

ORDINANCE NO. 009, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE LAND USE CODE TO ALIGN WITH TWO
ADOPTED STATE HOUSE BILLS CONCERNING ACCESSORY
DWELLING UNITS AND PARKING FOR MULTI-USE DWELLINGS
AND TO CLARIFY AND CORRECT CERTAIN PROVISIONS

A. Pursuant to Ordinance 055, 2024, Council adopted the revised Land Use Code by reference which went into effect on May 27, 2024.

B. Pursuant to Ordinance 081, 2024, Council amended the revised Land Use Code to remove residential occupancy limits based on familial relationships, which went into effect on July 12, 2024.

C. The Land Use Code contains various restrictions on the use of accessory dwelling units (ADUs).

D. The terms of Colorado House Bill 24-1152, effective May 13, 2024, require the City to eliminate certain restrictions on ADUs and allow ADUs to be built in all zones where a single-unit dwelling exists or could be built by June 30, 2025.

E. The Land Use Code also contains minimum parking requirements for new multi-unit and residential mixed-use development.

F. The terms of Colorado House Bill 24-1304, effective August 7, 2024, prohibit the City from imposing minimum parking requirements on land use approvals for new multi-unit and residential mixed-use development after June 30, 2025.

G. The City desires to comply with House Bills 24-1152 and 24-1304, and in order to do so, the existing Land Use Code ADU and minimum parking requirements must be amended as set forth in this Ordinance.

H. To provide clarification, this Ordinance also corrects various items in the Land Use Code, such as deleting duplicative standards, updating references, and combining tables.

I. On November 21, 2024, the Planning and Zoning Commission unanimously voted to recommend that Council adopt the proposed changes set forth in this Ordinance.

J. This Ordinance amends the Land Use Code which was adopted by reference in Ordinance 055, 2024, and amended in Ordinance 081, 2024. However, the amendments contained in this Ordinance are set forth in their entirety herein.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.2, UE – Urban Estate District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types list, Lot size Table, Lot Width Table, Building Height Table is hereby amended to read as follows:

...

The following building types are permitted in the UE District:

BUILDING TYPES	LOT SIZE	LOT WIDTH	BUILDING HEIGHT	ADDITIONAL REQUIREMENTS
Detached house (Urban & Suburban)	21,780 ft ² (1/2 Acre) min.	100' min.	3 Stories max.	Only one detached house on a lot, may include one (1) ADU
Duplex	21,780 ft ² (1/2 Acre) min.	100' min.	3 Stories max.	Only one duplex on a lot, shall not be combined with a detached house or ADU
Accessory Dwelling Unit	N/A	N/A	No taller than Detached house on the same lot	Located on the same lot with a detached house
Detached Accessory Structure	21,780 ft ² (1/2 Acre) min.	100' min.	30' max.	Located on the same lot with a primary use
Non Residential	N/A	N/A	3 Stories max.	See other Articles
Residential Cluster	See section 3.1.10		3 Stories max.	See other Articles

Section 2. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.3, RF – Residential Foothills District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types list, Lot size Table, Lot Width Table, Building Height Table is hereby amended to read as follows:

...

The following building types are permitted in the RF District:

BUILDING TYPES	LOT SIZE	LOT WIDTH	BUILDING HEIGHT	ELEVATION	ADDITIONAL REQUIREMENTS
Detached house	100,000 ft ²	200' min.	3 Stories max.	No elevation of any	Only one detached house

(Urban & Suburban)	(2.29 Acres) min.			building built on a lot in the RF District shall extend above five thousand two hundred fifty (5,250) feet above mean sea level	on a lot, may include one (1) ADU
Accessory Dwelling Unit	N/A	N/A	No taller than Detached house on the same lot		Located on the same lot with a detached house
Detached Accessory Structure	100,000 ft ² (2.29 Acres) min.	200' min.	30' max.		Located on the same lot with a primary use
Non Residential	N/A	N/A	3 Stories max.		See other Articles
Residential Cluster	See section 3.1.10		3 Stories max.		See other Articles

...

Section 3. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.4, RL – Low Density Residential District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types list, # Of Units Table, and Lot Area Table is hereby amended to read as follows:

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BUILDING TYPES

The following building types are permitted in the RL District:

BUILDING TYPES	# OF UNITS*	LOT AREA	ADDITIONAL REQUIREMENTS
Detached House (Urban & Suburban)	1 max.	The greater of 6000 ft ² or three (3) times the total floor area of all buildings excluding an ADU	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	Located on the same lot with a detached house
Detached Accessory Structure	See Section 3.1.8		Located on the same lot with and

		behind a detached house
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*The total number of units shall not exceed one (1). Detached house and one (1) ADU. Refer to Building Types Article 3 and Use Standards Article 4 for specific definitions.

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Section 4. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.5, MH – Manufactured Housing District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types, Building Height Table, Building Footprint Table, and Setbacks Table is hereby amended to read as follows:

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The following building types are permitted in the MH District:

BUILDING TYPES	BUILDING HEIGHT	FOOTPRINT	ADDITIONAL STANDARDS
Mobile Home	3 Stories max.	N/A	Lot may include one (1) ADU.
Accessory Dwelling Unit (Detached & Attached)	No taller than Mobile Home on the same lot.	No greater than Mobil Home on the same lot.	Only one (1) ADU on a lot with a Mobile Home.
Detached Accessory Structure	28' max.	800 ft ²	Located on the same lot with a primary use.
Nonresidential Buildings	3 Stories max.	5,000 ft ²	See Article 4 and 5

SETBACKS AND SEPARATION			
Front Setback*	15' min.	Distance between Mobile Home and Accessory Dwelling Units	10' min.
Rear Setback*	10' min.		
Side Setback*	10' min.	Distance between Accessory Structure	3' min.

*Setbacks are from property line.

Section 5. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.6, OT – Old Town District, BUILDING TYPES, Building Types list, Additional Site Requirement Table, is hereby amended to read as follows:

...

BUILDING TYPES

The following building types are permitted in the OT-A subdistrict:

Building Types	Units*	Lot Area	Floor Area	Additional Site Requirement
Detached House (Urban & Suburban)	1 max.	6,000 ft ² min.	2,400 ft ²	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use

BUILDING TYPES

The following building types are permitted in the OT-B subdistrict:

Building Types	Units*	Lot Area	Floor Area	Additional Site Requirement
Detached House (Urban & Suburban)	1 max.	5,000 ft ² min.	2,400 ft ² max.	N/A
Duplex	2 max.	5,000 ft ² min	40% of lot area max.	N/A
Triplex	3 max.	6,000 ft ² min	70 % of lot area max.	N/A
Apartment Building	4 max.	6,000 ft ² min	85% of lot area max.	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House, Duplex, or Triplex
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use

BUILDING TYPES

The following building types are permitted in the OT-C subdistrict:

Building Types	Units	Lot Area	Floor Area	Additional Site Requirement
Detached House (Urban & Suburban)	1 max.	4,500 ft ² min.	2,400 ft ²	N/A
Duplex	2 max.	4,500 ft ² min.	No max.	N/A
Apartment Bldg. (Triplex and other)	3 min.	4,500 ft ² min. & additional 750 ft ² min. for each unit greater than 3 units	No max.	N/A
Rowhouse	2 min. to 3 max.	4,500 ft ² min.	No max.	N/A
	4 max.	6,000 ft ² min.	No max.	N/A
	5 max.	7,500 ft ² min.	No max.	N/A
Cottage Court	5 min.	9,000 ft ² min.	See Section 3.1.3	N/A
Mixed-Use	3 min.	4,500 ft ² min. & additional 750 ft ² min. for each unit greater than 3 units	No max.	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House, Duplex, or Triplex
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use

OT – Old Town District (Low, Medium, and High)

DEVELOPMENT STANDARDS

FLOOR AREA – REAR LOT AREA	
OT-A	25% max. of rear 50% lot area**
OT-B & OT-C	33% max. of rear 50% lot area**

**All floor area of an ADU is excluded

6. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.2.1., LMN – Low Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, Residential Building Setbacks table is hereby amended to read as follows:

...

RESIDENTIAL AND ACCESSORY BUILDING SETBACKS	
Front Setback – from Arterial streets	15' min. A
Front Setback – from Non-Arterial streets	9' min.
Rear Setback	8' min. B
Side Setback	5' min. C

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Section 7. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.2.3, HMN – High Density Mixed-Use Neighborhood District, BUILDING TYPES, Minimum Density Table is hereby amended to read as follows:

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HMN BUILDING TYPES	# OF UNITS	MAXIMUM DENSITY	MINIMUM DENSITY
Non-Residential	N/A	N/A	N/A
Mixed-Use	4+ min.	None	1 unit per 2,000 sq. ft. of site area
Apartment	4+ min.		
Rowhouse	3+ min.		
ADU (with an existing Detached House)	1 max.		N/A
Detached Accessory Structure (with an existing Detached House)	1 max.		N/A

Minimum and Maximum Density applies to an entire site or subdivision.

Section 8. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.6 Detached House, Urban, ZONE DISTRICTS and LOT STANDARDS is hereby amended as follows:

...

ZONE DISTRICTS

The following Zone Districts allow Detached House, Urban Building:

- OT
- LMN
- MMN
- RL
- RUL
- UE
- HC
- CL
- CS
- CCR
- CCN

...

LOT STANDARDS*	
Lot Size - Minimum	3000 ft ² * A
Lot Width - Minimum	40' min. B

*Lot standards may vary from dimensions stated here if:

- Part of a larger development and consistent with density requirements; or
- Zone District specific standard applies (see Article 2)

...

Section 9. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.7 Detached House, Suburban, ZONE DISTRICTS and LOT STANDARDS is hereby amended as follows:

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ZONE DISTRICTS

The following Zone Districts allow Detached House, Suburban building type:

- OT
- LMN
- MMN
- RL
- RF
- UE
- RUL
- CCN
- CCR
- CG
- CS
- CL
- HC
- E

...

LOT STANDARDS	
Lot Area	3000 ft ² min.*
Lot Width**	60' min. A
Front Setback**	20' B
Rear Setback**	15'
Rear Setback, Alley-Accessed Garages**	6'
Residential Use – Side Setback**	Corner Lot – 15' min. Interior Lot – 5' min.

*Lot standards may vary from dimensions stated here if:

- part of a larger development and consistent with density requirements; or
- Zone District specific standard applies (see Article 2)

**Except in OT, the standards in this zone district apply.

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Section 10. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.9 BUILDING TYPE: Accessory Dwelling Unit (ADU), DESCRIPTION, ZONE DISTRICTS, Detached ADU FLOOR AREA, and ADU FLOOR AREA is hereby amended as follows:

DESCRIPTION

- Provides complete independent living facilities including
 - living,
 - sleeping,
 - eating,
 - cooking, and
 - sanitation.
- Per zone district Standards may be accessory to a Detached House, Mobile Home, Duplex, or triplex, located on the same lot.
- New construction or built within an existing detached accessory building
- Max. square footage
- Subordinate to and complements the primary dwelling (architecture, building materials)
- ADUs may come in one of two varieties:
 - Detached
 - Attached

ZONE DISTRICTS

All zone districts where single unit dwelling is permitted or exists.

Detached ADU FLOOR AREA			
Detached ADU with or without non-	New construction	Primary Building ≤1,667 ft ²	750 ft ² max.

habitable space (Rear Lot)		Primary Building ≥1,667 ft ²	1,000 ft ² max./ or 45% of primary dwelling unit. (whichever is less)
	Existing accessory structure*		800 ft ² max.**

*Legal structure upon the adoption of the LUC. **Does not include non-habitable space.

...

ADU MAX. FLOOR AREA		
Attached ADU	Located on a floor level at or above grade	The greater of 750 sf or 45% of primary dwelling unit
	Located on floor level below grade	The greater of 750 sf or 100% of the floor level

Section 11. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.10 Residential Cluster, Setbacks for attached, detached and accessory buildings in a Residential Cluster and Units Per Acres in a Residential Cluster is hereby amended as follows:

...

Setbacks for attached, detached, accessory dwelling unit, and accessory buildings in a Residential Cluster				
Building	Front	Interior Side	Street Side	Rear
Detached	15' min	5' min	15' min	8' min
Attached	10' min	0' min	15' min	8' min
Accessory Dwelling Unit	15' min	5' min	15' min	8' min
Detached Accessory	Behind primary building	5' min	15' min	8' min

...

Units per Acres in a Residential Cluster		
Zone District	Max. Dwelling Units*	Acres
UE	2	1
RUL	1	10
RF	1	1

*In addition to the max dwelling units, lots with a detached house may include one (1) ADU.

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Section 12. ARTICLE 4 USE STANDARDS, DIVISION 4.2 TABLE OF PRIMARY USES is hereby amended to add Accessory Dwelling Unit to all zone districts where an existing Detached House is or can be built and change the level of review for an ADU to a Basic Development Review, and add Public/Private schools as Type 1 use to read as follows:

...

	RESIDENTIAL DISTRICTS					MIXED-USE DISTRICTS					COMMERCIAL DISTRICTS					DOWNTOWN DISTRICTS					EMPLOYMENT, INDUSTRIAL, OTHER											
	RUL	UE	RF	RL	OT-A	MH	LMN	MMN	HMN	OT-B	OT-C	CC	CCN	CCR	CG	CG-CAC	CS	NC	CL (RA)	CL (OA)	HC	H. CORE	CA/C/NM	I/R	RC	CN	EC	E	I	POL	T	
RESIDENTIAL USES																																
...																																
Accessory Dwelling Unit	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
...																																

...

	RESIDENTIAL DISTRICTS					MIXED-USE DISTRICTS					COMMERCIAL DISTRICTS					DOWNTOWN DISTRICTS					EMPLOYMENT, INDUSTRIAL, OTHER											
	RUL	UE	RF	RL	OT-A	MH	LMN	MMN	HMN	OT-B	OT-C	CC	CCN	CCR	CG	CG-CAC	CS	NC	CL (RA)	CL (OA)	HC	H. CORE	CA/C/NM	I/R	RC	CN	EC	E	I	POL	T	
INSTITUTIONAL/CIVIC/PUBLIC USES																																
...																																
Public/Private schools (elem., interm. & H.S.)		■	■	■	■	■	■	■	■	■	■	■	■	■				■	■	■	■	■	■	■	■	■	■					
Public/Private schools (voc. & tech.)						■	■				■	■	■	■				■	■	■	■	■										
...																																

...

Section 13. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.1 RESIDENTIAL USES, Subsection (B) Accessory Building is hereby amended to read as follows:

4.3.1 RESIDENTIAL USES

...

(B) **Accessory Dwelling Unit** shall be subordinate to a primary dwelling unit. The land underneath the primary structure and the accessory dwelling unit is not divided into separate lots. This does not exclude the ability to create a condominium plat.

(1) Accessory Dwellings Units that apply for a building permit on or after January 1, 2024, shall not be used for a short term rental. Existing short term rental licenses issued before January 1, 2024, may be renewed or a new license after this date may be issued per Section 15-646 of the Code of the City of Fort Collins.

...

Section 14. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.1 RESIDENTIAL USES, Subsection (E)(1)(j) Home Occupations is hereby amended to read as follows:

- (j) A home occupation shall not be interpreted to include the following:
 - (I) animal hospital;
 - (II) long-term care facility;
 - (III) restaurant;
 - (IV) bed & breakfast;
 - (V) adult-oriented use;
 - (VI) vehicle repair, servicing, detailing or towing if vehicles are dispatched from the premises, or are brought to the premises, or are parked or stored on the premises or on an adjacent street;
 - (VII) medical marijuana businesses ("MMBs"), as defined in Section 15-452 of the City Code;
 - (VIII) retail marijuana establishment as defined in Section 15-603 of the City Code; and (IX) short term primary rentals and short term non-primary rentals.

Section 15. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.1 RESIDENTIAL USES, Subsection (K) Shelter for victims of Domestic Violence is hereby amended to read as follows:

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(K) Shelter for victims of Domestic Violence

- (1) Shall be separated from a shelter by a minimum of one thousand five hundred (1,500) feet.

Section 16. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.3COMMERCIAL/RETAIL USES, Subsection (Y)(1)(g) Small Scale Reception center is hereby amended to read as follows:

- (g) **Buffering.** If the reception center abuts a single unit dwelling or property zoned for such activity, buffering shall be established between the two (2) land uses sufficient to screen the building, parking, outdoor lighting and associated outdoor activity from view. A combination of setbacks, landscaping, building placement, fences or walls and elevation changes and/or berming shall be utilized to achieve appropriate buffering.

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Section 17. ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(K) Parking Lots – Required Number of Off-Street Spaces for Type of Used is hereby amended to read as follows:

...

(K) Parking Lots - Required Number of Off-Street Spaces for Type of Use.

(1) Residential, Commercial, and Institutional Parking Requirements.

Residential, commercial, and institutional uses shall provide a *minimum* number of parking spaces as defined by the standards below.

(a) Single Unit and Two-Unit.

Detached House: there shall be one (1) parking space on lots with greater than forty (40) feet of street frontage or two (2) parking spaces on lots with forty (40) feet or less of street frontage.

Duplex and Rowhouse: for each dwelling unit with two (2) or fewer bedrooms there shall be one (1) parking space and two (2) parking spaces for each dwelling unit with three (3) or more bedrooms.

Parking of any vehicle in the front yard of a lot on which exists a Detached House or Duplex shall be prohibited unless such vehicle is parked on an improved area having a surface of asphalt, concrete, rock, gravel or other similar inorganic material, and such improved area has a permanent border.

(b) Manufactured Homes. For each manufactured home in a manufactured home community there shall be one (1) parking spaces per dwelling unit.

(c) Fraternity and Sorority Houses. For each fraternity or sorority house, there shall be two (2) parking spaces per three (3) beds. The alternative compliance provisions Section 5.9.1(K)(1)(a)(II) may be applied to vary this standard.

(d) Recreational Uses For each recreational use located in a residential district there shall be one (1) parking space per four (4) persons maximum rated capacity.

(e) Schools, Places of Worship or Assembly and Child Care Centers. For each school, place of worship or assembly and child

care center, there shall be one (1) parking space per four (4) seats in the auditorium or place of worship or assembly, or two (2) parking spaces per three (3) employees, or one (1) parking space per one thousand (1,000) square feet of floor area, whichever requires the greatest number of parking spaces. In the event that a school, place of worship or assembly, or child care center is located adjacent to uses such as retail, office, employment or industrial uses, and the mix of uses creates staggered peak periods of parking demand, and the adjacent landowners have entered into a shared parking agreement, then the maximum number of parking spaces allowed for a place of worship or assembly shall be one (1) parking space per four (4) seats in the auditorium or place of worship or assembly, and the maximum number of parking spaces allowed for a school or child care center shall be three (3) spaces per one thousand (1,000) square feet of floor area. When staggered peak periods of parking demand do not exist with adjacent uses such as retail, office, employment or industrial uses, then the maximum number of parking spaces allowed for a place of worship or assembly shall be one (1) parking space per three (3) seats in the auditorium or place of worship or assembly, and the maximum number of parking spaces allowed for a school or child care center shall be four (4) spaces per one thousand (1,000) square feet of floor area.

- (f) **Small Scale Reception Centers in the UE, Urban Estate District.** For each reception center there shall be one (1) parking space per four (4) persons maximum rated occupancy as determined by the building code.
- (g) **Short term non-primary rentals and short term primary rentals.** The minimum number of off-street parking spaces required are as follows:

<i>Number of Bedrooms Rented</i>	<i>Number of Off-Street Parking Spaces</i>
1—2	1
3—4	2
5—6	3

- (l) The number of additional off-street parking spaces required for more than six (6) bedrooms rented shall be calculated in the

same manner used in the above chart (e.g., 7-8 bedrooms rented requires four (4) off-street parking spaces).

- (II) Short term rentals licensed pursuant to the Code of the City of Fort Collins Section 15-646 and for which the license application was submitted prior to October 31, 2017, are exempt from compliance with these parking requirements so long as such license remains continuously valid. Subsequent licenses issued pursuant to Section 15-646 shall comply with these parking requirements.

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Section 18. ARTICLE 5 General Development and Site Design, DIVISION 5.10 LANDSCAPING AND TREE PROTECTION, 5.10.3 BUFFERING BETWEEN BUILDINGS WITH OCCUPIABLE SPACE AND OIL AND GASE, Section 5.10.3(F)(3) *Disclosure* is hereby amended to read as follows:

...

- (3) Sellers and lessors of any real property within an oil and gas buffer must provide the following written notice of material facts related to oil and gas facilities identified by environmental site assessments the disclosure notice must be provided in at least fourteen (14) point font to any potential purchaser who intends to resell, occupy and/or lease the property prior to or as part of the purchase or rental agreement:

As required by 5.10.3 of the Fort Collins Land Use Code, notice is hereby given that [insert description of lot] is within [insert buffer standard set forth in Subsection (D) including well status and distance from well]. At the time of [sale or lease], environmental assessments, studies or reports done involving the physical condition of the Property impacted by oil and gas production are within the acceptable Environmental Protection Agency limits. For more information contact the City of Fort Collins Environmental Planner or the Colorado Energy and Carbon Management Commission formerly known as the Colorado Oil and Gas Conservation Commission.

The above notice shall be provided by the prospective seller or lessor to the prospective buyer or lessee of real property no less than thirty (30) days before closing or such shorter time period agreed to by the parties and shall be provided before the signing of any purchase, sale, or rental agreement for the subject property

Section 19. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.4 BASIC DEVELOPMENT REVIEW, Basic Development Review and Minor Subdivision

review procedures, Section 6.4.3(L) *Step 12*: (Appeals) is hereby amended to read as follows:

Step 12 (Appeals): Applicable pursuant to Section 6.3.12(C). Regardless of the foregoing the Appeals step is not applicable to applications for Accessory Dwelling Units.

Section 20. The title of Article 6, ADMINISTRATION and PROCEDURES, DIVISION 6.21 PROJECT STOCKPILING PERMITS, AND DEVELOPMENT CONSTRUCTION AND OFF-SITE CONSTRUCTION STAGING is hereby amended to read as follows:

DIVISION 6.21 PROJECT STOCKPILING PERMITS, AND DEVELOPMENT CONSTRUCTION

Section 21. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.21 PROJECT STOCKPILING PERMITS, AND DEVELOPMENT CONSTRUCTION AND OFF-SITE CONSTRUCTION STAGING, Section 6.21.4 OFF-SITE CONSTRUCTION STAGING is hereby deleted in its entirety.

Section 22. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended to read as follows:

...

Accessory dwelling unit (ADU), detached shall mean an additional, subordinate dwelling unit created on a lot with a primary dwelling unit. The additional unit is smaller than the primary dwelling unit (except when the accessory dwelling unit is in an existing basement). The accessory dwelling unit includes its own complete independent living facilities, including facilities for living, sleeping, eating, cooking, and sanitation. It is designed for residential occupancy by one or more people, independent of the primary dwelling unit.

...

Accessory dwelling unit (ADU), attached shall be defined as an additional, subordinate dwelling unit created on a lot with a primary dwelling unit. The additional unit is smaller than the primary dwelling unit (except when the accessory dwelling unit is in an existing basement). The accessory dwelling unit includes its own complete independent living facilities, including facilities for living, sleeping, eating, cooking, and sanitation. It is designed for residential occupancy by one or more people, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.

...

Building Footprint, the outline of the total area that is covered by a building's perimeter occupied or obstructed from ground to sky by the structure or portion of the structure, as measured to the exterior face at or above-grade including exterior walls on all levels, to the furthest edge of roofs, and to the furthest edge of any other above-grade surfaces. This does not include structures or portions of structures with surfaces located no more than 30-inches above grade; fences and retaining walls; or detached ground-mounted mechanical equipment serving permitted uses.

...

Occupant, shall mean a person who occupies habitable space in a dwelling unit or any portion thereof.

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Introduced, considered favorably on first reading on January 21, 2025, and approved on second reading for final passage on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 14, 2025

Approving Attorney: Madelene Shehan