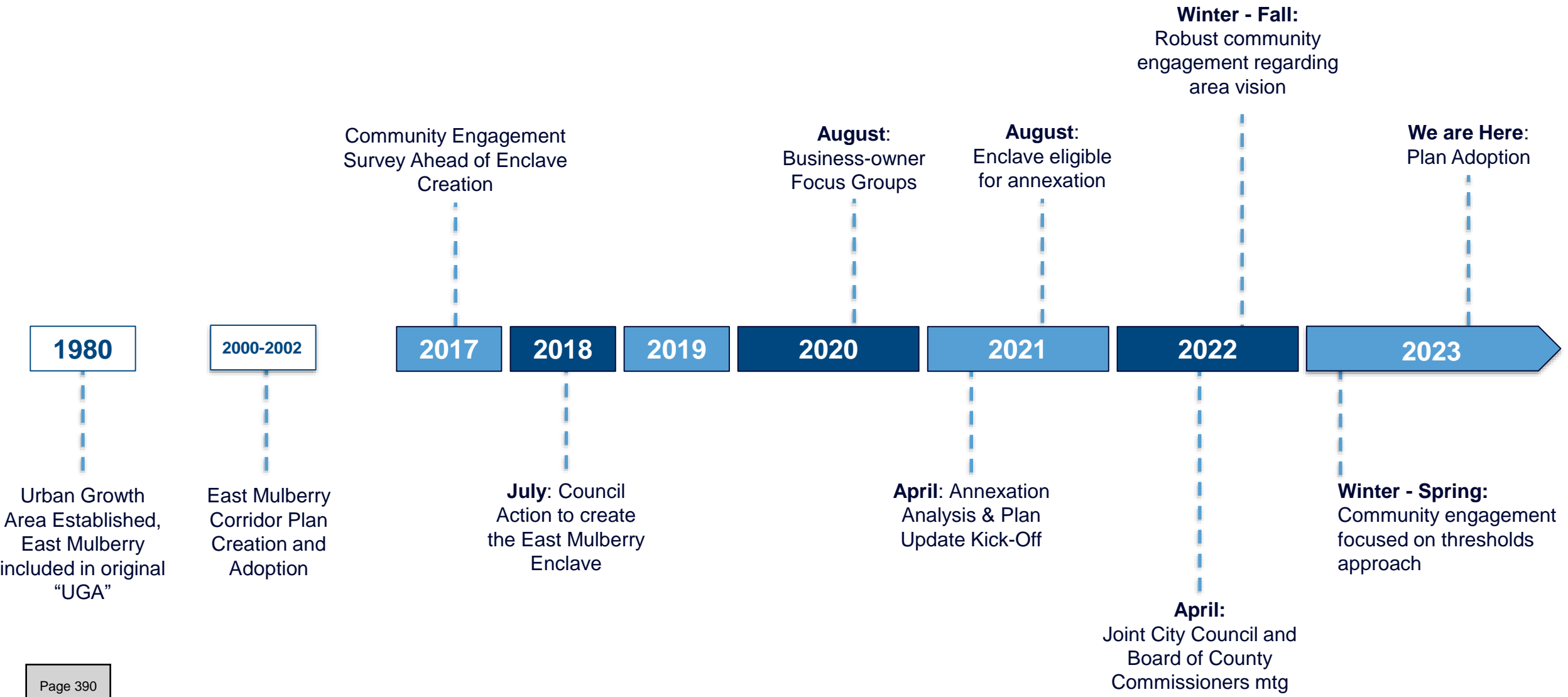
Why Update? Why Now?

- Respond to changed conditions after 20 years
- Creation of the enclave and eligibility for annexation occurred after the 2002 Plan was adopted
- Align with the 2017 City Plan update and other comprehensive plan documents
- Major new and planned developments that may be catalysts for other development in this area (Bloom and Peakview)





East Mulberry Plan – Where We've Been



2022 Council Touchpoints

- March 8 Work Session
- April 13 Joint City Council/County Commissioner Meeting
- April 26 Work Session
- May 10 Council Priority Check-in
- August 1 Council Finance Committee
- October 20 Council Finance Committee
- December 13 Work Session

Direction from Council

- Council wants to move slowly and deliberately
- Lessons learned from Southwest Enclave annexation
- Requests for additional analysis (costs, opportunities, tradeoffs)
- Landed on a strategy around **thresholds** for annexation (aka tipping points)



East Mulberry Draft Plan Content

The Draft East Mulberry Plan has five sections:

1. Introduction

2. Character Areas

3. Goals & Strategies

4. Implementation

5. Annexation Thresholds

1. Introduction

About this Document

An Introduction to East Mulberry

- History of East Mulberry

Planning for East Mulberry

- Updating the 2002 East Mulberry Corridor Plan

Why Update, Why Now?

- Existing & Changed Conditions
- Community Priorities & What We Heard
- East Mulberry Enclave: History of Policy Guidance



Existing & Changed Conditions:

Existing and changed conditions in the plan area since the East Mulberry Corridor Plan in 2002, including infrastructure, growth, and development.



Community Priorities & What We Heard

- Infrastructure & Development
- Gateway & Entry Aesthetic
- Corridor Character & Uses
- Amenities & Services
- Housing & Gentrification



East Mulberry Enclave: History of Policy Guidance

- Enclave & Annexation Background
- Purpose of Annexation
- Introduction to Annexation Thresholds
- What changes during annexation? What doesn't change upon annexation?

2. Character Areas



Frontage



Airpark



I-25 Interchange



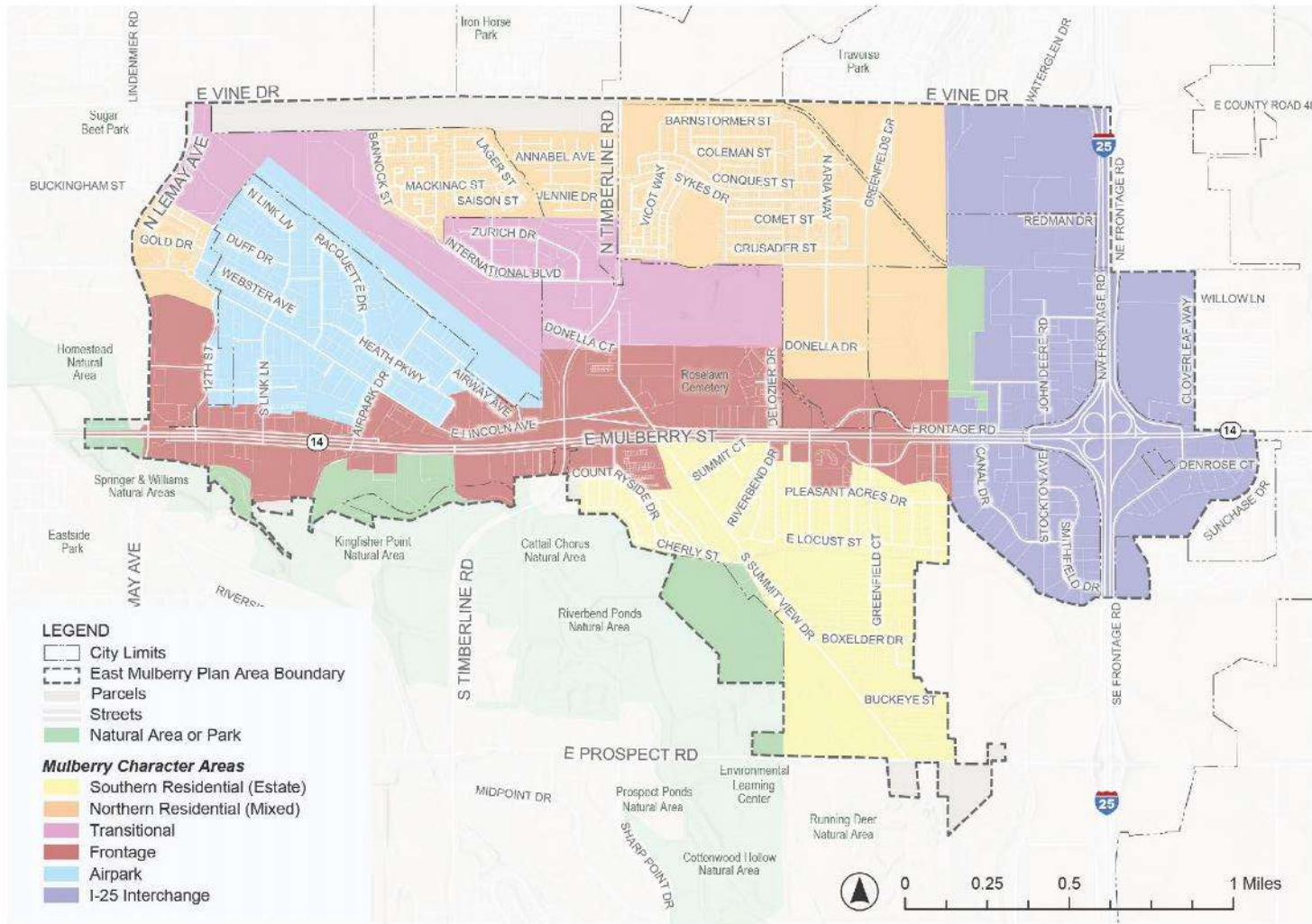
Transitional



Northern Residential (Mixed)



Southern Residential (Estate)




Character Areas

- Character Areas were formulated to:
 - Ensure plan recommendations respect the context of each area
 - Define and strengthen each area's unique qualities

3. Goals & Strategies

 **Goal 1: Commercial & Industrial Hub**

 **Goal 5: Housing**

 **Goal 2: Stormwater**

 **Goal 6: Historic, Cultural, & Natural Features**

 **Goal 3: Transportation**

 **Goal 7: Mulberry Gateway**

 **Goal 4: Community Amenities & Services**

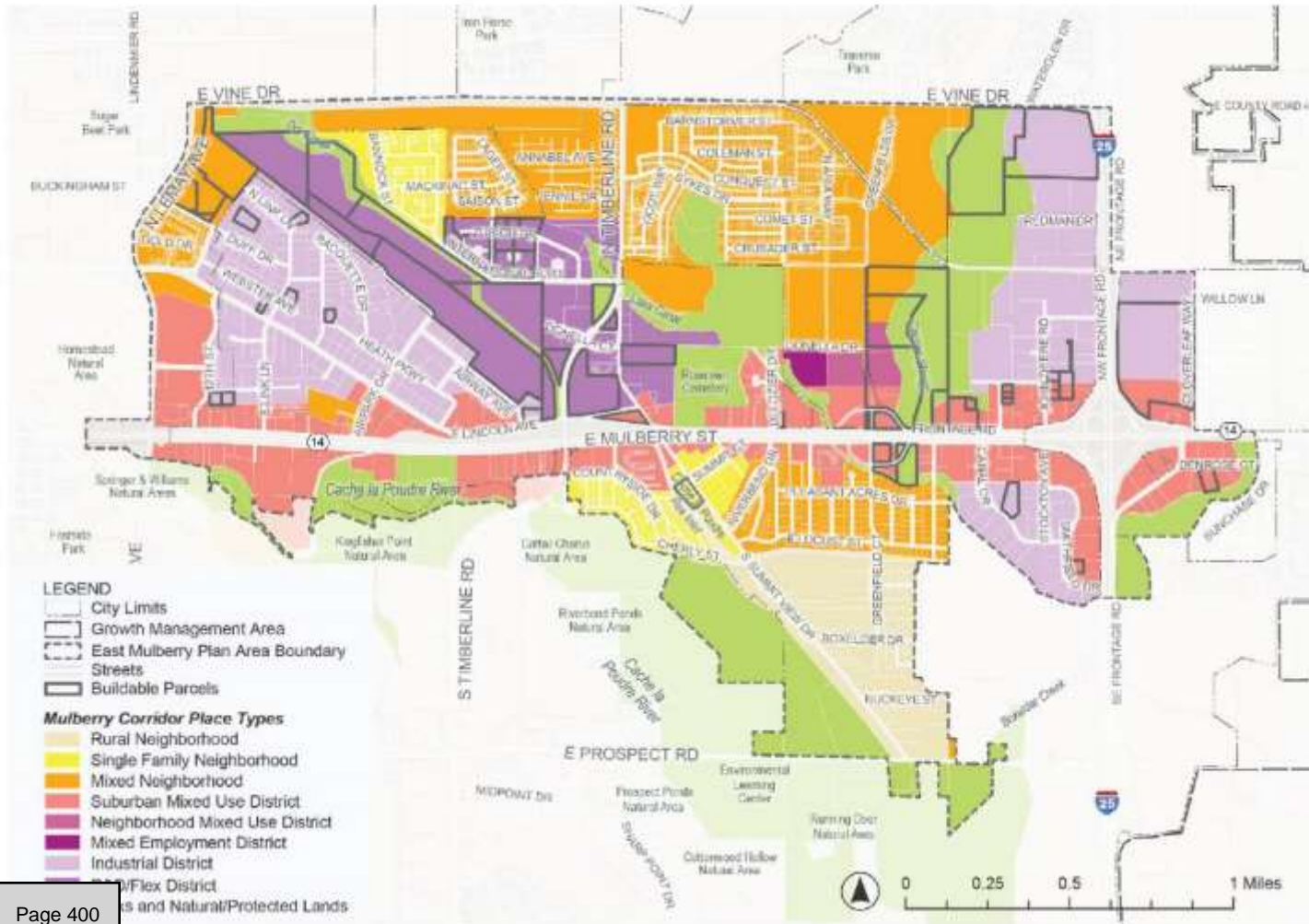
4. Implementation

Place Type Framework Plan

Transportation Framework Plan

Development Review Framework

4. Implementation



Place Type Framework Map

- Place Types match land use guidance in City Plan and can be more flexible than a framework map based on zone districts

Transportation Framework Map

- Depicts connectivity needs, proposed streets for augmentation, and areas for future evaluation and improvement

Development Review Spectrum

- Provides a structured and strategic approach for revitalizing and improving properties over time as they come through the City's development review process

5. Annexation Thresholds

What are Thresholds?

Identification of Thresholds

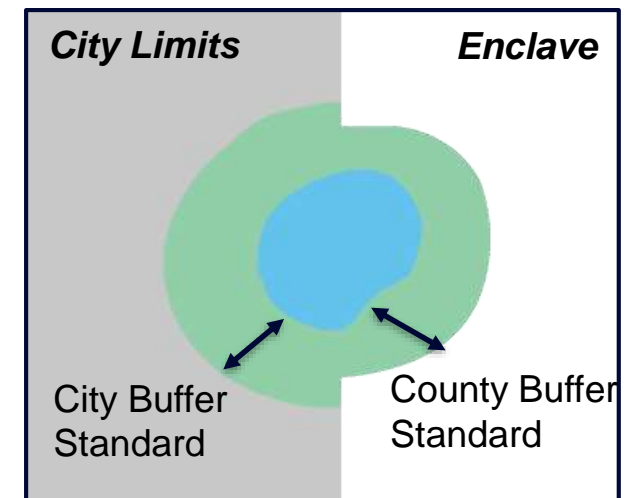
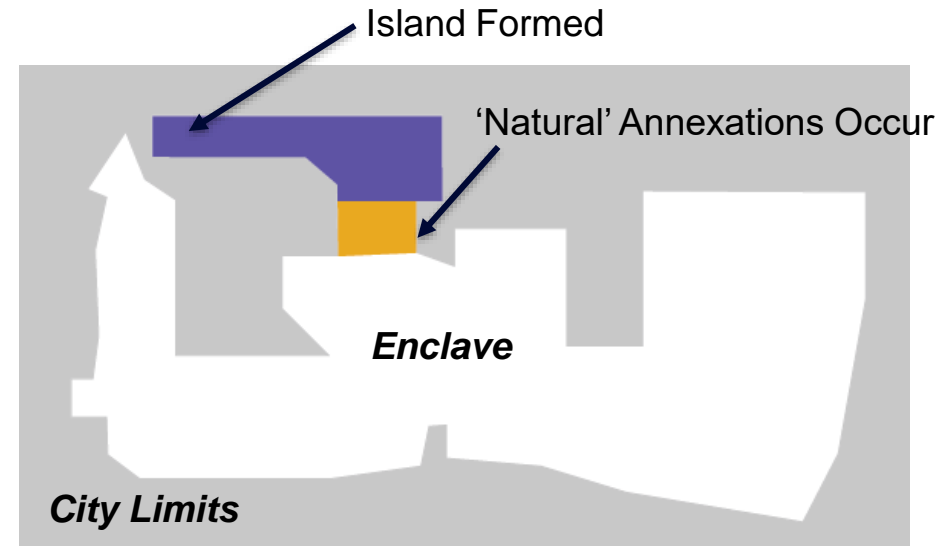
Thresholds Strategy Long-Term Management

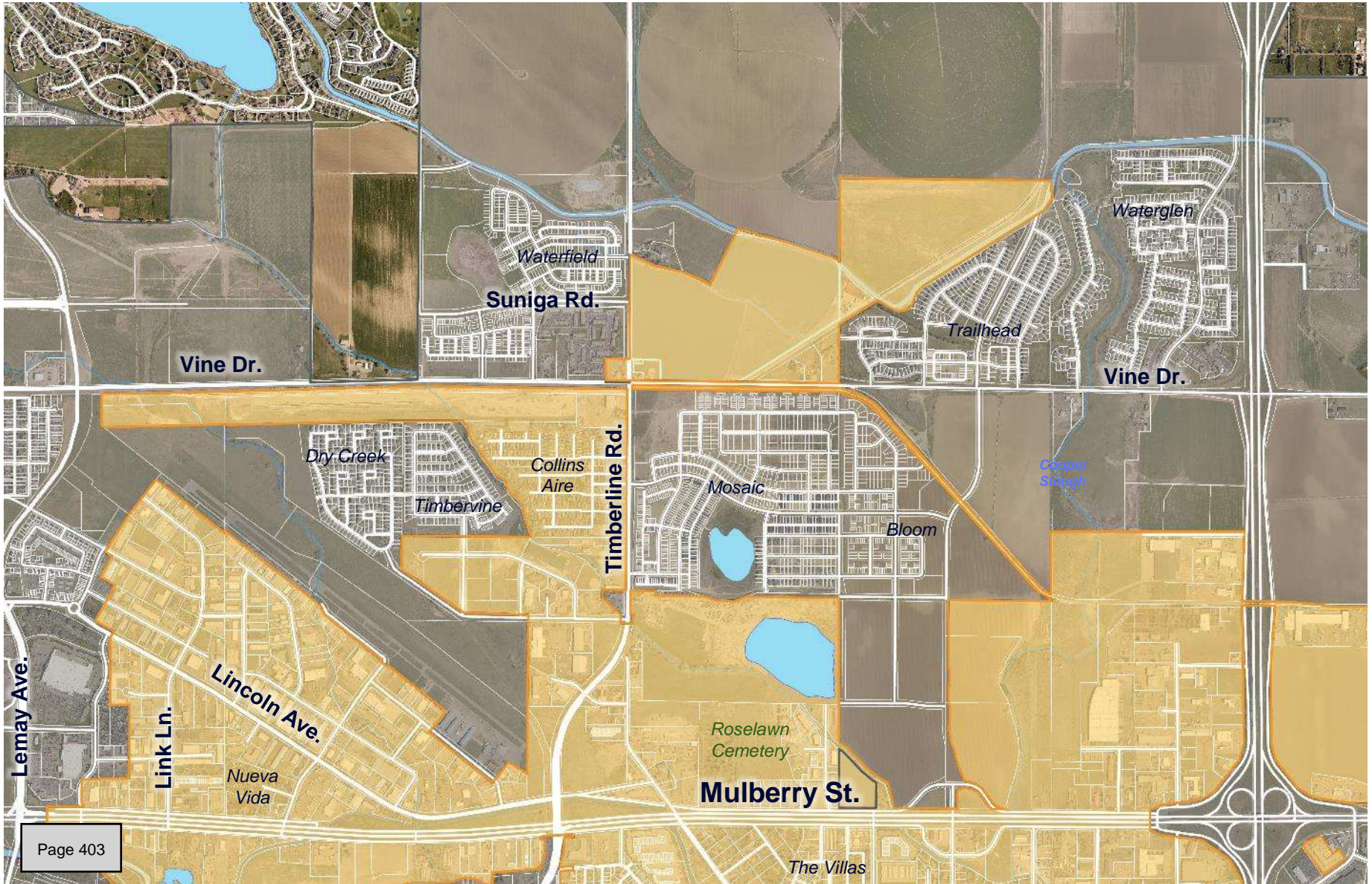
What are thresholds?

A set of conditions that when reached, may represent an opportune time to consider annexation of portions of the enclave.

Threshold Categories



- Maintenance of Logical Boundaries
- Achievement of Citywide Policy Priorities
 - Proactive Resource Protection
 - Redevelopment Risk
 - Other Proactive/Strategic Goal Alignment
- External Funding and Capital Project Alignment




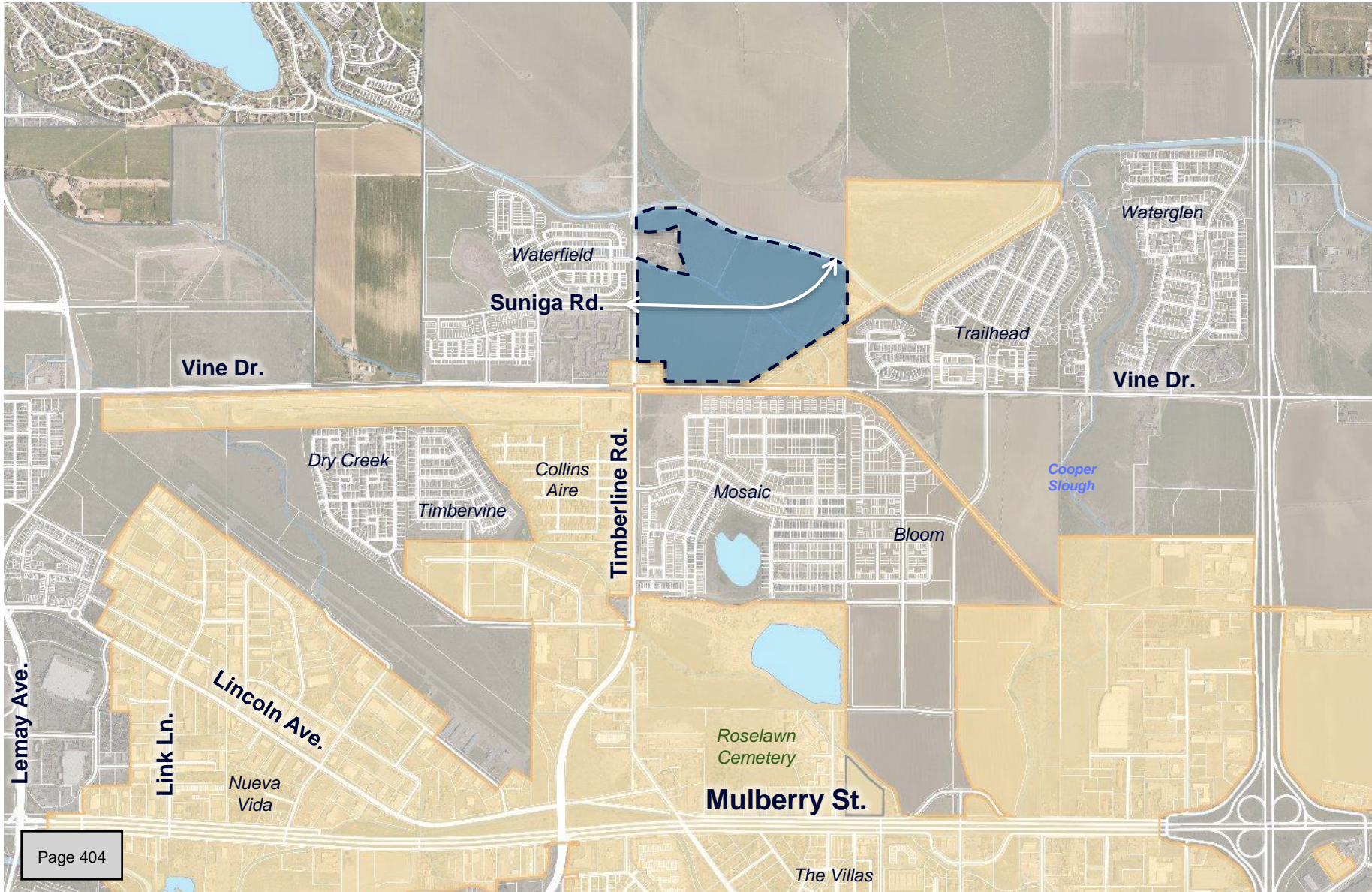


- This map depicts the northern extent of the East Mulberry Enclave as it exists now

Legend:

-  East Mulberry Enclave
-  Fort Collins City Limits


 N



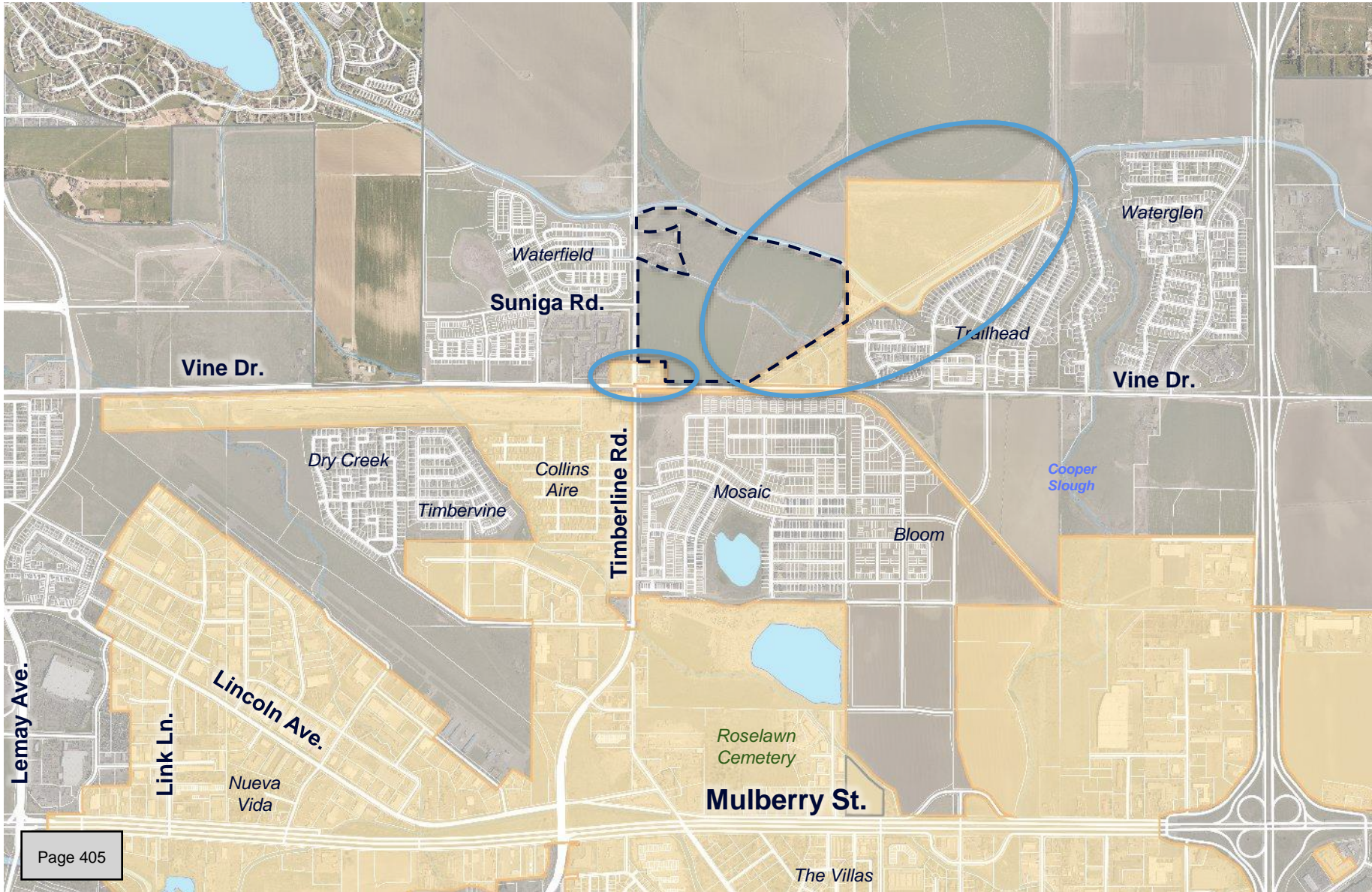
Considerations & Sequencing:

- **Development Activity:**
 - The City has received a Preliminary Design Review submittal for a property near Vine Dr. and Timberline Rd.
 - Development would require annexation

Legend:

-  East Mulberry Enclave
-  Fort Collins City Limits





Considerations & Sequencing:

- **Potential Threshold met:**
 - Annexation of the parcels near Vine and Timberline create ‘islands’ of parcels now physically disconnected
- ↓
- Maintaining logical boundaries threshold
- +
- Proactive resource protection/Achievement of Citywide Policy Priority

Legend:

- East Mulberry Enclave
- Fort Collins City Limits

↑
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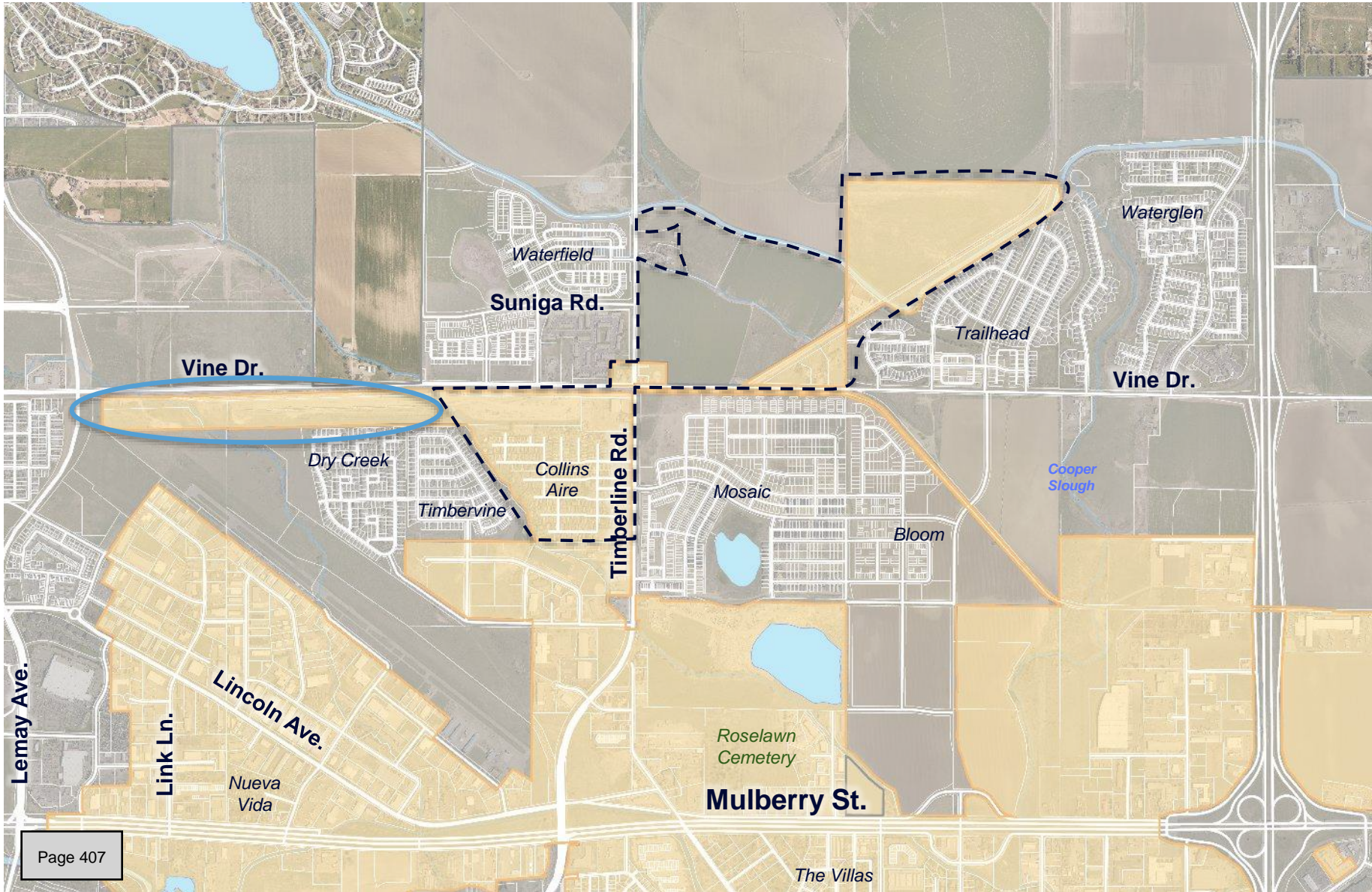
Considerations & Sequencing:

- **Potential Threshold:**
 - Proximity of the Collins Aire Mobile Home Park may offer an opportunity to bring this community into City Limits
- ↓
- Proactive resource protection/Achievement of Citywide Policy Priority

Legend:

- East Mulberry Enclave
- Fort Collins City Limits







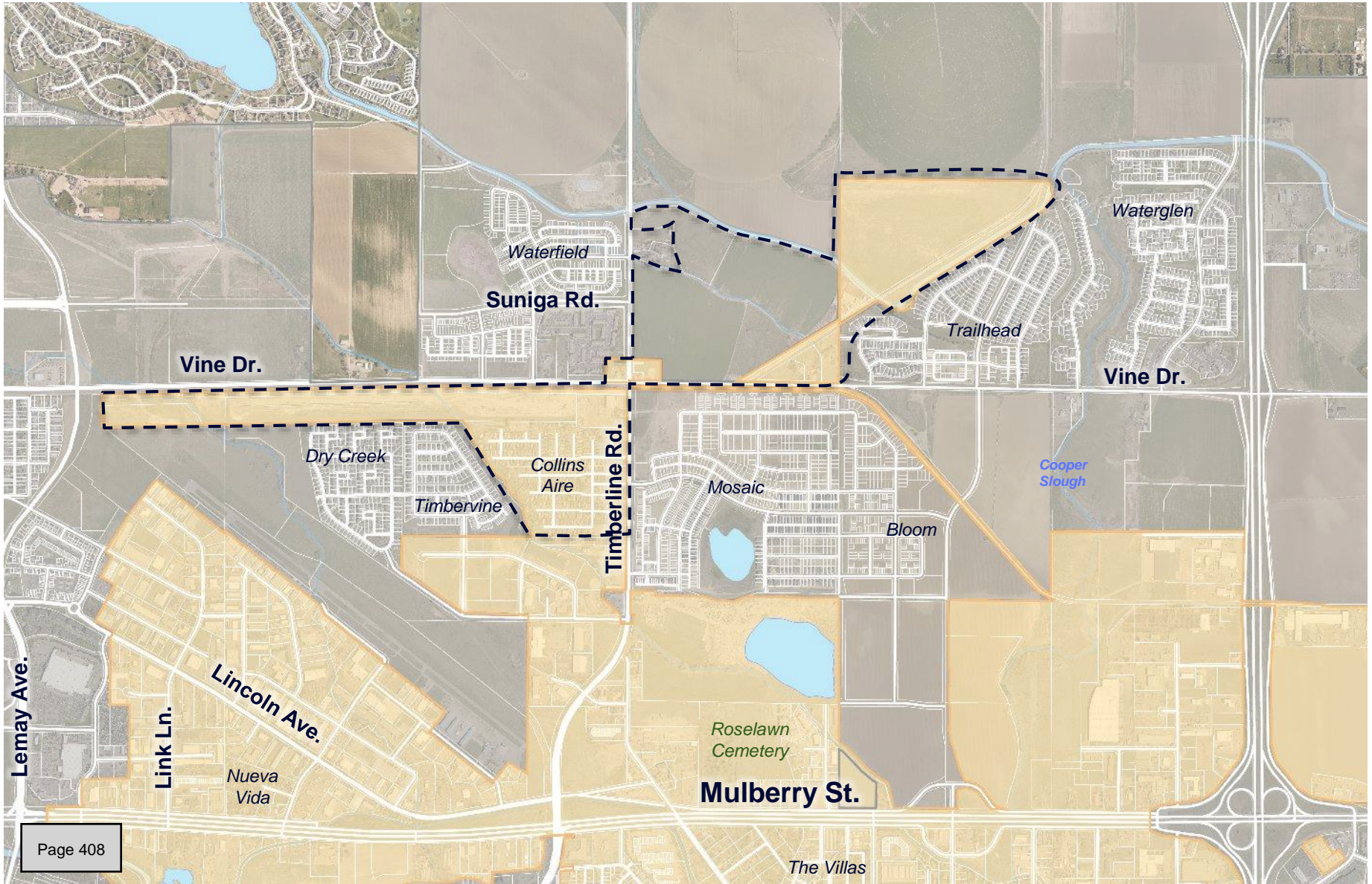
Considerations & Sequencing:

- **Potential Threshold met:**
 - The addition of the Collins Aire Mobile Home Park for annexation consideration would create another 'island' along Vine Dr.
- ↓
- Maintaining logical boundaries threshold

Legend:

-  East Mulberry Enclave
-  Fort Collins City Limits

↑
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Considerations & Sequencing:

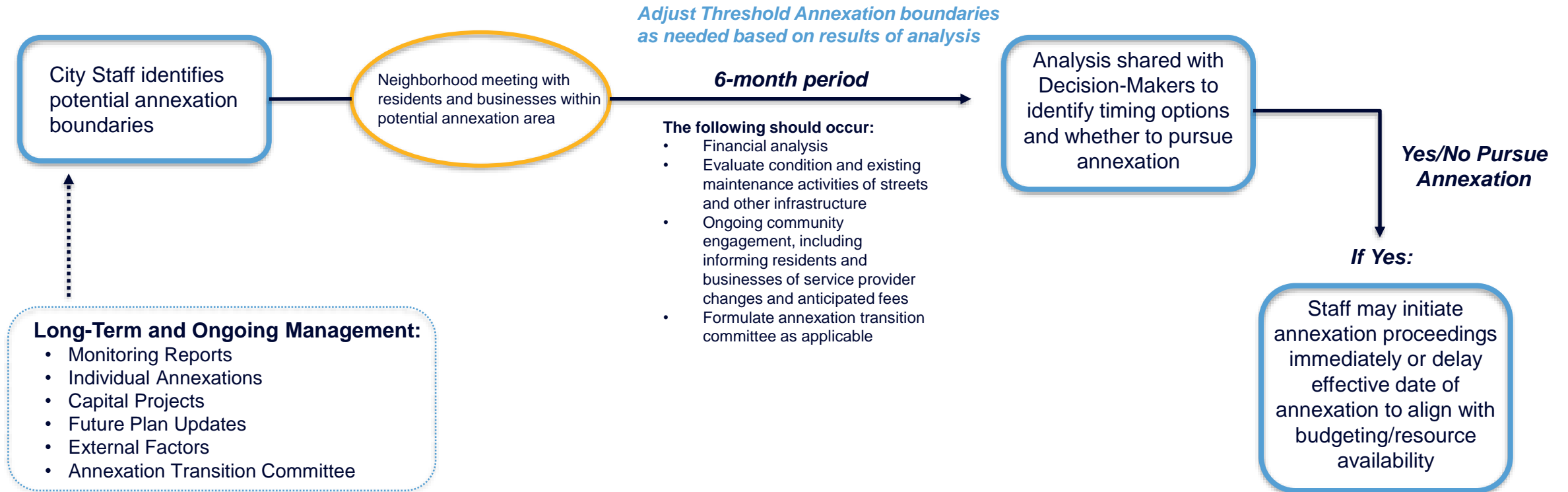
- In this case, multiple thresholds are combined to establish potential annexation boundaries for further analysis and City Council decision

Legend:

-  East Mulberry Enclave
-  Fort Collins City Limits



What happens when a threshold has been identified?





Next Steps

- Public Review Period ahead of Adoption
- First Reading of the East Mulberry Plan is scheduled for November 21, 2023, at a City Council Regular Meeting



Questions:

- Do Councilmembers have feedback on the East Mulberry Plan?
- What additional information would Council require prior to adoption?

